

Return to an Address of the Honourable the House of Commons
dated 6 July 2016
for

The Report of the Iraq Inquiry

Report of a Committee of Privy Counsellors

Volume XI

Ordered by the House of Commons to be printed on 6 July 2016

HC 265-XI



© Crown copyright 2016

This publication is licensed under the terms of the Open Government Licence v3.0 except where otherwise stated. To view this licence, visit nationalarchives.gov.uk/doc/open-government-licence/version/3 or write to the Information Policy Team, The National Archives, Kew, London TW9 4DU, or email: psi@nationalarchives.gsi.gov.uk.

Where we have identified any third party copyright information you will need to obtain permission from the copyright holders concerned.

This publication is available at www.gov.uk/government/publications

Any enquiries regarding this publication should be sent to us at Iraq.Inquiry@Cabinet-Office.x.gsi.gov.uk

Print ISBN 9781474110136

Web ISBN 9781474110143

ID 23051601 46561 07/16

Printed on paper containing 75% recycled fibre content minimum

Printed in the UK by the Williams Lea Group on behalf of the Controller of Her Majesty's Stationery Office

Volume XI

CONTENTS

14.1 Military equipment (post-conflict)	1
14.2 Conclusions: Military equipment (post-conflict)	227
15.1 Civilian personnel	243
15.2 Conclusions: Civilian personnel	411

SECTION 14.1

MILITARY EQUIPMENT (POST-CONFLICT)

Contents

Introduction	3
Background	3
The procurement process	3
Addressing equipment capability gaps	5
The need for an expeditionary capability	9
Preparing for the post-conflict phase	11
Improvement in the MOD's procurement process during Op TELIC	16
Protected mobility and the developing threat to UK troops	21
Initial deployment of Protected Patrol Vehicles (PPVs) in Iraq	21
Deploying PPVs to Iraq	25
The appearance of Explosively Formed Projectiles (EFPs) and the UK's response	32
Project DUCKBOARD evolves	36
The impact of the 2004 Spending Review on FRES	43
A "Type B" vehicle	45
The threat in mid-2004	48
A PPV for Afghanistan	52
Response to the increase in the threat	61
The impact on wider civilian operations	72
Decisions on the wider protected mobility capability for the Army	76
Project Vector	85
The decision to procure additional vehicles for Iraq	88
The introduction of Mastiff	99
Changes to the arrangements for identifying and funding UORs	114
Protected mobility between late 2006 and mid-2009	117
Introduction of a new process to determine the acceptable level of risk in operations	126
The requirement for an "urban" PPV	129
FRES as a distinct requirement	137
Call for a public inquiry into the use of Snatch	142
Snatch after Iraq	144

The impact of Afghanistan on the equipment available in Iraq	144
Existing capability gaps before 2006	145
ISTAR	145
Support helicopters	158
The availability of ISTAR and support helicopters from 2006 onwards	168
The DOC's third report, 4 April 2006	170
Re-aligning assets and understanding the shortfalls	175
Mr Browne's concern	182
The increasing threat of indirect fire attacks	189
Considering whether to deploy Reaper to Iraq	207
The drawdown of UK forces	208
The remaining levels of helicopter and ISTAR support in MND(SE)	213

Introduction

1. This Section addresses:

- three examples of a significant capability gap during operations in Iraq: protected mobility, Intelligence, Surveillance, Target Acquisition and Reconnaissance (ISTAR) and support helicopters; and
- the impact that deploying a medium scale force to Afghanistan in 2006 had on the provision of military equipment to Iraq.

2. This Section does not address:

- the process by which equipment was funded, which is addressed in Section 13.1;
- MOD operational policy or the specific circumstances in which individuals lost their lives in Iraq; and
- the MOD's procedure for supporting those killed or injured in Iraq, which is addressed in Section 16.3.

3. The Ministry of Defence (MOD) has agreed to declassify a large amount of material for this Section but there were places where that was not possible for national security reasons. In those few cases, the Inquiry has agreed with the MOD either to redact the material or replace it with a cipher. Where ciphers appear, they will be explained in a footnote.

Background

The procurement process

4. The MOD's financial planning framework for its core budget comprised two distinct elements:

- The Short Term Plan (STP); and
- The Defence Programme.¹

5. The STP forecast spending on operational costs. Those were predominantly the responsibilities of the Front Line Commands (FLCs). The STP looked forward four years. Significant investment programmes, where a four-year planning horizon was too short, would be considered in the Defence Programme.

6. The Defence Programme provided a 10 year budget to balance capital spend priorities across equipment procurement, equipment support and non-equipment investments.

¹ Report Gray, October 2009, 'Review of Acquisition for the Secretary of State for Defence'.

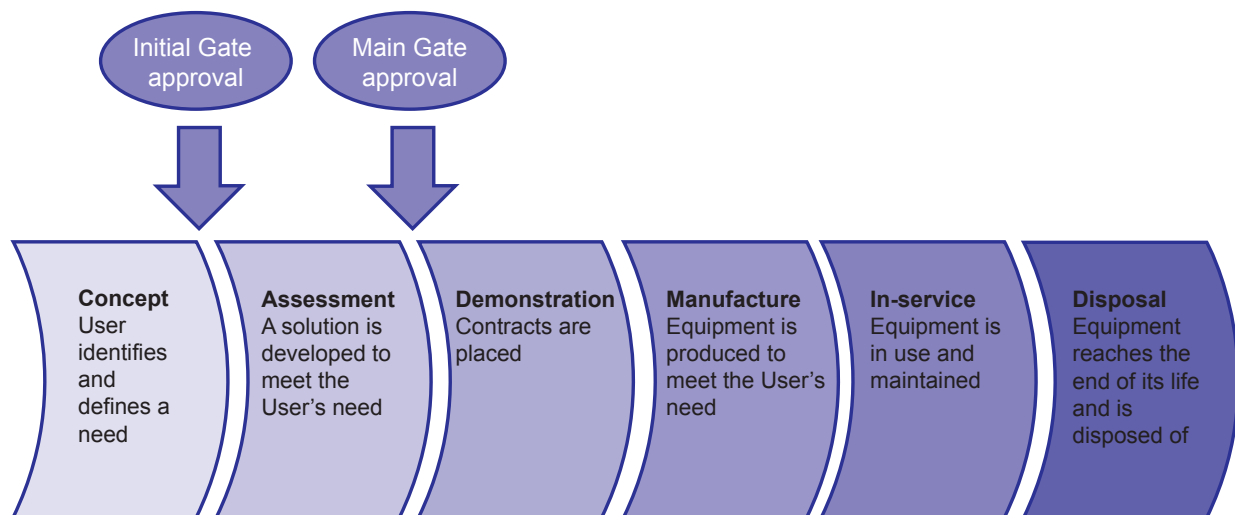
7. The Defence Programme comprised three strands:

- the procurement of new capability through the Equipment Procurement Plan (EPP) which looked forward 30 years;
- provision of equipment support through the Equipment Support Plan (ESP) which was planned over 10 years; and
- the Non-Equipment Investment Plan which planned for investment in non-military equipment, such as IT.

8. Collectively the EPP and the ESP were known as the Equipment Plan (EP).

9. Procuring equipment was achieved through the MOD's Smart Acquisition process, which was established in 1998 and sought to enable a high level of confidence that equipment projects would be delivered on time and within budget.² That process is illustrated in Figure 1.

Figure 1: The stages of equipment acquisition



10. Any projects exceeding £100m required explicit approval from the Investment Approvals Board (IAB) at two stages:

- **Initial Gate** – the approval for project initiation where the parameters for the Assessment Phase are set; and
- **Main Gate** – where the targets are set for the performance, time and cost of the Demonstration and Manufacture stages.³

² Ministry of Defence, *Acquisition Handbook Edition 4*, January 2002.

³ National Audit Office, *Ministry of Defence: Major Projects Report 2001*, 23 November 2001, HC 330; Report Gray, October 2009, 'Review of Acquisition for the Secretary of State for Defence'.

Addressing equipment capability gaps

Three key requirements

When a capability gap in equipment is identified, there are three requirements that must be fulfilled to initiate the procurement process:

Statement of Requirement (SOR): A statement articulating a capability shortfall; it states what is required.

Urgent Statement of User Requirement (USUR): If the SOR cannot be met by an adjustment of existing assets, a USUR is raised which indicates that there is a capability gap that currently cannot be met. If the USUR is endorsed, it will be designated as either an Urgent Operational Requirement, or an Urgent Sustainability Requirement. It cannot be both.

Urgent Operational Requirement (UOR): A UOR seeks to address a capability gap by rapidly procuring new or additional equipment or the enhancement of, or essential modification to, existing equipment. That may involve bringing forward the planned procurement of equipment from the future Equipment Programme.

Urgent Sustainability Requirement (USR): A USR seeks to address a sustainability gap by rapidly acquiring additional in-service support.

11. During Operation TELIC in Iraq, Urgent Statements of User Requirements (USURs) for new equipment were forwarded to the Permanent Joint Headquarters (PJHQ) who retained ownership of the USUR until it was signed off. The head of PJHQ was the Chief of Joint Operations (CJO).

12. Each edition of the Op TELIC Directive, issued by the Chief of the Defence Staff (CDS) to the CJO, stated:

- **“Force Protection.** You are responsible to me for the force protection of all assigned UK personnel and materiel in your JOA [Joint Operational Area] in order to ensure their security from the threats of, WMD, espionage, sabotage, subversion, terrorism and crime ...”
- **“UORs [Urgent Operational Requirements] ...** You are to identify as soon as possible any further capability shortfalls and user requirements for the support of ongoing operations; these should be submitted to DCDS (EC) [Deputy Chief of Defence Staff (Equipment Capability)].”⁴

13. The responsibilities of the PJHQ and Front Line Commands (FLCs) for pursuing capability shortfalls through the UOR process were set out in a “Standing Instruction” issued in November 2004.⁵

⁴ Letter CDS to CJO, 30 July 2003, ‘Chief of the Defence Staff Directive to the Joint Commander for Operation TELIC (Edition 3)’.

⁵ Minute Soar to UOR Stakeholder, 26 November 2004, ‘Urgent Operational/Sustainability Requirements – Standing Instruction (Version 1)’.

14. To identify a new requirement the instruction stated:

“Once operations have commenced any subsequent shortfalls will usually be identified by in-theatre forces. Regardless of the phase of the operation, any capability shortfall is articulated through a Statement of Requirement (SOR).”

15. The instruction also stated:

“The SOR is reviewed by PJHQ/FLC/Jt Cmnd [Joint Command] Staffs who will then either close the gap through re-brigading of current assets or by raising an USUR [Urgent Statement of User Requirement]. The USUR is then staffed by PJHQ ... If endorsed, the USUR is passed to the ... Directorate of Equipment Capability (DEC) ...”

Roles and responsibilities for addressing capability gaps

Equipment Capability Customer (ECC) was created by the 1998 *Strategic Defence Review* to bring together the teams specifying future military needs – known as the Directorates of Equipment Capability (DECs).⁶ The ECC was headed by the Deputy Chief of Defence Staff (Equipment Capability) who reported to the Chief of Defence Staff (CDS) through the Vice Chief of Defence Staff.

The ECC was responsible for providing funded capability requirements to meet the current and future needs of the Armed Forces and ensure the equipment was delivered into service. The ECC was designated as “Customer One” in the process.

As well as the DECs, the ECC comprised:

- **Directorate of Capabilities, Resources and Scrutiny (DCRS)** providing internal scrutiny of programmes; and
- **Joint Capabilities Board (JCB)** to make balance of investment decisions across the Equipment Programme.

Front Line Commands (FLCs) were designated as the “User” of equipment and referred to as “Customer Two” in the process.

PJHQ assessed and reviewed requirements; SORs and USURs.

Directorates of Equipment Capability (DECs) were responsible for establishing a Capability Working Group to consider each USUR and, if required, for producing a business case seeking approval with advice from the Defence Procurement Agency (DPA) on the options and procurement strategy for meeting the requirement.

In 2003, equipment was provided and supported by two separate MOD organisations:

- **Defence Procurement Agency (DPA)** which procured the equipment for the Armed Forces; and
- **Defence Logistics Organisation (DLO)** which was responsible for providing and directing logistics support for in-service equipment.

⁶ Report Gray, October 2009, ‘Review of Acquisition for the Secretary of State for Defence’.

Within the DPA and the DLO were a number of **Integrated Project Teams (IPTs)** focused on delivering individual projects and programmes as directed by the DEC. The IPT was responsible for the equipment throughout its life.

The DPA and the DLO merged to form the **Defence Equipment and Support Agency (DE&S)** in April 2007.⁷ The Head of the DE&S was the **Chief of Defence Materiel**.

16. A process diagram attached to the November 2004 Standing Instruction indicated that PJHQ had the lead responsibility for identification of a requirement, working with the Directorate of Equipment Capability (DEC), the FLCs and the relevant Integrated Project Team (IPT) in the Defence Procurement Agency (DPA) or Defence Logistics Organisation (DLO).

17. The instruction included an annex with a list of “UOR key stakeholders” and their roles and responsibilities.

18. The list began with the responsibilities of “Force Elements”: the deployed units reporting to the in-theatre commander, which was the General Officer Commanding Multi-National Division (South-East) (GOC MND(SE)) during Op TELIC. The annex said that the Force Elements were responsible for raising SORs, along with any training and integration.

19. The role and responsibilities of FLCs included:

- “Conducts routine audits to identify potential USURs as part of the Equipment Capability Shortfall Register.”
- “USUR originator.”

20. The role and responsibilities of PJHQ included:

- “Reviews/endorse USURs and submits to DEC.”
- “Agrees solutions to capability gaps proposed by DEC.”

21. In response to a request from the Inquiry in 2011, the MOD provided further evidence on how the UOR process functioned in Iraq.⁸ The MOD stated:

- “The fundamental elements of the UOR process remained broadly the same throughout operations in Iraq.”
- Staff deployed in Iraq, and (in the build-up to the operation) staff in FLCs, were responsible for identifying capability gaps “which could not be met by existing holdings”.

⁷ Report Gray, October 2009, ‘Review of Acquisition for the Secretary of State for Defence’.

⁸ Paper [MOD], 8 June 2011, ‘How the UOR Process Functioned During the Campaign in Iraq’.

- USURs were submitted to PJHQ for authorisation.
- In addition: “Staff in PJHQ could (and did) raise USURs themselves if they became of [sic] aware capability gaps.”

22. The Inquiry submitted a further request to the MOD in 2015, seeking clarification on where the primary responsibility for identifying capability gaps lay during Op TELIC.

23. The MOD said that a draft USUR “would be originated by any user” and that “there appears to be no simple answer to the question where the primary responsibility for identifying capability gaps and raising USURs lay”.⁹ The MOD added:

“Clearly the emphasis in the process was on the co-operation of the various commands and branches involved. But it appears that the onus for initial identification of requirements, at least once a campaign was in progress, lay with the theatre commander [GOC MND(SE)], while the responsibility for signing them off lay with PJHQ. Between those two stages the process of analysing the requirement and developing the solution was essentially a shared one.”

24. *The Acquisition Handbook* in 2002 defined the role of Single Service Chiefs of Staff as to:

“... provide overall strategic management of the individual services and their professional direction. This role supports ECC decisions on capability by providing advice and experience on the full range of factors contributing to military capability, including: concepts and doctrine, in-service equipment, sustainability, training, force structure, decision support and personnel. Single Service Chiefs are responsible for ensuring that the JCB [Joint Capabilities Board] and Capability Working Groups receive appropriate input on such matters to develop future capability.”¹⁰

25. The Inquiry asked General Sir John Reith, CJO from August 2001 to May 2004, whether he had submitted any UORs while planning for the invasion of Iraq.¹¹ He replied:

“I didn’t submit UORs. The Single Services submit the UORs, because ... they are required to deliver to the Chief of Joint Operations fully trained and equipped people. What I did was; we screened the UORs to ensure that they were necessary before the MOD approved them.”

26. For the Commander in Chief Land Command, that included providing advice to the CJO on capability requirements for units deployed on operations.

27. General Sir Richard Dannatt, Commander in Chief Land Command from March 2005 to August 2006, told the Inquiry that, as “the second senior member of the Army”, the Commander in Chief Land Command had “an important role to play on the Army

⁹ Letter Duke-Evans to Aldred, 26 June 2015, ‘Procuring Military Equipment’.

¹⁰ Ministry of Defence, *Acquisition Handbook Edition 4*, January 2002.

¹¹ Private hearing, 15 January 2010, pages 28-29.

Board”. He had a role in influencing the Chief of the General Staff, but his primary role was to ensure “whatever troops are required ... are made available, that the units are properly trained, manned and equipped to the greatest degree possible, and that’s his primary responsibility”.¹²

28. The USUR process only applied to new capability requirements. Where in-service support was needed to sustain existing equipment, an Urgent Sustainability Requirement (USR) was raised.

29. The Standing Instruction issued on 26 November 2004 stated that the Urgent Sustainability Requirement (USR) process was operated in parallel to the UOR process but by the DLO.¹³ This was “to deliver urgently required stocks and spares to meet operational sustainability requirements”. The “key points” about the process included:

- USRs followed “a similar staffing process as UORs”.
- DLO procured, tracked and accounted for USR expenditure.
- There was no formal review because DEC, IPT and industry support was already in place for the required equipment.

The need for an expeditionary capability

30. The 1998 *Strategic Defence Review* (SDR) set out the UK’s defence requirements in the period up to 2015.¹⁴

31. The importance of the SDR assumptions for equipment available to the forces deployed for the invasion of Iraq is addressed in Section 6.3.

32. The SDR explained that, “in the post Cold War world”, there was a greater need for the Armed Forces to build an expeditionary capability because “we must be prepared to go to the crisis, rather than have the crisis come to us”.

33. A supporting essay to the SDR listed the future military capabilities it considered “increasingly important”, including:

- command, control, communications and computers, and Intelligence, Surveillance, Target Acquisition and Reconnaissance (ISTAR); and
- “the trend towards force projections operations, for which we may need to deploy very rapidly in order to be successful, places an increasing premium on transport or lift capabilities”.¹⁵

¹² Public hearing, 28 July 2010, pages 10-11.

¹³ Minute Soar to UOR Stakeholder, 26 November 2004, ‘Urgent Operational/Sustainability Requirements – Standing Instruction (Version 1)’.

¹⁴ Ministry of Defence, *The Strategic Defence Review*, July 1998.

¹⁵ Ministry of Defence, *The Strategic Defence Review: Supporting Essays*, July 1998.

34. One of the outcomes of the Review was the creation of the Joint Helicopter Command (JHC). The JHC brought the Royal Navy's commando helicopters, the Army's attack and light utility helicopters, and the RAF's support helicopters under a single command, and was responsible for the peacetime management of the entire battlefield helicopter fleet, and for generating the required battlefield helicopter force package for operations.¹⁶

35. The SDR also provided some detail on the equipment required to support the new type of expeditionary operations that it envisaged. Those included:

- new strategic lift assets, both C17 heavy-lift aircraft and Roll-on Roll-off shipping;
- a new helicopter carrier;
- attack helicopters;
- additional support helicopters;
- an increase in the provision of ISTAR assets including Unmanned Aerial Vehicles (UAVs);
- a modernised air transport fleet; and
- the creation of two Joint Force Logistic Component Headquarters.

36. The SDR acknowledged that "major equipments take years to develop". While it identified no definitive timescales for its proposed changes, the MOD did publish a series of targets in December 1998 as part of their Public Service Agreement 1999-2002.¹⁷ Those included establishing the Full Joint Rapid Reaction Forces Capability by October 2001 and the Joint Helicopter Command by April 2000.

37. The SDR emphasised the importance of investment in ISTAR assets "not only to maintain a qualitative edge in combat but to facilitate the often rapid-decision-making needed in complex political circumstances".¹⁸

38. The SDR stated that a range of advanced systems were planned or already entering service, including the airborne ground surveillance radar, Astor and a battlefield unmanned target acquisition vehicle, Phoenix.

39. In July 2002, the MOD published *The Strategic Defence Review: A New Chapter* – an update on the SDR's progress and a consideration of the "UK's defence posture and plans" in light of the 9/11 attacks.¹⁹

¹⁶ Ministry of Defence, *The Strategic Defence Review*, July 1998.

¹⁷ *Public Services for the Future: Modernisation, Reform, Accountability*, December 1998, Cm 4181.

¹⁸ Ministry of Defence, *The Strategic Defence Review*, July 1998.

¹⁹ Ministry of Defence, *The Strategic Defence Review: A New Chapter*, July 2002.

40. On the Armed Forces' ability to conduct multiple, simultaneous operations, the MOD wrote:

“The capability of our forces is strained not just by the scale of operations, but by the number of simultaneous or near-simultaneous operations. Since the SDR we have assumed that we should plan to be able to undertake either a single major operation (of a similar scale and duration to our contribution to the Gulf War in 1990-91), or undertake a more extended overseas deployment on a lesser scale (as in the mid-1990s in Bosnia), while retaining the ability to mount a second substantial deployment – which might involve a combat brigade and appropriate naval and air forces – if this were made necessary by a second crisis. We would not, however, expect both deployments to involve war-fighting or to maintain them simultaneously for longer than 6 months.”

41. The MOD had “analysed a set of plausible and realistic scenarios” to assess the demands potentially faced by the UK overseas. That work had taken account of lessons learned from operations, including in Afghanistan. The MOD recognised that the particular scenarios it had envisaged may not be “replicated precisely in real life”, but they did allow the MOD to “draw general conclusions about the capabilities that may be particularly important”.

42. In assessing capabilities for operations abroad, the MOD concluded that the SDR was “generally taking our Armed Forces in the right direction, but reinforced the growing importance” already attached to “network-centric capability”. That concept had “emerged substantially in the 1991 Gulf Conflict” and “demonstrated how precision weapons and shared information technologies could be linked together to produce devastating military effects with unparalleled speed and accuracy”.

43. Network-centric capability had three elements:

- sensors (to gather information);
- a network (to fuse, communicate and exploit the information); and
- strike assets to deliver military effect.

44. The MOD stated that it had already invested in a range of sensors, including airborne stand-off surveillance such as Nimrod MRA4, battlefield UAVs and communications (including BOWMAN).

Preparing for the post-conflict phase

45. The planning and procurement of equipment for the post-conflict phase (Phase IV) was constrained by the lack of an agreed concept of operations (CONOPS).

46. Wider planning for the post-conflict phase is addressed in Section 6.5.

47. The funding arrangements for the procurement of equipment are addressed in Section 13.1.

48. From 21 January 2003, Lord Bach, Parliamentary Under Secretary of State and Minister for Defence Procurement, was asked by Mr Geoff Hoon, the Defence Secretary, to take temporary responsibility for the progression of UORs. Lord Bach's role, and the weekly meetings he chaired with senior officials to consider progress, is addressed more extensively in Section 6.3.

49. On 7 February, Air Marshal Sir Jock Stirrup, Deputy Chief of the Defence Staff (Equipment Capability) (DCDS(EC)) from April 2002 to May 2003, advised Lord Bach that an agreement in principle had been reached with the Treasury to continue funding "small scale UORs" for operations following the combat phase:

"We are starting to identify potential UORs for aftermath operations but will need a robust concept of operations if we are to secure Treasury agreement to fund such measures. Initial plans are being developed by PJHQ and are being taken forward by DCDS(C) staff, but must be seen in light of US plans and the wider Government context for which the FCO has the lead."²⁰

50. In an update to Lord Bach on 28 February, Rear Admiral Charles Style, Capability Manager (Strategic Deployment), wrote that the MOD continued to "identify, prioritise and refine potential UORs" for Phase IV.²¹

51. RAdm Style wrote key enhancements that were "likely to be required" included:

- force protection against the asymmetric threat, particularly for elements of the air transport fleet; and
- long-term infrastructure enhancements.

52. On 14 March, RAdm Style reported to Lord Bach that the Treasury had accepted in principle that some additional resources from the Reserve²² would be needed for Phase IV UORs.²³

53. RAdm Style wrote that work was continuing to clarify and better define UOR requirements for Phase IV: 26 had been identified as high priority "regardless of the CONOPS" and a further 84 possible UORs had been identified by Front Line Commands but would remain "below the line" until the CONOPS had been developed further.

54. On 21 March, AM Stirrup reported to Lord Bach that PJHQ had endorsed USURs for 10 high-priority UORs for Phase IV, including maritime communications, aircraft protection and Explosive Ordnance Disposal (EOD) capabilities.²⁴

²⁰ Minute DCDS(EC) to PS/Minister(DP), 7 February 2003, 'Iraq: Op TELIC UORs'.

²¹ Minute CM(SD) to PS/Min(DP), 28 February 2003, 'Iraq: Op TELIC UORs'.

²² The Reserve is a fund held by the Treasury intended for genuinely unforeseen contingencies which departments cannot manage from their own resources and was used to pay for the net additional costs of military operations (NACMO). The process behind that is explained in Section 13.1.

²³ Minute CM(SD) to PS/Minister(DP), 14 March 2003, 'Iraq: Op TELIC UORs'.

²⁴ Minute DCDS(EC) to PS/Minister(DP), 21 March 2003, 'Iraq: Op TELIC UORs'.

55. The full list of UORs, including 48 measures deemed to be “below the line”, was awaiting confirmation of the CONOPS, which would be submitted to the Chiefs of Staff the following week.

56. AM Stirrup provided an update to the Chiefs of Staff on 28 March.²⁵ He asked the Chiefs to note that 65 potential UORs had been identified, of which 33 were “likely to be needed in any aftermath scenario”, the other 32 were on hold until the “way ahead” became clearer.

57. The potential UORs identified included requirements for force protection (such as Defensive Aids Suite for air transport and support helicopters), infrastructure enhancements, and ISTAR enhancements to aid drawdown.

58. Phase IV UORs were “being co-ordinated with the developing policy on recuperation”.

59. AM Stirrup stated:

“Despite the understandable lack of clarity over CONOPS for Phase IV, we are making every effort to get ahead of the game.”

60. The MOD’s preliminary discussions with the Treasury about Phase IV funding indicated that officials would “agree to some further access to the Reserve”. It was unclear whether that would be sufficient to cover the 65 measures already identified or whether the criteria for access to the Reserve would encompass the full range of measures to be sought.

61. The MOD intended to make “a formal approach to the Treasury within the next week”. Depending on the outcome, AM Stirrup wrote: “... we may have to prioritise Phase IV UORs further and/or to make adjustments to in-year priorities to accommodate remaining measures within the Defence budget.”

62. AM Stirrup stated:

“Unlike previous UOR tranches, we have no firm time by which Phase IV measures have to be effective if they are to qualify for consideration. We are, though, using a yardstick of six months as a guideline. Where measures have a longer lead time (for example Defensive Aids Suite on large aircraft), we will need to address them within the normal EP process.”

²⁵ Minute DCDS(EC) to COSSEC, 28 March 2003, ‘Iraq Contingency Planning – Urgent Operational Requirements for Phase 4’.

63. Lt Gen Reith sent an assessment of the threat in the UK's Area of Operations to Admiral Sir Michael Boyce, CDS, on 29 March.²⁶ In his covering minute, Lt Gen Reith wrote that predictions about the latter stages of Phases III and IV were "more difficult to ascertain" and they largely depended on "the progress of the Coalition campaign, forces assigned to security tasks, etc". He continued:

"However, for the moment we are dealing with a spectrum of threats ranging from regular to terrorism. As we progress operations the regular forces threat will be eliminated and we will eventually be left with a residual terrorist threat, as is already the case in some areas we control, such as Umm Qasr."

64. The assessment stated that the threat, in addition to the indirect threats posed by surface to surface missiles, fell broadly into three categories:

- Conventional forces where Coalition Forces do not hold ground and RA [Iraqi Regular Army] forces are still deployed.
- "Asymmetric forces" including Fedayeen, Ba'ath Party officials and militia, "other regime officials", opportunists and criminals and the dissatisfied population.
- Foreign terrorists including Palestinian and "other committed Islamic groups" and the Iraq-based Iranian dissident group Mujahideen e Khalq (MEK) who were "known" to operate in the South of Iraq. There was "no physical evidence of these threats materialising as yet".

65. On 3 April, Lt Gen Reith produced a draft "operational concept" for Phase IV.²⁷ He wrote that Phase IV operations would begin in southern Iraq "within days" but that the backdrop to their implementation was "uncertain and changing". The baseline conditions from which they would operate were "far from clear" and "important issues", such as the level of military involvement, remained unresolved. While the paper detailed the military's potential tasks and capability, its focus was on force levels and it did not cover equipment.

66. The Inquiry has seen no evidence of any further comments on the draft.

67. The record of Lord Bach's meeting on 14 April stated:

"Phase IV UORs remain a problem. Although CJO [Lt Gen Reith] has a draft in hand, we are still without a defined CONOPS. This limits our ability to plan for and procure such items."²⁸

²⁶ Minute Reith to PSO/CDS, 29 March 2003, 'Iraq – The Threat Within UK's AO' attaching Paper [undated], 'Iraq – UK AO – Threat Assessment'.

²⁷ Paper Reith, 3 April 2003, 'Operation TELIC Phase 4 the Joint Commander's Draft Operational Concept'.

²⁸ Minute APS/Min(DP) to MA/DCDS(EC), 14 April 2003, 'Iraq: Op TELIC – UORs'.

68. It is not clear precisely when the draft was finalised, but Lt Gen Reith stated in a paper on 14 April that the operational concept had been agreed.²⁹ The development of the operational concept is addressed in Section 8.

69. Lt Gen Reith produced two papers on the roulement and recovery of UK forces.³⁰ On the operational requirement for UK land forces he wrote:

“In broad terms a mix of capabilities will be needed at each ‘strongpoint’, providing the local commander with maximum flexibility. This will include the retention of some armour, armoured/mechanised infantry and artillery support, but would increasingly rely on operations ‘amongst the people’ on foot. The ability to ‘find’ and remove hostile elements is critical; ISTAR/HUMINT [human intelligence] will continue to be required. Reserves, in some cases with mobility provided by helms [helicopters], would be required to surge into rural areas ... Force protection requirements are likely to increase as the UK occupies permanent bases. Additional companies may be needed to provide security, possibly provided by the TA.”

70. For battlefield helicopters, Lt Gen Reith suggested that the main force should consist of:

- five Chinook;
- five Sea King or Puma; and
- five Lynx, with Sea King and Puma operating only at night, or some eight Chinook, but with “potential longer term ramifications for the fleet”.

71. Lt Gen Reith suggested that Lynx could be used to provide aerial surveillance but that the deployment of Puma, Gazelle or an Islander aircraft would be “more sensible” although they could “only be provided at the expense of the capability currently deployed in Northern Ireland”.

72. On equipment husbandry, Lt Gen Reith stated:

“Time and cost prevent the procurement of further environment and protection UOR enhancements to equipment. This will require the majority of combat vehicles to remain in theatre.”

73. On 15 April, Lt Gen Reith produced an SOR for South-East Iraq for the Chiefs of Staff.³¹ In an annex there was an assessment of each of the provinces under the UK’s Area of Responsibility (AOR), including a judgement on the levels of consent to the Coalition amongst the local population. That was used as an indicator of whether or not the Coalition faced any threat of attack.

²⁹ Paper Reith, 14 April 2003, ‘Phase IV Roulement/Recovery of UK Land Forces’.

³⁰ Minute Reith to SECCOS, 14 April 2003, ‘Phase 4: Roulement and recovery of UK forces’ attaching Paper CJO, 14 April 2003, ‘Phase 4: Roulement and Recovery of UK Air forces’ and Paper CJO, 14 April 2003, ‘Phase 4: Roulement and Recovery of UK Land forces’.

³¹ Minute Reith to PSO/CDS, 15 April 2003, ‘The Statement of Requirement (SOR) for SE Iraq’.

74. Lt Gen Reith assessed that all provinces coming under the UK's AOR would be at least "relatively stable" with "medium-high" or "high" levels of consent to the Coalition amongst the local population.

75. In a separate annex, there was a table of UK force requirements which assessed that the helicopters required were three Chinook, three Lynx and three Puma or Sea King.

76. By 9 May, the MOD had approved 18 Phase IV measures at a cost of around £87m, and a further 12 were being processed.³²

77. On 30 May, a list of all the equipment capability UORs approved for the pre-deployment and invasion phases were sent around the MOD with an analysis of how they did or did not address equipment capability gaps.³³ It sought to determine where UOR activity was focused, "both in terms of the capability delivered and also in terms of the relationship between UORs and the Equipment Programme".

78. The capability shortfalls addressed by UORs were:

- network-enabled capability 31 percent;
- force protection 19 percent;
- force projection 12 percent;
- counter-terrorism/Special Forces 7 percent;
- precision strike 3 percent; and
- other 27 percent.

79. The analysis stated that the fact that almost a third of the UORs were required to address shortfalls in network-enabled capability validated "the major balance of investment shift undertaken" in the 2003 Equipment Programme (EP03). That also applied, "albeit to a lesser extent", to the force protection and force projection enhancements.

Improvement in the MOD's procurement process during Op TELIC

80. In August 2004, Major General William Rollo, GOC MND(SE) July to December 2004, asked that "consideration be given to the establishment of an EC [Equipment Capability] staff within HQ MND(SE)".³⁴

81. A short study was commissioned in September to determine the feasibility of Maj Gen Rollo's request.³⁵ The report stated that one of the main difficulties "was in

³² Minute CM(M) to PS/Min(DP), 9 May 2003, 'Iraq: Op TELIC Phase 4 UORs'.

³³ Minute DEP and DCRS to DNO, 30 May 2003, 'Op TELIC UORs from DEP and DCRS'.

³⁴ Minute, 10 June 2005, 'Multi National Division (South East) Equipment Capability – Initial Deployment Report'.

³⁵ Minute, 10 June 2005, 'Multi National Division (South East) Equipment Capability – Initial Deployment Report'.

the area of capability integration; this being the responsibility of the Chief of Joint Operations (CJO)”.

82. The study was endorsed in December and lead elements of the EC Branch deployed to Iraq in January 2005.³⁶ The MND(SE) EC Branch was formally established in theatre on 24 February 2005, and was staffed by three staff officers.

83. The EC Branch produced an ‘Initial Deployment Report’ on 10 June 2005, considering its performance so far and making recommendations for its longer-term role.³⁷

84. The report stated that the EC Branch initially performed “two discrete roles”. The first was the provision of support to the UOR process, on behalf of MND(SE), by providing a central focus for UOR activity and taking the lead in the co-ordination of requirements, capturing activity and SOR staffing. The EC cell’s mandate did not explicitly state that EC Branch could “engage authoritatively in UOR integration matters”. That had been “identified as a key MND(SE) shortfall” in the report.

85. Although having no formal mandate to do so, the EC cell did engage in UOR integration activity, which had meant creating appropriate structures and procedures to support the effective integration of UOR capabilities. The cell established a “Capability Integration Working Group (CIWG) framework, formalised Capability Integration Plans (CIP), and ensuring that theatre capability issues were addressed across the Defence Lines of Development (DLOD)”.³⁸ That work had “already proven instrumental in identifying a number of capability issues likely to have an adverse effect on theatre operations” and in identifying action to mitigate those issues. The report stated that the work would enable the EC cell to “deliver greater benefit than its current MND(SE) focused role would normally permit”.

86. In the report, the cell recommended that “a broader remit, acting on behalf of CJO” would also enable the EC Branch to deliver greater benefit. The cell did not recommend any changes to EC Branch staffing levels, “due to the continued evolution of the Branch ... and the awaited outcome of this report”.

87. The report contained a number of lessons:

- The formation and deployment of the EC Branch was “too late to deliver maximum benefit to the operation”. Maximum benefit of an EC Branch capability would be realised “if it is embedded within the force prior to or immediately

³⁶ Minute, 10 June 2005, ‘Multi National Division (South East) Equipment Capability – Initial Deployment Report’.

³⁷ Minute, 10 June 2005, ‘Multi National Division (South East) Equipment Capability – Initial Deployment Report’.

³⁸ The MOD framework for capability assessment recommends breaking down capabilities into eight constituent elements, or “Defence Lines of Development”: Training, Equipment, Personnel, Information, Concepts and Doctrine, Organisation, Infrastructure and Logistics.

after deployment in order to facilitate the staffing and subsequent integration of Urgent Operational Requirement”.

- The EC Branch was “constrained in its operation due to the lack of an agreed and authoritative Directive”. The report recommended that operational and EC chains should “develop and agree an appropriate Directive comprising TOR [Terms of Reference], roles and responsibilities and CONOPS”.
- The Customer Two focus and procedures for the integration of UOR capabilities deployed directly to an operational theatre was “not clear”. It cited the need to implement the Standing Instruction from 26 November 2004.

88. In his statement for the Inquiry, Air Chief Marshal Sir Glenn Torpy, CJO from July 2004 to March 2006, described the role of PJHQ as:

“... to act as the interface between the in-theatre force and the MOD and Front Line Commands (FLC), particularly in ensuring that the in-theatre force is provided with the wherewithal to deliver its objectives. This required a constant dialogue at every level, between the MOD, PJHQ, FLC and in-theatre force.”³⁹

89. ACM Torpy wrote that he had “inherited a Joint force structure ... that was appropriately sized to deliver the military objectives” he had been given; and that the in-theatre commanders, including the GOC MND (SE), were required to conduct a Force Level Review every six months to “validate their force requirements”. Those reviews were “undertaken in consultation with the PJHQ” and “presented to the CDS (and the Chiefs of Staff) for endorsement”. That “imposed an important level of discipline” and “provided the vehicle for force level increases if conditions in a particular component demanded additional capability”.

90. On 10 October 2006, the extent to which capability gaps were being anticipated in UK theatres was raised by General Sir Timothy Granville-Chapman, Vice Chief of Defence Staff, following a meeting about helicopter availability in Afghanistan.⁴⁰

91. On 27 October, Gen Granville-Chapman’s Private Office wrote to Lieutenant General Nicholas Houghton, CJO, requesting a report on “how effective we currently are and how we might be more so” in predicting emerging capability requirements and reporting these back to the UK after “the recent debate on what capabilities are needed for operations” had “thrown the spotlight” on the issue.⁴¹

³⁹ Statement, 14 June 2010, pages 4-6.

⁴⁰ Minute Granville-Chapman to ACDS(Ops), 10 October 2006, ‘Helicopter Availability’.

⁴¹ Minute MA/VCDS to MA/CJO, 27 October 2006, ‘Theatre Articulation of Capability Requirements’.

92. Gen Granville-Chapman had recently discussed potential improvements with Major General Richard Applegate, MOD Capability Manager (Battlespace Manoeuvre), who thought:

“... we used to deploy people to theatres specifically to proactively keep current and future requirements under review; the added advantage of this was that they could also keep theatre informed of [sic] was being done for them at home, for example on UORs.”

93. Lt Gen Houghton replied on 9 November, inviting Gen Granville-Chapman to note:

“I intend to formalise the PJHQ procedures to deliver systematic and coherent progress in conjunction with the MOD sponsored Capabilities Working Group ...

“We still need to improve our processes for identifying the EC [Equipment Capability] dimension of emerging theatre CONOPS which lay in the domain of the early years of the EP [Equipment Programme] rather than in the UOR process.”⁴²

94. Lt Gen Houghton wrote that the EC cell’s “primary purpose” was to identify all capability requirements. Future capability definition was determined between PJHQ, MND(SE), Multi-National Forces-Iraq (MNF-I) and the DECs.

95. Lt Gen Houghton stated: “In my judgement, EC definition and requirements management in Op TELIC is systematic, coherent and effective.”

96. As a proposed improvement, Lt Gen Houghton stated:

“Better interaction between MOD staff and theatres would enhance comprehension of the operating environment and keep theatre commanders abreast of progress.”

97. In conclusion, Lt Gen Houghton stated:

“... I am not so convinced that we are as good at matching up the EC dimension of emerging CONOPS in the slightly longer time-frame. We are looking at the issue, which is central to the future role of the PJHQ in influencing the early years of the EP, but beyond the time-frame which is appropriate for the UOR process.”

98. In September 2007, the MOD’s Directorate of Operational Capability (DOC) published an audit of force protection which highlighted the need for a better articulation of the risk to which the military would be exposed during operations.⁴³ The report is addressed in further detail later in this Section.

⁴² Minute CJO to MA/VCDS, 9 November 2006, ‘Emerging Capability Requirements’.

⁴³ Report DOC, September 2007, ‘Directorate of Operational Capability Protection of the Deployed Force Operational Audit Report 1/07’.

99. In November 2007, the MOD produced a force protection policy which has remained under “constant review”.⁴⁴ It is unclear from the evidence how many force protection policies preceded this version but the MOD has been unable to find any individual force protection policies before November 2007.

100. The MOD told the Inquiry that the version dated 21 May 2015 “defines risk ownership and governance more clearly than its predecessors”.⁴⁵ The MOD said that this had been integrated into wider MOD risk management processes which had also been revised.

101. The MOD said that the Operational Commander (which for Iraq was the CJO), was accountable to CDS for understanding, quantifying and reducing risk to the force and mission respectively. That risk response may require changes to activities or capabilities.

102. On 31 August 2010, an analysis of the land operation in Iraq was published on behalf of the Chief of the General Staff by Brigadier Ben Barry.⁴⁶ It was known as “the Barry Report”.

103. On specifying equipment requirements, the report stated:

“It appears for much of this period the mechanism for formulating new capability requirements was sub-optimal. Where there was a strong coherent sponsor in the Army or MOD there was more chance of requirements being quickly identified and UORs succeeding. Difficulties experienced at the start of this period [2005] were overcome to a certain extent by fielding Equipment Capability staff to PJHQ and Basra. But it was not clear who owned the medium term vision for the capability requirements of the theatre and longer term thinking on equipment requirements was inhibited by the lack of campaign continuity.”

104. The report said that, where UORs succeeded, “some of these were the result of ‘pull’ from theatre, others the result of ‘push’ from equipment staff in the MOD. This was the case with Mastiff, the requirement for which was formulated in London.”

105. The report quoted evidence from Lt Gen Applegate:

“We must recognise that UORs were/are generally reactive and until about 2009 when I managed to convince people to think in campaign terms, there was a tendency to think only six months ahead: some of the solutions could not be delivered in that timescale and were refused ... our six-monthitis and lack of a campaign design limited sufficient forward thinking.”

⁴⁴ Letter Duke-Evans to Aldred, 26 June 2015, ‘Procuring Military Equipment’.

⁴⁵ Letter Duke-Evans to Aldred, 26 June 2015, ‘Procuring Military Equipment’.

⁴⁶ Report Land Command, 31 August 2010, ‘Operations in Iraq: An Analysis From a Land Perspective’.

Protected mobility and the developing threat to UK troops

Initial deployment of Protected Patrol Vehicles (PPVs) in Iraq

106. The 1998 *Strategic Defence Review* (SDR) stated the British Army would comprise four different types of infantry battalions:

- 9 armoured infantry battalions;
- 6 mechanised battalions;
- 3 parachute battalions; and
- 22 light infantry battalions.⁴⁷

107. The 1998 SDR stated that “deployable and mobile” forces, “but with sufficient protection and firepower for war-fighting” would be required for land operations.⁴⁸

108. The Army had an agreed requirement for a family of vehicles to replace existing medium weight armoured vehicles, the Future Rapid Effect System (FRES) programme.

109. In May 2002, AM Stirrup told the House of Commons Defence Committee that FRES was designed to reflect the post-Cold War era.⁴⁹ It would focus “much more upon mobility, speed and precision than upon heaviness and armoured defence”. It would be introduced “in the latter part” of that decade.

110. On 23 July 2007, an MOD note stated that FRES was designed to fill a capability gap by replacing the Saxon, Combat Vehicle Reconnaissance (Tracked) (CVR(T)) and FV430 wheeled and tracked vehicles.⁵⁰

111. FRES comprised “five families”:

- utility – wheeled armoured vehicles, principally to provide protected mobility;
- basic capability utility – vehicles that did not require the same capacity, protection or mobility as the utility family and could therefore be procured more cheaply;
- recce – tracked vehicles to replace the majority of the CVR(T) fleet;
- medium armour – a new capability for a tracked medium weight tank; and
- manoeuvre support – tracked vehicles for general armoured engineering tasks.

112. The programme was expected to deliver over 3,500 wheeled and tracked medium weight armoured vehicles (between 20 and 40 tonnes).

⁴⁷ Ministry of Defence, *The Strategic Defence Review: Supporting Essays*, July 1998.

⁴⁸ Ministry of Defence, *The Strategic Defence Review: Supporting Essays*, July 1998.

⁴⁹ Fourth Report from the House of Commons Defence Committee, Session 2001-02, *Major Procurement Projects*, HC 779, page 83.

⁵⁰ Minute, DCI(A), 23 July 2007, ‘The Future Rapid Effect System (FRES) – Information Note’.

113. General Sir Richard Dannatt, Assistant Chief of the General Staff from 2001 to 2002, told the Inquiry that in 2001-2002 “as we were moving towards an expeditionary era” after the Cold War, the Army had identified a clear requirement for “vehicles that were small and light enough to go into aircraft to be flown to trouble spots, but heavy and capable enough to be useful and usable when they got there”.⁵¹ He said that formed the basis of the FRES programme, which had been approved in 2002.

114. Gen Dannatt described FRES as “a rapid programme”; an “urgent” short-to-medium term requirement that “needed to be filled quite quickly”. In his view, “85 percent of the solution delivered quickly would have been the right answer”. The intention was “to go to the market and see what was out there and procure it”:

“... our aspiration in 2002 was that FRES, the utility vehicle, would come into service from as early from 2007 and better if we could do it, and the money was there because we had made the money available.”

115. On 26 June 2003, the DMB considered a “thinkpiece” paper from Mr Colin Balmer, MOD Finance Director, about what strategic guidance the DMB might offer on investment priorities for 2004’s Equipment Programme (STP/EP04).⁵² It said that the MOD faced some “difficult choices” in a year where its “financial freedom of manoeuvre” would be “limited”. There would be “no new resources to distribute”, despite a range of cost pressures and new risks emerging.

116. Mr Balmer suggested that some areas of the Equipment Programme represented “vital ground” and “should be protected”. Those included network-enabled capability, deployable ISTAR, Combat ID, Nuclear, Biological and Chemical protection capabilities and logistics. He wrote that DMB “might also endorse the need to re-examine ISD and platform numbers against the DPAs with a view to establishing the effect of a deferral ... or reductions”. Amongst others, that review would specifically consider the FRES programme.

117. The Equipment Programme for 2003 had “continued a shift from quantity to quality” and was consequently “much better balanced” than it had been but “significant shortfalls” remained. It did, however, have “serious” issues of affordability resulting from “formally programmed excesses, unanticipated pressures and industrial factors”. The current forecasts suggested that £4bn would need to be cut from the programme over 10 years to bring it in line with the allocated resource. The MOD also needed “to obtain a better understanding of the non-cash costs of ownership of the growing equipment programme, to ensure that it is affordable in resource terms”.

⁵¹ Public hearing, 28 July 2010, page 58.

⁵² Paper Finance Director [MOD], 20 June 2003, ‘Defence Strategic Audit and Guidance for STP/EP04’.

118. Mr Balmer’s paper was endorsed by DMB on 26 June, which said it should be used as a basis for STP/EP04, although any policy decisions would be considered more fully later in the planning round.⁵³

119. At the time of the invasion of Iraq, the Protected Patrol Vehicles (PPVs) in service with the Army were Snatch and Tavern.

120. By 2002, Snatch was already at the end of its planned life In Service.

What is a Protected Patrol Vehicle (PPV)?

A Protected Patrol Vehicle (PPV) is a wheeled vehicle, that provides some ballistic protection to personnel inside.⁵⁴

PPVs were initially designed to carry four people, although more recent models, such as the Mastiff, can carry 10 people. The PPV’s purpose is to enable a combination of foot and vehicle-mounted patrols; generally, but not exclusively, within peace support/ counter-insurgency operations. That is distinct from heavier, Armoured Fighting Vehicles (AFVs), which are primarily designed for combat. A PPV must enable one (ideally two) top cover sentries to observe the environment when mobile. PPVs are expected to be able to operate on roads and tracks and need to be agile.

A PPV has to maintain freedom of manoeuvre and mobility to patrol in both urban and semi-rural environments. PPVs provide a less aggressive profile than AFVs, thereby enabling the patrol to be more engaged with local populations.

121. The Snatch Land Rover was designed for operations in Northern Ireland and entered service in 1992.⁵⁵ It was also deployed in limited numbers to Kosovo and Macedonia.

122. In March 2000, the Defence Evaluation and Research Agency provided advice to the Defence Procurement Agency (DPA) about the limited levels of protection afforded by the vehicle.⁵⁶ It stated:

“The vehicle was also tested against the RPG 7 [Rocket Propelled Grenade 7] and improvised grenades, as would be expected it does not offer full protection from this type of device.”

123. Lieutenant General Graeme Lamb, GOC MND(SE) from July 2003 to December 2003, told the Inquiry that “in Northern Ireland we didn’t drive vehicles south of whichever line it was for 20 years because of the threat of massive IEDs [Improvised Explosive Devices] that were being placed in the road”.⁵⁷

⁵³ Minutes, 26 June 2003, Defence Management Board meeting.

⁵⁴ Minute Applegate to APS/Min(DP), 28 June 2006, ‘Protected Patrol Vehicles (PPV)’.

⁵⁵ Letter MOD to Iraq Inquiry, 24 January 2011, ‘MOD Evidence: Equipment Issues’.

⁵⁶ Minute MOD [junior officer] to MOD [junior officer], 1 March 2000, ‘Reference SNATCH Armour’.

⁵⁷ Private hearing, 24 May 2010, page 26.

124. The replacement of Snatch Land Rovers, and Tavern, was being addressed through Project DUCKBOARD, a programme pursuing the provision of light protected mobility vehicles for counter-terrorist and public order operations in Northern Ireland from 2007-2008 onwards.⁵⁸

125. A draft User Statement of Requirement (USUR) for Project DUCKBOARD produced on 7 January 2002 said:

“The current NI [Northern Ireland] patrol vehicles are essential for troop deployment, patrolling urban and rural areas and for administrative tasks. They were procured to counter the threat from low and high velocity small arms, Improvised Explosive Devices (IED), anti-armour weapons, petrol bombs and general hand-held catapulted missiles. In order to afford the troops on the ground an acceptable level of protection, mobility and capacity to counter the threat two vehicles are currently in service, Tavern in the high risk areas and Snatch in the lower risk areas.”⁵⁹

126. The USUR noted that the End Service Date for Snatch was 2002 but it was anticipated that would need to be extended. It concluded that as vehicles arising out of Project DUCKBOARD entered service, Snatch and Tavern would be phased out of service.

Tactics, Techniques and Procedures (TTPs)

The features and capabilities of a vehicle, or any other platform, are only one element of protection.

The military rely on Tactics, Techniques and Procedures (TTPs) to avoid being located, identified or targeted. Devising successful TTPs is part of trying to make UK forces as safe as possible from the likelihood of attack.

Military platforms are provided with other features to act as an additional layer of protection in the event that the TTPs are not successful. This could mean armour being placed on the outside of a vehicle, electronic countermeasures, or it could be enhanced surveillance equipment. A solution cannot be applied universally but will depend on the nature of the threat.

⁵⁸ Letter MOD to Iraq Inquiry, 24 January 2011, ‘MOD Evidence: Equipment Issues’.

⁵⁹ Minute Ewing, 7 January 2002, ‘User Statement of Requirement (USOR) for Future NI Patrol Vehicle – Project DUCKBOARD’.

DEPLOYING PPVS TO IRAQ

127. Despite the decision in the 1998 SDR to shift the focus towards a capability for expeditionary operations, no concept of operations for PPVs had been identified in mid-2003 and there were no definitive timescales for the provision of vehicles.

128. PPVs were not deployed during the invasion of Iraq and unarmoured Land Rovers were initially used for patrols.

129. The MOD Directorate [of] Equipment Capability (Special Projects) (DEC(SP)) hosted a PPV workshop on 16 July 2003.⁶⁰ It was attended by MOD teams and stakeholders, including representatives from Headquarters Land Forces.

130. A DEC(SP) representative “reiterated his belief that the capability gap was essentially three fold:

- a. the enduring NI [Northern Ireland] type requirement;
- b. the emerging wider requirement for light forces engaged on operations such as in the Balkans and in Iraq;
- c. the enduring requirement for protected mobility for specialist users such as Royal Engineers Explosive Ordnance Disposal ...”

131. A range of procurement options for a capability to meet the requirement were set out at the workshop, including options to extend the life of Snatch by 10 years, a commercial off-the-shelf purchase or the up-armouring of an in-service vehicle such as the Pinzgauer.

132. It was agreed at the meeting that a coherent statement of the concept of operations, threat assessment and payload requirement should be provided by the end of August. HQ Land would facilitate a trial of Snatch, and possibly Tavern, in Iraq.

133. There was limited intelligence on the conditions of southern Iraq before the invasion but there were warnings from the Joint Intelligence Committee (JIC) about the size, attitudes and capabilities of tribes in the area. That is addressed in Section 6.2.

134. A significant and increasing threat to UK forces in Iraq from Improvised Explosive Devices (IEDs) was emerging as early as July 2003.

⁶⁰ Minutes, 17 July 2003, ‘Protected Patrol Vehicle Workshop Wednesday 16 July 2003’.

What is an Improvised Explosive Device (IED)?

An IED is a bomb constructed and activated in ways other than through conventional military action. The types most commonly encountered in Iraq were:

Radio-Controlled IED (RCIED): This uses a radio signal to initiate detonation – a number of different commercial devices were used in Iraq such as doorbells, burglar alarms and radio-controlled cars.⁶¹ Radio-controlled detonation meant that an explosion on a specific target could be initiated by an operator situated a safe distance away. Those were the most commonly used type of IED in Iraq between 2003 and mid-2005. UK electronic countermeasures were used to jam the detonation signal.

Command Wire IED (CWIED): This uses a wire to transmit the signal to detonate.⁶² It is a retrograde form of technology and had the disadvantage of requiring a wire dug into the ground, or concealment through other means, but they became more common in Iraq from 2006 onwards as they were immune to any form of electronic countermeasure.

Explosively Formed Projectile (EFP): A directional charge designed to defeat armour by using the energy of the explosive to create a projectile that travels at between one and three kilometres per second towards its target.⁶³ EFPs were commonly used as charges for IEDs in Iraq from mid-2004 onwards.

Passive Infrared IED (PIR IED): An evolution from RCIEDs where passive infrared beams are used remotely to detonate IEDs. The first of those attacks in MND(SE) was in May 2005 and indicated an attempt to circumvent the UK's electronic countermeasures.

135. On 2 July 2003, the JIC issued an Assessment about potential flashpoints in Iraq over the next two to three years.⁶⁴ It focused on “potential negative outcomes rather than positive ones”.

136. The JIC judged that extremist groups currently posed a direct threat to Coalition Forces, but:

“For now, the activities of these groups are largely unco-ordinated. However, it is likely that the links between groups will become stronger.”

137. The Assessment stated that there had been no sign of an organised campaign of violence against Coalition Forces by Shia groups “so far”. There had, however, been reports that the two main armed Shia groups (the Badr Corps and the followers of Muqtada al-Sadr) had “recently been trying to acquire large quantities of weapons”. The JIC stated that there were indications that they were “preparing for intra-Shia conflict (as opposed to anti-Coalition activity)”. That would add to instability and it was “probable” that Coalition Forces would “be caught up in violence”.

⁶¹ Paper DIS, September 2003, ‘An Analysis of the Major IED Threats to Coalition Forces in Iraq’.

⁶² Paper DIS, 1 October 2004, ‘The Command Wire Improvised Explosive Device Threat to UK Forces in Iraq’.

⁶³ Paper DIS, May 2006, ‘The EFP Threat in MND(SE)’.

⁶⁴ JIC Assessment, 2 July 2003, ‘Iraq: Potential Flashpoints’.

138. The JIC also stated that:

- Lebanese Hizballah had “a small but threatening presence in Iraq”.
- “... although Iran would prefer to influence developments in Iraq by taking advantage of the political process”, it would “retain the option of causing trouble for the Coalition”.

139. On 7 July, a Defence Intelligence Staff (DIS) paper, circulated at a working level within the MOD, stated that Radio-Controlled IEDs (RCIEDs) and their components had been found in the UK Area of Operations since early April.⁶⁵ The paper did not speculate on the origin of the material.

140. On 30 July, Lt Gen Reith informed the Chiefs of Staff that there was “an increasing use of more sophisticated IEDs, and attacks against Iraqi police and locals employed by the Coalition”.⁶⁶ There was a discussion about whether the UK should support the US in developing RCIED countermeasures and Lieutenant General Robert Fry, Deputy Chief of Defence Staff (Commitments), was directed to “assess the scope of the issue”.

141. It was reported at the next Chiefs of Staff meeting on 6 August that Lt Gen Fry’s paper had been postponed “pending further consultation”.⁶⁷ In the actions recorded from the meeting, it stated that the paper would be discussed on 13 August.

142. The minutes also recorded that the US Combined Joint Task Force 7 (CJTF-7) was to establish an IED intelligence cell to provide an “immediate in theatre threat analysis of IEDs”.

143. A DIS paper produced on 31 July recorded that RCIEDs had been used in the UK Area of Operations around Basra on 14 and 28 July:

“The former Iraqi regime had a proven advanced IED capability including RC methods ... Latterly there have been many (double figures) attacks against Coalition Forces believed to have involved RCIEDs, as well as significant finds of RC-related hardware ...

“There are a large number of former regime and ex-military personnel skilled in constructing and deploying IEDs who remain at large within Iraq and their involvement in RCIED incidents would raise the level of threat. There is also the potential for foreign groups opposed to the Coalition presence to appear within Iraq and become engaged in attacks. If organisations such as Hizballah (that has an extremely potent and proven RCIED capability) were to do this, then the RC threat would increase very significantly.”⁶⁸

⁶⁵ Paper DIS, July 2003, ‘The Radio-Controlled Improvised Explosive Device Threat to Coalition Forces in Iraq’.

⁶⁶ Minutes, 30 July 2003, Chiefs of Staff meeting.

⁶⁷ Minutes, 6 August 2003, Chiefs of Staff meeting.

⁶⁸ Minute MOD [junior officer] to SO1 (Info) MO3 DMO, 31 July 2003, ‘Assessment of the RCIED Threat to Coalition Forces Deployed in Iraq’.

144. A PJHQ operational summary from 4 August recorded:

“The use of IEDs against Coalition Forces is increasing and there remains no shortage of raw materials across Iraq from which to draw upon.”⁶⁹

145. On 7 August, Mr Adam Ingram, Minister of State for the Armed Forces, told the Ad Hoc Ministerial Group on Iraq Rehabilitation that: “Improvised Explosive Devices posed an increasing threat.”⁷⁰

146. In August 2003, the security situation in Baghdad continued to deteriorate. A bomb exploded outside the UN headquarters on 19 August, killing 22 UN staff and visitors. Further attacks included a bomb outside the Jordanian Embassy and several unsuccessful attempts to shoot down Coalition aircraft.

147. The implications of those attacks are addressed in Section 9.2.

148. On 27 August, the Chiefs of Staff were briefed that Maj Gen Lamb was reviewing manpower and equipment requirements.⁷¹ The Coalition Provisional Authority (CPA) was “constrained by force protection” and:

“Although they had ordered armoured vehicles and were reviewing security until this was in place, they were confined to the barracks. Unless a plan drawn up by experts, managed by technically qualified personnel, was put immediately into action, then the consent of the people in the MND(SE) AO [Area of Operations] could be irrevocably lost with all the consequences of strategic failure.”

149. Air Chief Marshal Sir Anthony Bagnall, Vice Chief of the Defence Staff, invited Major General Robin Brims, Deputy Chief of Joint Operations, to “remind theatre that the question of force protection needed to be looked at in the broadest way, taking into account not only local expediencies but also strategic implications”, especially when taking decisions about helmets and body armour.

150. Maj Gen Brims pointed out that “the British Army did not have any wheeled vehicles with sufficient armour against the threat”. ACM Bagnall invited Air Vice Marshal Clive Loader, Assistant Chief of Defence Staff (Operations), to investigate the issue. Air Chief Marshal Sir Jock Stirrup, Chief of the Air Staff, pointed out that “what was important was knowing what may be required in advance so that any enhancements could be put in place quickly”.

151. On 1 September, MND(SE) produced a Forces and Resources Review to examine the resources required in MND(SE), for both short-term and enduring operations.⁷²

⁶⁹ Paper PJHQ OPSUM, 4 August 2003, ‘PJHQ Middle East Operations Team OPSUM 075 as at 041700Z Aug 03 – D+138’.

⁷⁰ Minutes, 7 August 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

⁷¹ Minutes, 27 August 2003, Chiefs of Staff meeting.

⁷² Paper MND(SE), 1 September 2003, ‘HQ MND(SE) Forces and Resources Review’.

152. The Review noted that CPA(South) had “yet to extend its influence” beyond Basra City. The arrival of Sir Hilary Synnott as Head of Coalition Provisional Authority (South) was the “first recent sign of this state of affairs improving; but without the people, protected mobility, communications and life support Sir Hilary will not have the means at his disposal to implement the changes he requires”. It said that Governorate Teams were also “under resourced” and “barely exist” outside Basra.

153. In the short term, 16 vehicles were recommended (four Land Rovers and 12 white fleet 4x4s⁷³) to support the staff in Governorate Teams. There was an additional requirement for six “stripped down Land Rovers to provide top cover escorts” for CPA(South) staff operating inside Basra City, including for consultants.

154. The Review stated that the enduring requirement for greater surveillance capability was “urgent”. The existing force protection measures limited the ability to “observe a situation from the ground”.

155. The Review articulated the requirement for light protected mobility:

“The threat posed to CF [Coalition Forces] within Basra City from IED, RPG and small arms attacks is currently being countered by the use of stripped-down Land Rovers with top cover sentries. This necessarily carries a risk to the top cover vehicles from attack, particularly from IEDs. Force protection will be improved by the provision of up-armoured 4x4 vehicles that meet the broad definitions below. Replacing the full complement of this in the UK Bde [brigade] would require of the order of 420 vehicles. The minimum quantity to provide essential protected movement in Basra and Maysan is 228. Any lower number will be put to good use in accordance with priorities. The requirement is for:

- An agile wheeled vehicle capable of swift acceleration and speed in excess of 60 mph.
- A high degree of protection against small arms fire and blast devices.
- A cupola to allow top cover protection to deter attackers, particularly those deploying anti-armour weapons and small arms.
- ... [G]rills to give windows protection against thrown objects, both to enhance routine protection and to enable its use in public order situations where a Warrior [AFV] may be too threatening or unable to manoeuvre in small streets.”

156. The Review also “strongly recommended” that at least one battlegroup in each UK brigade be equipped with four companies⁷⁴ of Warrior as it was the “only infantry vehicle with protection against RPG”.

⁷³ A white fleet 4x4 is an unarmoured Army vehicle.

⁷⁴ A military company is a type of military unit that consists of between 80 and 250 soldiers.

157. Maj Gen Brims provided a written update to the Chiefs of Staff on the Forces and Resources Review on 2 September.⁷⁵ He wrote:

“The deployment of protected mobility is key to improving the FP [force protection] available to soldiers and to enabling the posture of the force to be changed to meet emerging threats. The initial assessment is that a minimum of 228 vehicles will be required – further detailed work is still needed to identify the most appropriate platform from those that have been identified as being available and it may be that an ‘in-service’ quick fix is required using NI [Northern Ireland] and pool assets.”

158. The Review was discussed by the Chiefs of Staff on 3 September.⁷⁶ General Sir Michael Walker, Chief of the Defence Staff (CDS), directed that the request for additional Snatch vehicles should be met by drawing from the Northern Ireland reserve battalions in the first instance.

159. On 4 September, Mr Hoon’s Private Office sent a letter to No.10 setting out the outcome of the Forces and Resources Review.⁷⁷ It stated that roughly 1,200 servicemen and women were being deployed; an “early increase of 12 percent to the UK forces currently in theatre”. The extra personnel would be supported by the “deployment of a quantity of armoured patrol vehicles, some of which will be drawn from Northern Ireland”. That would have “a limited, but manageable effect” on the UK’s ability to “conduct current operations in support of the PSNI [Police Service of Northern Ireland]”.

160. On 5 September, a further meeting of the PPV Working Group was held “to develop a list of issues and associated options to meet the perceived requirement for the future deployment of PPV in support of Op TELIC”.⁷⁸

161. The record of the meeting stated that the “initial verbal request” was for 228 vehicles for delivery to Iraq within two weeks, as per the Forces and Resources Review. All representatives present at the meeting agreed that was an “unrealistic” timetable. A DEC(SP) representative set out a phased approach to meeting the requirement, the final phase being that enough vehicles were provided for two brigades.

162. Whilst there was currently no SOR, information provided from theatre indicated a requirement “closely aligned to those for the Tavern/Snatch vehicles currently in use in Northern Ireland”. A footnote stated:

“Due to the limited Tavern fleet and the expected high cost of procuring similar vehicles, the PPV protection requirement must be realistic in order to permit a timely and cost effective solution to the UOR.”

⁷⁵ Minute SECCOS to PSO/CDS, 1 September 2003, ‘OP COS paper: Op TELIC – UK Force and Resources Review An Update’ attaching Minute Brims, 2 September 2003, ‘Op TELIC – UK Force and Resources Review – An Update’.

⁷⁶ Minutes, 3 September 2003, Chiefs of Staff meeting.

⁷⁷ Letter Williams to Rycroft, 4 September 2003, ‘Iraq: UK Forces and Resources Review’.

⁷⁸ Minutes, 5 September 2003, ‘Protected Patrol Vehicle (PPV) Workshop Group Friday 5 September 2003 – Minutes’.

163. To meet the immediate requirement of 228 vehicles, the merits of deploying either Snatch or Tavern were debated including on the grounds of protection, mobility, capacity and sustainability. The need for climate modifications and communications adaptations was also considered.

164. The Group concluded that Snatch was the preferred option because there were Integrated Logistic Support issues and reliability concerns with Tavern. It acknowledged that the “protection levels afforded by Snatch may not meet the requirement to counter the local threat”.

165. Other solutions considered were:

- fitting the in-service Wolf (a Land Rover variant) or Pinzgauer with appliqué armour – discounted because of the scarcity of suitable vehicles;
- refurbishing the Armoured Patrol Vehicle (APV)1.5 awaiting disposal – discounted because of the poor mechanical condition of the fleet and the “political implications” of utilising equipment marked for disposal;
- refurbishing Snatch – discounted as an immediate response because of the timescales and level of technical risk but considered a possible long-term solution to Project DUCKBOARD; and
- procuring new vehicles – discounted as an immediate response because of the timescales but considered a valid solution in the medium-to-long term.

166. The Group recommended that:

- the deployment of Snatch be taken forward to meet the timescale for the provision of 228 vehicles for Iraq in four weeks; and
- a new vehicle purchase, with protection levels similar to or better than Snatch, be considered to meet the requirement of enough vehicles for two brigades within four to six months.

167. 180 Snatch Land Rovers were dispatched from Northern Ireland to Iraq on 11 September.⁷⁹

168. An operational analysis for Project DUCKBOARD was produced at the end of September, making a number of recommendations for further analysis to examine the requirements for a “Rest Of [the] World” PPV capability.⁸⁰ That is covered in the Vector operational analysis later in this Section.

169. Lt Gen Lamb told the Inquiry that there was a need for “a less aggressive means to transport people around” but “the need to armour it was self-evident”.⁸¹ Lt Gen Lamb

⁷⁹ Minute Comd CSS to CSVS IPT, 16 September 2003, ‘SNATCH Deployment from Northern Ireland’.

⁸⁰ Report DSTL, 31 March 2004, ‘VECTOR Operational Analysis’.

⁸¹ Private hearing, 24 May 2010, pages 25-26.

said he “was acutely aware that ... Snatch was not designed [for 21st century urban warfare]” and “so one was stuck with a difficult set of circumstances”.

170. Lt Gen Lamb added:

“Yet ... what have you got available at short order? Well ... better have a Snatch than a Land Rover.”

171. General Sir Mike Jackson, Chief of the General Staff (CGS) from February 2003 to August 2006, told the Inquiry:

“Snatch Land Rovers were deployed to Iraq because they were available or could be made available as we drew down from Northern Ireland, and without them it would have been completely soft-skinned Land Rovers. That’s where the state of the equipment inventory was at that point.

“The Snatch Land Rover was only designed to give protection from low velocity rounds and shrapnel and it wasn’t set out to do anything else, but it was better than a completely unprotected vehicle.”⁸²

The appearance of Explosively Formed Projectiles (EFPs) and the UK’s response

172. A JIC Assessment on 3 September judged that the security environment would “remain poor” and “probably worsen over the next year”.⁸³ The JIC stated that the “most frequent attacks” had been against Coalition Forces and “increasingly” were from small IEDs. Those using them had “shown growing competence, determination and sophistication”. The JIC assessed that IED attacks would become more effective.

173. The JIC judged that Shia consent was “fragile and eroding”. The guidance of “senior Iraqi Shia clerics” had been “to give the Coalition a year”, but the recent attacks were “likely to have shortened this timeline substantially”. If acquiescence turned to hostility, that “would have the most serious consequences for the security situation, particularly in southern Iraq”. If the Coalition was “perceived to be impotent”, the Shia would “take law and order into their own hands”. Reporting indicated that supporters of the Muqtada al-Sadr were “acquiring weapons” and “planning attacks on Coalition targets”.

174. In addition, the JIC judged that Iran and Hizballah were:

“... probably inciting violent anti-Coalition protests and other disruptive activity. Their incitement probably falls short of directly ordering attacks on Coalition Forces. But after the death of Ayatollah al-Hakim [the leader of the Supreme Council for Islamic Revolution in Iraq], Iran will be reconsidering its approach.”

⁸² Public hearing, 28 July 2010, pages 74-75.

⁸³ JIC Assessment, 3 September 2003, ‘Iraq: Threats to Security’.

175. In September, the DIS produced a review of the major threats from IEDs in Iraq, intended “to provide analysis and outlook on current terrorist activities”.⁸⁴ The review emphasised Iraq’s “long history of state sponsored manufacture of complex IEDs, as in the case of the failed 1993 ‘Bush Bomb’”, and stated that the regime had used an “IED strategy” as a means of extending domestic and foreign policy. During the conflict there had been significant finds of radio-controlled hardware and:

“All indications show that the Iraqi regime planned to continue to adapt its well tested pre-conflict IED strategy and production methods in a guerrilla conflict after the regime capitulated ...”

176. The review stated that RCIEDs accounted for around 50 percent of all IED incidents.

177. On 25 September, the JIC reported that attacks against Coalition Forces in the South were at the “lowest level since June” but it also judged that Shia militias were emerging in the South.⁸⁵ The tactics of armed groups in Iraq continued to evolve, “including the increased use of more sophisticated IEDs and more elaborate attacks”.

178. A JIC Assessment on 15 October stated that the South remained “relatively calm”, although some former regime elements were aiming to “foment greater unrest”.⁸⁶ The JIC noted that reporting that indicated “the return of a specific bomb maker to Basra” was of “particular concern”.

179. On 5 November, the JIC reported that the situation in the South remained “relatively calm” but there had been a spate of IED attacks in Basra province in mid-October including one using a sophisticated remote control device.⁸⁷ The JIC also stated that IEDs were the “single most common form of attack” in Iraq, that they were “becoming more sophisticated”, and that stand-off attacks using remote control were “becoming more common”.

180. On 18 November, Mr David Williams, MOD Director Directorate Capabilities, Resources and Scrutiny (DCRS), wrote to Mr John Dodds, Head of the Defence, Diplomacy and Intelligence Team in the Treasury, seeking advice on how to take forward new force protection measures within the agreed UOR “ceiling” of £550m.⁸⁸ Mr Williams flagged a new requirement for £73m to fund an electronic countermeasures (ECM) project, Project L*.⁸⁹ Mr Williams’ letter also sought funding for aerial surveillance, which is addressed later in this Section with regards to ISTAR provision.

⁸⁴ Report DIS, September 2003, ‘An Analysis of the Major IED Threats to Coalition Forces in Iraq’.

⁸⁵ JIC Assessment, 25 September 2003, ‘Iraq Security’.

⁸⁶ JIC Assessment, 15 October 2003, ‘Iraq Security’.

⁸⁷ JIC Assessment, 5 November 2003, ‘Iraq Security’.

⁸⁸ Letter Williams to Dodds, 18 November 2003, ‘Additional Operation TELIC UORs’.

⁸⁹ A cipher has replaced the name of this project for national security reasons.

181. Mr Williams wrote that the deterioration in Iraq's security had led "to an increase in demand for force protection measures, including armoured (Land Rover type) patrol vehicles and specialist counter-terrorist equipment". He said that, although the MOD had looked at utilising Northern Ireland's resources to meet the requirement, there was a need to ensure that the equipment was "appropriate to the threat in Iraq". He added: "Some development effort is likely to be required."

182. Mr Williams outlined the requirement in an attached annex:

"The most serious threat facing UK personnel in Iraq (military and civilian) is that from Radio-Controlled (RC) IEDs. It took PIRA [the Provisional IRA] some years to develop RCIEDs and associated tactics successfully. By contrast, as a result of state-sponsored activity, FRL (Former Regime Loyalists) forces, already well equipped and experienced, were able to mount attacks of similar technical sophistication in Baghdad, Basra and elsewhere in Iraq without a pause after the fall of the Ba'athist Regime ... A further trend is evident in theatre: terrorist attacks (and tactics and equipment) may be trialled in the US area, but it does not take them long to appear in the UK area."

183. The annex referred to evidence that between 11 July and 31 October 2003 there were 28 IEDs detected in MND(SE); of those, nine employed remote detonation. It stated that one UK serviceman had been killed⁹⁰ and there were "various degrees of injury to UK personnel".

184. In the US-controlled areas, IED attacks were occurring at a rate of around 10 per day, with 80 percent of those being radio-controlled.

185. Mr Williams explained that, whilst some existing ECM equipment was effective against threats in Iraq, the most significant threats were new and therefore required a new response. He stated that only about 25 percent of UK vehicles would need to be fitted with equipment on the basis that vehicles moved in groups for mutual protection. He cautioned that, "owing to the high level of its security classification, and the restricted industrial base, there are limits to the manufacture rate" and stated that the first new equipment would arrive in Iraq in December 2003.

186. On 6 January 2004, a briefing note sent to Mr Hoon and Gen Walker stated that the Treasury had "recently agreed" to fund the £73m for Project L*.⁹¹

187. The question of how that funding could be met was part of wider, ongoing discussions with the Treasury which are referred to later in this Section and set out in Section 13.1.

⁹⁰ Captain David Jones was killed in a remote-controlled IED attack on 14 August 2003: *BBC News*, 15 August 2003, *Welsh soldier killed in Iraq*.

⁹¹ Briefing McKane to APS/Secretary of State [MOD] and PSO/CDS, 6 January 2004, 'Operation TELIC: Presentation to the Chief Secretary'; Letter Williams to Dodds, 18 November 2003, 'Additional Operation TELIC UORs'.

188. On 16 January, the UOR business case to modify existing Snatch vehicles for deployment in Iraq was approved.⁹² The case for the “desertisation” of vehicles was at a cost of £2.2m, with a completion date of May 2004. The modified version of Snatch became known as the “Snatch 1.5” variant.

189. The business case stated:

- While the requirement had originally been for 228 vehicles, only 208 Snatch were available “without an unmanageable impact” on Northern Ireland operations.
- “Recent attacks have highlighted the need for protected mobility capable of providing protection from small arms and IEDs.”
- Snatch was not designed for expeditionary operations and modifications to its communications and air conditioning were required for operations in Iraq.
- The modifications were “a short-term solution to meet immediate needs”.
- DEC(SP) was reviewing options to provide a more durable medium-term solution, funded from the core equipment programme, “for introduction not before late 2004/2005”.
- The other protective vehicles in use, Challenger 2, Warrior, CVR(T) and Saxon, were “not available in sufficient numbers, nor are they appropriate to the majority of tasks due to profile and size”.

190. Lieutenant General Andrew Ridgway, Chief of Defence Intelligence (CDI), briefed the Chiefs of Staff on the IED threat on 21 January.⁹³ He stated:

“Although it was assessed that the transfer of terrorist technology from North to South Iraq meant MND(SE) could expect an increased threat from IEDs, there was still no evidence of a co-ordinated campaign.”

191. In his post-tour report on 30 January, Maj Gen Lamb recorded:

“There is consistent level of attack at five/six weekly and it is anticipated that this threat will grow.”⁹⁴

192. On 8 February, Major General Andrew Figures, the Senior British Military Representative in Iraq and Deputy Commanding General Multi-National Force-Iraq, reported to Gen Walker and Lt Gen Reith about an attack on one of the Snatch vehicles deployed to Baghdad:

“Although we were fortunate in this case it raises a number of wider issues of the application of our national doctrine and equipment in this theatre. The Snatch vehicle

⁹² Paper MOD, 16 January 2004, ‘UOR 10383 Business Case – Op TELIC SNATCH’.

⁹³ Minutes, 21 January 2004, Chiefs of Staff meeting.

⁹⁴ Report Lamb, 30 January 2004, ‘Post Operational Tour Report – Version 1 Operation TELIC 2/3 11 July to 28 December 2003’.

undoubtedly saved the lives of the crew by absorbing the majority of the blast ... I doubt, however, that it would have withstood the effects of a [...] (which is the usual weapon of choice) if it had been rigged up to the remote initiator. This observation and the fact that the C*⁹⁵ was fitted in both vehicles and operational indicates that we are still some way short of providing adequate levels of protection for the principal threat in Iraq. In terms of drills, the habit developed in Northern Ireland of deploying top cover to counter direct attack on the vehicle may actually be exposing our soldiers to greater danger from IEDs – a threat not seen in Northern Ireland.”⁹⁶

193. Although the rate of attacks against Coalition Forces had levelled off, February 2004 was the worst month for casualties since the fall of Saddam Hussein’s regime.⁹⁷

194. From March 2004 onwards the deteriorating security situation in Iraq took a serious turn for the worse. That is addressed in Section 9.2.

195. Maj Gen Stewart told the Inquiry that the violence started to increase in “February/March” 2004.⁹⁸

196. Maj Gen Stewart explained that 50 percent of his force was assisting Security Sector Reform (SSR) during this time. He said that SSR continued in April (although it reduced to 25 percent of his force’s time) but that “one or two of the major incidents we had was people ... actually moving from location to location to try and help the SSR”.

PROJECT DUCKBOARD EVOLVES

197. On 3 February 2004, Gen Jackson wrote to Mr Hoon about the impact of maintaining the current and forecast level of military commitment:

“... in meeting essential short term operational demands we must take care not to prejudice our ability to meet longer term rebalancing goals ... Measures in the EP threaten our ability to meet our strategic objectives in the longer term, particularly with regard to introducing a medium weight intervention capability centred on FRES.”⁹⁹

198. On 26 February, the DMB agreed a large number of service enhancements and savings measures as part of a Spending Review.¹⁰⁰ That was in response to the imposition of new controls introduced by the Treasury (addressed in Section 13.1).

199. The DMB considered a paper by Mr Trevor Woolley, MOD Finance Director, which detailed all the measures.¹⁰¹ In relation to PPVs, he referred to Project DUCKBOARD as

⁹⁵ A cipher has replaced the name of this capability for national security reasons.

⁹⁶ Minute Figures to CDS, 8 February 2004, ‘SBMR-I Report 072 of 8 February’.

⁹⁷ JIC Assessment, 25 February 2004, ‘Iraq Security’.

⁹⁸ Public hearing, 9 December 2009, pages 74-75.

⁹⁹ Minute CGS to PSO/CDS, 3 February 2004, ‘Operational Tempo’.

¹⁰⁰ Minutes, 26 February 2004, Defence Management Board meeting.

¹⁰¹ Paper Finance Director, [undated], ‘ST/EP04: Years 1 and 2’.

“the UK’s future protected mobility capability for light forces engaged on peace support and other operations”.

200. Mr Woolley wrote that, whilst DUCKBOARD had originally been designed to replace Snatch in Northern Ireland, UK casualties on operations in Macedonia and experiences from operations in Afghanistan and Iraq had “confirmed the requirement for a global family of vehicles offering similar protection levels”. To supplement the Snatch vehicles that had been deployed from Northern Ireland to Iraq, he recommended re-profiling the funding of the programme by:

- bringing forward a battlegroup worth of 80 vehicles from 2007-2012 to 2004-2007 (£38.5m over three years); but
- cutting the remaining PPV capability to support a medium scale PPV capability of 222 vehicles that had been profiled between 2007-2014 (£76.2m over seven years).

The overall budget was reduced by 49 percent.

201. On 31 March, the Defence Science and Technology Laboratory (DSTL) produced an operational analysis for a “Rest of [the] World PPV (ROW)” which would later become known as the “Vector” vehicle.¹⁰²

202. DSTL stated that, subsequent to an earlier operational analysis produced in September 2003, Project DUCKBOARD had changed and the emphasis had “shifted from a Snatch replacement in the medium term (ISD [In Service Date] 2007) to providing a PPV (ROW) in the near term (ISD 2005) with an eight year in service life”. That would “provide an interim capability between the Snatch OSD [Out of Service Date]” and FRES.

203. It was clear from the operational analysis that DSTL intended to highlight that additional work needed to be done. Its stated aim was simply to summarise its progress to date. Further work was needed because:

- Vector’s capacity, mobility and protection Key User Requirements (KURs) were “still only in draft form”; they had not been articulated as part of Project DUCKBOARD’s operational analysis.
- The “coherent statement of CONOPS, threat assessment and payload requirement” that had been tasked to “the user community” in the July 2003 workshop had not been developed in time for the DUCKBOARD operational analysis. While further work had been done, and some assumptions about Vector’s role had been made, more needed to be done to develop the user requirement.

¹⁰² Report DSTL, 31 March 2004, ‘VECTOR Operational Analysis’.

- The user's understanding of how the PPV ROW would be deployed was still developing which meant that the estimated fleet numbers should be re-examined.
- Costs would need to be revised in accordance with all the above factors.

204. The operational analysis acknowledged that PJHQ and 19 Mechanised Brigade had indicated IEDs were “a considerable threat in Iraq” and stated:

“... Vector is likely to face a broad range of threats. These will range from stones and bricks to RPG and large IEDs. Previous analysis has shown that it is not technically feasible to armour a Vector equivalent to defeat [...] and [...] blast weapons without it becoming some form of AFV. Therefore it will always be overmatched by these threats. However, if these are the common threats that are to be faced in theatre then a vehicle commensurate with that threat is likely to be deployed e.g. Warrior.”

205. Based on the current CONOPS, Vector would “therefore be used in lower threat environments”.

206. On 14 April, Main Gate approval was sought for the development and manufacture of 312 Snatch vehicles to “Snatch 2” standard, 208 of which would be for Iraq.¹⁰³ That was to “meet immediate operational needs” and would replace the 208 Snatch 1.5 variant vehicles that had previously been dispatched from Northern Ireland. There was an ISD of between December 2004 and February 2005 for 80 of the vehicles.

207. The total procurement cost of the 312 vehicles was £13.01m and would be funded from the Project DUCKBOARD budget. The case stated that the enhancement measures agreed in the 2004 Spending Review was recognition that the requirement for light protected mobility was “expected to grow in future”.

208. The aim of the upgrade was defined as:

“To provide a capability that will afford the user sufficient protection and mobility for framework operations to be conducted in a semi-permissive environment, in both the NI theatre and in support of expeditionary operations worldwide over FYs 04/05 & 05/06.”

209. The business case had been produced to satisfy the immediate requirement; the current Snatch fleet was over 10 years old, was in “heavy operational use” and suffered from “chassis corrosion problems”. The Specialist Utility Vehicles IPT (Integrated Project Team) had stated that it would “become increasingly difficult to sustain after 18 months on Op TELIC without a substantial upgrade or replacement programme” and “some form of project to maintain the current operational PPV capability” would be “essential in FY 04/05”.

¹⁰³ Paper DEC(SP), 14 April 2004, ‘Business Case URD 1090 SNATCH 2 Protected Patrol Vehicle’.

210. The business case said that it was supported by current operational analysis but a “fully developed justification, in the context of a balance of investment” would be undertaken in support of an “overall Project DUCKBOARD” submission in September 2004, where the requirement for “Snatch 2 in the worldwide role” would also be established. The urgency of the current requirement meant that the balance of investment analysis would not be complete before funds had to be committed. Evidence would be provided in the DUCKBOARD submission to demonstrate that investing in Snatch 2 “early” remained “the most cost effective solution”.

211. Four options were considered in the business case:

- do nothing;
- minor refresh;
- major refresh (Snatch 2) – fitting the old protected “pod” on a new base vehicle with upgrades to communications and ECM; or
- a commercial-off-the-shelf solution.

212. The preferred option was the “major refresh”. That would not provide additional physical protection; the relevant KUR said that Snatch 2 should have a protection level that was “equivalent to current Snatch”.

213. An off-the-shelf purchase was discounted on the grounds of cost and timing.

214. Considering publicity, the business case stated: “There will be considerable interest in Snatch 2 as a result of recent deaths and injuries.”

215. In response to a US request for additional UK forces during US operations in Fallujah (see Section 9.2), including an armoured or mechanised battlegroup to provide a theatre-wide reserve, Gen Walker agreed Lt Gen Reith’s request to return Warrior vehicles to Iraq on 28 April, to provide a battlegroup reserve for MND(SE).¹⁰⁴

216. On 11 May, Major General David Richards, Assistant Chief of the General Staff (ACGS), received advice about the impact of Op TELIC’s expansion and reinforcement on Headquarters Northern Ireland.¹⁰⁵ A request had been made for 297 Snatch vehicles: 77 vehicles were needed immediately, and an additional 220 over the next three to four months. A request for 350 sets of ECM equipment had also been made.

217. The advice highlighted concerns about the operational implications for Northern Ireland of redeploying Snatch to Iraq, particularly over the marching season. At most, 225 vehicles could eventually be released, but that would fall short of the Op TELIC requirement by 72 vehicles. It was suggested that PJHQ be directed to conduct a

¹⁰⁴ Minutes, 28 April 2004, Chiefs of Staff meeting.

¹⁰⁵ Minute MOD [junior officer] to MA/ACGS, 11 May 2004, ‘Impact of TELIC Expansion and Reinforcement on NI’.

full review of their current holdings and future requirement to assess the impact of a shortfall.

218. On 10 June, that concern was reiterated to Maj Gen Richards by Lieutenant General Philip Trousdell, GOC Northern Ireland.¹⁰⁶ He wrote:

“... it appears that what other theatres think they require is some form of protected mobility. What I require is a protected mobility vehicle which has the size and agility to perform an integral part in riot control ... My perception is, therefore, that the requests for support are not being delivered in a coherent manner and this has been particularly true of Snatch, a vehicle that has rapidly become a placebo for many operations.”

219. Lt Gen Trousdell warned:

“... drip feeding the protected mobility requirement from Northern Ireland is not viable in the medium to long term ... Too often have we received requests for specific equipment or specific personnel without a clearly defined effect.”

220. Maj Gen Richards sent the minute to Lt Gen Fry, commenting:

“We also need to address the longer term issue as we cannot continue to solve the problem on an ad hoc basis. Given our duty of care responsibilities, should we not look at the issue of protected mobility again and establish a longer term policy that can meet enduring commitments other than NI?”¹⁰⁷

221. On 11 June, Maj Gen Applegate upgraded the Snatch 2 business case to an “Operational Emergency”.¹⁰⁸ It would be taken forward using UOR processes to bring the anticipated ISD from December 2004 to “as early as possible”.

222. Maj Gen Applegate wrote that the MOD was “engaged in contingency planning for Op TELIC surge forces”. As a result, Mr Hoon and the Chiefs of Staff had “directed” that these forces must be equipped to the same standard as those already in theatre. The industrial timelines precluded any Snatch 2 deployment meeting the “current contingency timetable” which meant that the Snatch 1.5 fleet had been increased by 150 vehicles.

223. On 12 June, a separate USUR was raised by the Royal Engineers, for a “suitable vehicle” that could be used by Explosive Ordnance Disposal (EOD) teams because their existing vehicle, the Snatch Land Rover, provided “inadequate protection”.¹⁰⁹

¹⁰⁶ Minute Trousdell to Richards, 10 June 2004, ‘Support to Operation TELIC’.

¹⁰⁷ Minute ACGS to DCDS(C), 11 June 2004, ‘NI Support to Op TELIC’.

¹⁰⁸ Minute CM(BM) to DEC(SP), 11 June 2004, ‘URD 1090 (SNATCH 2 Protected Patrol Vehicle) Business Case (BC) – Change of Status’.

¹⁰⁹ Minute 22 Engineer Regiment Group to COS HQ I Mech Bde, 12 June 2004, ‘Urgent Statement of Operational Requirement Ballistic and Blast Protected Vehicles for Bomb Disposal and Search Teams on Op TELIC’.

The Royal Engineers argued that Snatch vehicles placed EOD teams at “unacceptable levels of risk” and reduced “operational capacity, capability, flexibility and effectiveness”. They recommended the purchase of an off-the-shelf solution – the Sisu operated by the Swedish Army.

224. The requirement for EOD teams was later identified as a “Type C” requirement and is addressed later in this Section.

225. Lord Bach visited Basra from 27 to 28 April and reported an “almost universally positive” message on equipment.¹¹⁰ On Project L* his visit report stated:

“Lord Bach understands that the delivery of vital ECM equipment procured under this UOR is subject to delay. He would welcome advice on this and what is being done to improve matters.”

226. On 21 May, an MOD official replied that the L* capability would be fully operational by January 2005 as its outstanding components would start to be delivered in July 2004.¹¹¹ The components already delivered would meet 90 to 95 percent of the threats encountered “thus far” in Iraq.

227. The official wrote: “The delays in the delivery of the full L* capability are largely due to the lack of clear threat and technical intelligence from the operational theatre.”

228. On 28 June, the UK suffered its first fatality from a roadside IED when Fusilier Gordon Gentle was killed whilst performing top cover duties for a Snatch vehicle in Basra.¹¹² Two officers who were inside the vehicle survived the blast but suffered serious injuries.

229. The PJHQ operational summary of the incident recorded:

“The sad death of a UK soldier in an IED attack today does not signal a step change in activity in MND(SE); rather it illustrates how fortunate the UK has been to avoid fatalities over the last few months.”¹¹³

230. The Board of Inquiry into Fusilier Gentle’s death concluded that there had been serious delays in fitting the most up-to-date ECM equipment into vehicles and that the IED that killed Fusilier Gentle would have been “inhibited” by that equipment, although there was “insufficient evidence to prove this conclusively”.¹¹⁴

¹¹⁰ Minute PS/Minister(DP) to D Iraq, 29 April 2004, ‘Visit to Basra’.

¹¹¹ Minute MOD [junior official] to PS/Minister DP), 21 May 2004, ‘Visit to Basra’.

¹¹² *BBC News*, 29 October 2007, *Fusilier’s final patrol described*.

¹¹³ PJHQ OPSUM, 28 June 2004, ‘PJHQ Middle East Operations Team OPSUM 131 a at 281659Z Jun 04’.

¹¹⁴ Minute Mitchell to PS/Min(AF), 11 June 2008, ‘Claim by Rose Gentle in Respect of the Death of Her Son Fusilier Gordon Gentle in Iraq on 28 June 2004’.

231. In his post-tour report on 13 July, Maj Gen Stewart wrote:

“The early decision to deploy Snatch and ECM has saved lives.”¹¹⁵

232. The first IED attack in Iraq using an Explosively Formed Projectile (EFP) took place against a UK Warrior vehicle in al-Amara in May 2004.¹¹⁶

233. On 1 July, Brigadier William Moore, Director Directorate of Equipment Capability (Ground Manoeuvre) (DEC(GM)), advised PJHQ on the performance of the UK’s AFVs against recent attacks.¹¹⁷

234. Brig Moore wrote that initial assessments suggested that insurgent capabilities, including EFPs, were capable in some circumstances of overmatching armour fitted to Challenger 2 and Warrior vehicles, but they were not “at any significant risk from EFP”.

235. Work to identify potential enhancements had begun, although “no platform enhancement measure” in response to EFPs could be considered until an example of the specific threat weapon had been examined. He also proposed a review of TTPs. Brig Moore emphasised the importance of PJHQ highlighting any new anti-armour weapons found in theatre and full reports of past and future incidents to inform further work on armour protection.

236. Brig Moore provided guidance for commanders in Iraq which stated that commanders and AFV crews should “remain aware of the finite limitations of armour”.

237. Lieutenant General Sir William Rollo, GOC MND(SE) from July 2004 to December 2004, told the Inquiry that things were “very quiet” when he took over as GOC MND(SE) in July.¹¹⁸ He said that the Sadrist disturbances from April and May had “died away”. Problems started arising again in August with the clash at Najaf which re-ignited attacks on the coalition, but by December Lt Gen Rollo thought “things were relatively on track”.

238. Asked by the Inquiry whether there was any difficulty “moving around” at this time, Lt Gen Rollo said that there was “a sufficient number of Warrior fighting vehicles” that could be used when the situation “became very unpleasant”.¹¹⁹ He added:

“Outside of that, then we were back into Snatch Land Rovers, which at that stage, while ... they could clearly be damaged by IEDs, they were remarkably tough against the threat at that time.”

¹¹⁵ Report, 13 July 2004, ‘HQ MND(SE) Post Operation Report Operation TELIC 3/4 – 28 December 2003 – 13 July 2004’.

¹¹⁶ Report DIS, 19 August 2004, ‘Further Evidence of Lebanese Hizballah produced weapons in Iraq’.

¹¹⁷ Minute Moore to PJHQ, 1 July 2004, ‘Force Protection: Information Relating to the Performance of UK Armour in Iraq’.

¹¹⁸ Public hearing, 15 December 2009, page 5.

¹¹⁹ Public hearing, 15 December 2009, pages 15-16.

239. When asked whether he had been briefed on the threat from EFPs and the predicted growth in the use of ever more sophisticated IED technology when he became CJO in July 2004, ACM Torpy told the Inquiry:

“Not specifically EFPs. IEDs, yes ... it was not a significant threat in 2004 when I took over and it grew ...”¹²⁰

THE IMPACT OF THE 2004 SPENDING REVIEW ON FRES

240. During September 2003, the MOD’s cash requirement for 2003/04 had risen from £490m to £1,152m. That prompted Mr Gordon Brown, Chancellor of the Exchequer, to impose controls on the MOD’s management of its resources. That is addressed in Section 13.1.

241. At the DMB on 1 October, Mr Ian Andrews, MOD Second Permanent Under Secretary, explained that the MOD was now facing a near-cash shortfall of £1.1bn.¹²¹ Part of the MOD’s response was to identify near-cash reductions of £300m across the DLO and DPA.

242. Mr Andrews had produced a paper for the Board that set out proposals for those reductions, all of which were accepted. One measure was to defer £13m from the FRES programme (needed to underpin its suggested procurement strategy), which could “delay the programme by a few months”.¹²²

243. Considering the Equipment Programme on 26 February 2004, the DMB was told by Sir Kevin Tebbit that Treasury controls had rendered it “unaffordable”.¹²³ There was likely to be no increase in resources and there was no scope to take risks. He said that any additional enhancements “must have compensating offsets”.

244. The DMB discussed Mr Woolley’s paper of proposed enhancements and savings measures, including deferring the FRES ISD by a further year to December 2011.¹²⁴ The DMB said that this was a concern and frustrating:

“But there was a tension between the need for a basic vehicle relatively quickly and a more complex capability downstream.”

245. The Assessment Phase for the procurement of FRES was announced on 5 May 2004.¹²⁵

246. On 24 June, in the context of a wider DMB discussion about the risks of meeting the targets on cost and time for major procurement projects, concern was expressed

¹²⁰ Public hearing, 18 January 2011, page 62.

¹²¹ Minutes, 1 October 2003, Defence Management Board meeting.

¹²² Paper 2nd PUS, 30 September 2003, ‘In-Year Management: AP03 update’.

¹²³ Minutes, 26 February 2004, Defence Management Board meeting.

¹²⁴ Paper Finance Director, [undated], ‘ST/EP04: Years 1 and 2’; Minutes, 26 February 2004, Defence Management Board meeting.

¹²⁵ Report MGO, 9 July 2004, ‘MGO’s Report to ECAB 2004’.

that FRES “was in danger of falling into the trap of over-specification ... despite Board injunctions to the contrary”.¹²⁶ The project would therefore focus on “delivering simpler variants as soon as possible ... with more complex variants later on”.

247. On 25 June, Maj Gen Richards produced a paper for the Executive Committee of the Army Board (ECAB) on the impact of the DMB’s decisions.¹²⁷ He wrote that support to current operations “remained the enduring top priority”, but between 2004 and 2008, the emphasis should be on developing network-enabling activity, an initial air manoeuvre capability, “and the development of medium weight forces”.

248. The “most painful measure” for the Army as a result of the DMB decisions was the effect on the FRES programme. Maj Gen Richards wrote that delays in agreeing the procurement strategy for the programme meant that the ISD had slipped from 2009 to 2010. In addition, the measures agreed by DMB as part of the discussions about the Equipment Programme in February, meant that the ISD could be delayed further to 2012. As a result, the full operating capability for FRES was “unlikely” to be fielded before 2017. That would mean running on existing armoured vehicles and could lead to additional Short Term Plan or Equipment Programme costs elsewhere in the programme.

249. Addressing future requirements, the paper stated that the Army’s highest priority for the next 15 years was the development of a rapid intervention capability “with capable medium forces as soon as possible”. Given the delay to FRES, “an imaginative and incremental approach” would be needed. ECAB was asked to agree that the priorities for a medium weight capability were:

- **Between 2005 and 2009:** Development of an initial medium weight capability, “based on in-service equipments, and those about to enter service in the period”.
- **Between 2010 and 2014:** Capable medium weight forces based on the simple FRES variant.
- **Beyond 2014:** Fully capable medium weight forces, including complex FRES variants.

250. It was also clear from the paper that the Army perceived the costs of the DMB’s decision to protect large capital programmes for the Navy and Air Force, in support of an “apparent ambition to deliver a sophisticated capability in every capability area”, had been found from “Land programmes”; and that could lead to further cuts in future.

¹²⁶ Minutes, 24 June 2004, Defence Management Board meeting.

¹²⁷ Paper ACGS, 25 June 2004, ‘Review of the Equipment Programme for the Army 2004 (Repa 04)’.

A “TYPE B” VEHICLE

251. In Maj Gen Richards’ review of the Equipment Programme for the Army on 25 June, he had stated that, in “the very short term”, UORs would allow “an uplift in capability to meet operational requirements”.¹²⁸ The UK would “be committed to Op TELIC until at least the end of 2006” and “the UK’s commitment to Afghanistan could increase in the same timeframe”. Operations in Iraq had:

“... highlighted the need for a mix of heavy ground manoeuvre capability and DCC [Dismounted Close Combat], whilst the requirement for improved protected mobility has been met by the deployment of Snatch from NI and Saxon. Snatch will be replaced by DUCKBOARD beyond 06. The need for a coherent plan to deliver protected mobility vehicles to meet the requirement of both theatres of operation has been highlighted.”

252. On 7 July, DEC(SP) set out the next steps on Project DUCKBOARD so a business case could be developed and approved by September.¹²⁹ The minute stated that the role for light protected mobility in Northern Ireland remained enduring, and it reiterated how operational experience overseas had highlighted capability gaps in post-conflict, peace support operations and counter-terrorist situations.

253. DEC(SP) stated that the way forward was “beset with unresolved issues”, including:

- a range of threats across new operating environments, such as Iraq and Afghanistan with “ill-defined” requirements;
- “no clearly defined” user focus or capability management mechanisms;
- an “incomplete definition” of the number of vehicles required; and
- “no defined logistic vision or relationship with other mobility capabilities”.

254. DEC(SP) repeated the concerns raised in the 14 April business case about the aged Snatch fleet and chassis corrosion.

255. The number of required vehicles remained “undefined” but DEC(SP) stated that an initial analysis “might be” for three different types of PPV:

¹²⁸ Paper ACGS, 25 June 2004, ‘Review of the Equipment Programme for the Army 2004 (Repa 04)’.

¹²⁹ Paper DEC(SP) to D Jt Cap, 7 July 2004, ‘Project DUCKBOARD – Way Forward’.

Table 1: The requirement for three types of PPV, July 2004

Type	Features	Estimated number required
A	Essentially a Snatch replacement with the same levels of ballistic protection for low level counter-terror and public order operations, mainly for use in Northern Ireland.	612
B (the Expeditionary or "Rest of World" vehicle)	For expeditionary use in "high threat CT operations". The minimum ballistic protection level required was considered to be B6 (as was currently provided by Tavern).	144
C	A specialised EOD vehicle; again requiring B6 ballistic protection for use on expeditionary operations.	120

256. On protection levels, the DEC(SP) said that "the terrorist will invariably overmatch the target" given that Iraqi and other Middle Eastern terrorists had been "able to destroy tanks in IED attacks":

"Protection levels therefore should be optimised for blast, fragments, the 'near-miss' etc rather than to defeat direct attack. Protection for a PPV is more a function of Tactics, Techniques and Procedures (TTPs) (examples include top-cover sentries, combined foot and mounted patrols, multiple vehicle patrols, helicopter top-cover etc) than thickness of armour."

257. The purchase of new vehicles to meet the Type A requirement had an estimated total programme cost of £62.5m. As only £55.31m of funding was available, an upgrade to Snatch 2, at an estimated total cost of £53.8m, was recommended.

258. DEC(SP) intended to take a "twin-track" approach to procurement:

- A programme to upgrade existing Snatch vehicles to Snatch 2 would begin almost immediately to meet the Type A requirement, with 100 Snatch 2 being available by 31 December 2004 and a further 200 by 30 June 2005.
- An initial assessment for the remainder of the Type A requirement and the Types B and C requirement would be undertaken. Delivery of the Type B requirement was expected in Financial Year (FY) 2006/07 and Type C was expected in FY 2007/08.

259. The letter identified the savings measure imposed from the 2004 Spending Review, to reduce the expeditionary capability from medium to small scale in the longer term, as "programme blight". It stated that that, and "the lack of an endorsed requirement for both numbers and capability", meant that a business case for the whole light protected mobility requirement would not be available before September 2004.

260. DEC(SP) also wrote that the actual requirement for Type B vehicles was 396 but the savings measure agreed in February 2004 had rendered that unrealistic.

261. The minute concluded, however, by stating that the enhancement measure agreed in the same review, to bring forward the funding for 80 vehicles to 2004/05, had enabled the search for a solution:

“To date light protected mobility in an expeditionary role has been something of an orphan capability, managed on an ad hoc basis from a base capability centred on the NI role. Operational imperatives and the bring-forward of funding now offer the opportunity to develop the capability in support of global expeditionary operations, delivering a coherent and integrated concept, whilst at the same time continuing to meet long-term NI commitments.”

262. An acquisition strategy for the Type B (expeditionary) PPV capability was produced by the Specialist Utility Vehicle IPT on 19 July.¹³⁰ It stated that operational analysis studies had “discounted the use of Snatch 2 as a coherent option for meeting this capability”. It considered three options:

- to do nothing;
- a commercial off-the-shelf or a modified commercial off-the-shelf procurement; or
- design development – creating a “bespoke” solution.

263. The option to do nothing was not recommended because the “use of in-service assets that fail to meet the minimum stated performance levels would put users at risk and potentially create an operational vacuum at the source of provision”. The time and cost implications of the design development option meant that that was also ruled out.

264. Considering the commercial off-the-shelf procurement, the IPT wrote that there were “a number of products on the market from specialist military vehicle suppliers that could provide a near match to the identified KURs and derived KSRs [Key Service Requirements]”. The difficulty was that there would “inevitably” be areas that would not be “optimised for British Army use”, such as communications equipment.

265. A modified commercial off-the-shelf procurement was therefore the recommended option as that would allow the MOD to engage suppliers over the British Army’s specific requirements.

266. The procurement strategy was to be developed and reviewed leading up to the submission of a business case. No timescale or deadline was specified.

267. Major General Peter Gilchrist, Master General of the Ordnance, produced a paper for an ECAB meeting on 20 July on the Army’s Equipment Programme.¹³¹ He said that

¹³⁰ Paper SUV IPT, 19 July 2004, ‘Acquisition Strategy Project DUCKBOARD – Protected Patrol Vehicle’.

¹³¹ Report MGO, 9 July 2004, ‘MGO’s Report to ECAB 2004’.

new lessons from Operation TELIC were “the need to give greater thought to future ECM, protected mobility and [Type] B vehicle desertisation requirements”.

268. The requirement for PPVs on operations continued to grow. Immediate needs were being met by the redeployment of vehicles from Northern Ireland and desertisation would be complete by the end of May 2004,¹³² “despite delays in receiving clear requirements and UOR funding”. There was concern “over the longer-term sustainability” of Snatch’s “aged, petrol-engined chassis” but the funding brought forward from EP04 would “help address this issue”.

269. Maj Gen Gilchrist wrote that the DEC(SP) minute of 7 July had provided “a sensible framework ... to commence project activity” using the twin-track approach: “... in the short term (1-2 yrs), a life extension for Snatch, and in the medium term a new COTS [commercial off-the-shelf] PPV, a little larger than Snatch”. The life extension programme, “known as Snatch 2”, was already under way. The business case had been approved and trial vehicles had been delivered in June.

270. On FRES, Maj Gen Gilchrist wrote that, following the announcement of the its Assessment Phase on 5 May 2004, it was envisaged that a contract would be let in late 2004, leading to Main Gate approval “for the system and simpler FRES variants” in late 2006.

271. At ECAB on 20 July, although “disappointment” was expressed at the pace with which FRES was being taken forward, the meeting was told that “the collective view of the IAB [Investment Approvals Board] was that the project had not been sufficiently well thought through in terms of requirements”.¹³³

272. ECAB also noted that “the Army needed better to influence the equipment and planning communities”.

273. In discussion of the review of the Army Equipment Programme by Maj Gen Richards, it was pointed out that “it should be made clear that developing an initial medium weight capability [between 2005-2009] was based on existing equipment and did not depend on FRES”.

THE THREAT IN MID-2004

274. The IED threat in Iraq continued to grow.

275. On 28 June 2004, the Coalition Provisional Authority (CPA) formally handed over to a sovereign Iraqi government. The security situation in Iraq remained febrile. The chronology of events and their impact on the UK’s overarching strategy is detailed

¹³² Maj Gen Gilchrist’s report was written in July 2004. It is not clear whether the process of desertisation had been completed by the end of May 2004 or whether it was still under way.

¹³³ Minutes, 20 July 2004, Executive Committee of the Army Board meeting.

in Section 9.3. The impact of events on the progress of SSR is described in Section 12.1 and the impact on reconstruction is provided in Section 10.2.

276. The JIC Assessment of the security situation in Iraq on 21 July stated:

“We also judge that Lebanese Hizballah will retain an influence in Iraq (Hizballah members may have been linked to the group that attacked the Sheraton Hotel,¹³⁴ and could supply Iraqi groups with terrorist expertise and munitions.”¹³⁵

277. On 26 July, the DIS reported that an EFP IED had been found on 15 July in Baghdad.¹³⁶ The DIS noted that the EFP IED design had not previously been encountered in Iraq but was, as with the find in May 2004, of a type associated with Lebanese Hizballah. There were also indications of Iranian involvement in the construction of the devices.

278. The DIS concluded:

“Irrespective of the attribution of the design, production or employment of these charges, their presence and use in attacks against Multi-National Forces in Iraq is a significant force protection issue.”

279. A JIC Assessment was produced on 11 August about the recent upsurge of Shia violence.¹³⁷ It stated that Iran was “establishing agent networks, providing funding and material to a number of Shia groups and generally seeking to gain influence” and judged that “Iranian encouragement, funding and possibly arms” were “being provided to al-Sadr and the Mahdi Army”; but the “exact degree of Iranian involvement” remained “unclear”.

280. On 12 August, Private Marc Ferns was killed by a roadside IED while driving a Warrior vehicle.¹³⁸ The vehicle had its hatches open to increase visibility and because of the lack of air conditioning in the vehicle. The blast penetrated the open hatch, killing Pte Ferns.

281. A Current Intelligence Group (CIG) Assessment the following week stated that theatre had reported that a number of Iranian sourced weapons had been seized in al-Amara.¹³⁹

282. General Sir Timothy Granville-Chapman, Commander in Chief Land Command, visited Iraq later that month.¹⁴⁰ His report to General Jackson highlighted that the

¹³⁴ Iraqi insurgents launched rocket attacks on two hotels in Baghdad on 2 July 2004, one of which was the Sheraton: *BBC News*, 2 July 2004, *Rocket blasts hit Baghdad hotels*.

¹³⁵ JIC Assessment, 21 July 2004, ‘Iraq Security’.

¹³⁶ Report DIS, 26 July 2004, ‘Further Evidence of Lebanese Hizballah produced weapons in Iraq’.

¹³⁷ JIC Assessment, 11 August 2004, ‘Iraq Security: Shia Violence’.

¹³⁸ PJHQ OPSUM, 16 August 2004, ‘PJHQ Middle East Operations Team OPSUM 138 as at 161659Z Aug 04’.

¹³⁹ CIG Assessment, 18 August 2004, ‘Iraq security’.

¹⁴⁰ Letter Granville-Chapman to Jackson, 20 August 2004, [untitled].

security situation was “now far more difficult than hitherto”. It was “complex and multi-layered” and, with the intimidation and killing of key people, it was having an effect on governance and recovery.

283. On 3 September, a CIG Assessment reported:

“The recent fighting has shown that the Mahdi Army is developing into an increasingly resolute organisation, capable of launching sophisticated attacks ... They have been able to mount determined and sophisticated attacks using small arms, improvised explosive devices (IEDs) and heavier weapons such as mortars and RPGs ... Al-Sadr retains the ability to mobilise a significant body of poor, unemployed Shia youth.”¹⁴¹

284. The Assessment also stated that “some recovered anti-armour weapons may have been procured through Lebanese Hizballah with Iranian knowledge”.

285. On 26 September, a report from Mr Robert Davies, Chief Police Adviser to the Iraq Ministry of Interior, stated that the FCO’s Overseas Security Adviser had directed UK police staff not to travel in Snatch Land Rovers because of inadequate armour.¹⁴² Mr Davies wrote:

“This direction places a significant limitation on the deployment of our staff ... The appropriate protection could be provided by a team from the Control Risk Group,¹⁴³ but there are insufficient numbers to meet our requirements.”

286. Acting Commander Kevin Hurley, Chief Police Adviser in Basra June 2004 to December 2004, wrote in a statement to the Inquiry:

“Security conditions made road travel almost impossible ... [W]e were not allowed to travel in Army vehicles due to their lack of protection (Snatches). We were all but ineffective for most of our time. Ultimately ... we reached a stage whereby if we could not get a helicopter ride we did not move.”¹⁴⁴

287. On 28 September, Corporal Marc Taylor and Gunner David Lawrence were killed during the ambush of a military convoy south-west of Basra.¹⁴⁵ An armoured Land Rover was badly damaged and the soldiers came under fire as they tried to extract the casualties.

¹⁴¹ CIG Assessment, 3 September 2004, ‘Iraq security: Shia violence in Multi-National Division (South East)’.

¹⁴² Minute Davies, 26 September 2004, ‘Weekly report number: 46’.

¹⁴³ Control Risks Group was the security company contracted to provide armed support to UK secondees. Its role and the security concerns for civilian personnel is detailed in Section 15.1.

¹⁴⁴ Statement, 17 June 2010, page 3.

¹⁴⁵ *BBC*, 30 September 2004, *MOD names second killed soldier*; *GOV.UK*, 1 October 2004, *Corporal Marc Taylor and Gunner David Lawrence killed in Iraq*.

288. On 1 October, the DIS produced two reports that were circulated within the MOD and to the intelligence agencies.¹⁴⁶ One looked at the Command Wire IED (CWIED) threat and the other at the Radio-Controlled IED (RCIED) threat.

289. The CWIED report assessed that CWIED attacks were relatively uncommon but were growing in number and sophistication; that was assessed as a “concerted attempt” to counter ECM. The DIS advised that improvements to ECM were “likely to lead to increased use of CWIED, RCIED and other forms of non-Radio-Controlled command initiated IEDs”.

290. The RCIED report stated that RCIED attacks represented around 75 percent of all IEDs and that IEDs in turn accounted for 75 percent of casualties. The DIS assessed that in the next 12 months:

“IED technology in use with other Middle Eastern groups especially Lebanese Hizballah, can be expected to appear in Iraq. This would include multiple systems, such as RC (Radio-Controlled) switched PIRs [Passive Infra Red].”

291. Also on 1 October, Gen Walker received an update from AM Torpy on the provision of ECM to UK forces:

- The number, complexity and sophistication of RCIEDs used against coalition forces was increasing.
- The L* programme was experiencing some manufacturing delays.
- There was insufficient ECM equipment in MND(SE) to provide protection for all troops and therefore prioritisation had been necessary.
- ECM did not offer 100 percent protection and was used in conjunction with TTPs and other force protection measures.¹⁴⁷

292. AM Torpy informed Gen Walker that the value of the L* programme had risen to over £100m since its approval in late 2003.

293. In his post-tour report, Maj Gen Rollo commented:

“The current ECM suite is adapting to meet the threat, providing UK soldiers the best protection amongst the coalition forces, but procurement and production struggle to meet the demands in theatre. We are well below the scales needed for appropriate ECM protection and whilst the problem lies with industry there must be constant pressure to improve the situation.”¹⁴⁸

¹⁴⁶ Report DIS, 1 October 2004, ‘The Radio-Controlled Improvised Explosive Device Threat to UK Forces in Iraq’; Report DIS, 1 October 2004, ‘The Command Wire Improvised Explosive Device Threat to UK Forces in Iraq’.

¹⁴⁷ Minute PJHQ to PSO/CDS, 1 October 2004, Op TELIC/ORACLE: Provision of Electronic Counter Measures (ECM)’.

¹⁴⁸ Report Rollo to PJHQ MA to CJO, 4 December 2004, ‘Post Operation Report Operation Telic 4/5 14th July – 1st December 2004’.

A PPV FOR AFGHANISTAN

294. In June 2004, a decision was taken that the Allied Rapid Reaction Corps HQ (ARRC), a UK-led NATO asset, should deploy to Afghanistan in 2006, rather than Iraq (see Section 9.2). By October, that decision had become an important factor in considering resources for Iraq.

295. On 15 October, the strategy for delivering Project DUCKBOARD was produced.¹⁴⁹

296. A total of 371 “desertised” Snatch 1.5 vehicles had been delivered to support operations in Iraq: 308 were in operation and 63 were held in reserve. An additional 70 Snatch 2 vehicles would be available from December 2004, also for the reserve, to replace the 1.5 variants as their capability deteriorated. More than 20 vehicles on Op TELIC had already been damaged beyond repair.

297. The strategy identified that a requirement for protected mobility still had to be defined and that there were a number of “challenges”, including:

- “If Defence has to support; current NI commitments; a continuance of Op TELIC on current scales; and a medium scale operation in Afghanistan simultaneously in 2006, a new acquisition of Protected Mobility vehicles, currently unfunded ... will be necessary.”
- Production would need to start in April 2005 to meet the “ready to train date” for deployment to Afghanistan.
- Regardless of concurrent operations in 2006, “urgent EP/UOR action” was needed to meet “USURs arising from Operation TELIC and to sustain the Snatch fleet”.
- There was “no overarching doctrine, no endorsed CONOPS nor definitive scaling for the provision of Protected Mobility for expeditionary operations”.
- The “lack of definition of the numbers and types of vehicles required” continued to “stall the acquisition process”.

298. The strategy recommended requirements should be taken forward as three separate projects, “within an overarching scrutiny mechanism”, so that each strand could be delivered independently and at its own pace:

- Type A project (“Snatch 2”) – continuing the conversion of existing Snatch vehicles for operations in UK and Iraq (the first tranche already under way as an Operational Emergency);
- Type B project (“Vector”) – producing this capability would depend on Afghanistan and Iraq concurrency assumptions “and or direction as to required protection levels”; and

¹⁴⁹ Minute MOD [junior officer] to D Jt Cap (AD Jt Mvre), 15 October 2004, ‘Strategy for Delivery of Protected Patrol and Combat Support Mobility – Project DUCKBOARD’.

- Type C project (“Format”) – producing capability for combat support units in expeditionary operations, including replacing eight Zimmer¹⁵⁰ vehicles sent to Iraq for IED Disposal teams in April 2003, which were “failing” and the USUR raised by the Royal Engineers on 12 June for “some form of protected mobility”.

299. The strategy stated that an analysis of the numbers had “proved extremely difficult” without any endorsed CONOPS and “no overall front line Customer 2 lead”. The 308 Snatch 1.5 vehicles in Iraq, and 133 in reserve, were listed as a “firm requirement”.

300. The “emerging requirements” included a minimum of 224 Type B Vector vehicles for Afghanistan in 2006. Considering its options, the strategy stated that:

- If operations in Iraq and Afghanistan were not concurrent, the present vehicle scaling would suffice, Vector would not be procured, and any enhancements to the 2005 Equipment Programme would be withdrawn. Priority would switch to sustaining the conversion of Snatch 1.5 vehicles to the Snatch 2 variant.
- If the operations were concurrent, the requirement for 224 vehicles for Afghanistan could be met by removing the 133 Snatch vehicles held in reserve for Iraq and reducing Northern Ireland’s allocation by 100. “Alternatively, TELIC could reduce to 100 vehicles, freeing the balance of 271”, subject to refurbishment, available for Afghanistan.
- If the operations were concurrent, an additional capability could be procured. That was the recommended option.

301. The “realistic assessment” was that definitive requirements and numbers were not likely to be possible before December 2004 and the balance between Iraq and Afghanistan was “unlikely to be clear before mid 05”. The strategy proposed that:

- Snatch 2 production be extended by a further Operational Emergency business case for the conversion of another 360 Snatch 1 vehicles to guarantee the model’s sustainability for 2006;
- the first tranche of 141 Vector vehicles be procured by UOR against Equipment Programme funding to ensure an interim operating capability by 31 January 2006; and
- the first two of four tranches be procured for 24 combat support vehicles by UOR against Equipment Programme funding.

302. On 27 October, Commodore Peter Eberle, Director Directorate of Joint Capability, raised an SOR for all three Types of PPV with DEC(SP) and Brigadier Tim Inshaw, Director of Capability Integration (Army) (DCI(A)).¹⁵¹ Cdre Eberle said that it was “needed as a matter of priority” to inform consideration of options in the 2005

¹⁵⁰ The Zimmer vehicle was a deployable EOD capability vehicle that was brought into service in approximately January 2003.

¹⁵¹ Paper Eberle, 27 October 2004, ‘Statement of Operational Requirement for Protected Patrol Vehicle (PPV) for Operations During Period 2005-2007’.

Equipment Programme and because of the finite number of Snatch vehicles and the lead times needed by industry to produce additional vehicles in time for a deployment to Afghanistan in 2006.

303. Cdre Eberle stated that there was a potential increase in operational activity over the period 2005-2007 and, in particular in 2006, which correlated with priorities already identified: the importance of light forces in combating international terrorism and the key capability of force protection from asymmetric threats. The “requirement for protected mobility and force protection measures” was “unlikely to diminish”. PPVs had continued to prove their worth, “albeit within strict limitations of physical protection”.

304. Looking at the three variants of PPV required, the paper stated that the User Requirement Document (URD)¹⁵² for the Type A (public order) variant remained “extant”. The URD for the Type B (expeditionary) variant was “similar to the Type A” but also needed:

- better physical protection,¹⁵³ including protection against fragmentation and blast, which was “essential”, and some degree of protection against mines which was “highly desirable”; and
- the ability to be fitted with the most appropriate ECM suite to counter the prevailing threat in a given theatre.

305. In relation to deployment in Iraq, the paper stated that the employment of PPV Snatch was “threat driven”, which:

“... meant that all tasks being conducted in or through specific areas have required the use of PPV Snatch, with these tasks ranging from framework patrolling to the escorting of white fleet vehicles that are unable to provide their own top cover protection.”

306. The paper’s recommendations included:

- A minimum requirement of 1,236 vehicles to cover both Type A and Type B PPV variants should be made available to support all UK operations worldwide during 2006.¹⁵⁴
- A minimum requirement of 1,228 ECM suites which “should be able to counter the prevailing threat where PPV are deployed”.
- The figures were the minimum and not the totality of the requirement, constituting 72 percent of the potential peak requirement.

¹⁵² A specification about what the equipment is expected to do and what features or capabilities it needs to fulfil its role.

¹⁵³ The precise level of physical protection specified remains classified.

¹⁵⁴ The detail about how this figure was broken down according to each operation was provided in an attached annex but the MOD has been unable to provide the Inquiry with a legible copy and unfortunately the defined PPV requirement for Iraq and Afghanistan cannot be seen.

- Brig Inshaw would act as Customer Two “Core Leader” with “the role of overseeing the lines of development” in consultation with Cdre Eberle, who would act as the joint Customer Two.

307. Cdre Eberle stated that the number of PPVs required had been “derived from consultation with FLCs, PJHQ and within MOD Centre” but there were a number of “unknowns” that constrained the ability to “achieve a high degree of accuracy” in the figures. Those included the timeline for the drawdown in Iraq and, for Afghanistan, the nature of the threat, the UK CONOPS, and the scale and timing of the UK’s medium-term engagement.

308. The paper stated that there were “no alternatives to PPV for the protected mobility capability requirement within the timeframe under consideration”. It described tracked light armoured vehicles as “inappropriate due to their posture and the extended distances that are regularly travelled while on patrol or escort tasks”.

309. Civilian movements in Iraq were being constrained by the IED threat as even the Army’s more heavily armed vehicles came under attack.

310. On 4 November, Sergeant Stuart Gray, Private Paul Lowe and Private Scott McArdle were killed in a suicide bomb attack at a vehicle check-point in Fallujah.¹⁵⁵ They had been travelling in a Warrior vehicle. An Iraqi interpreter was also killed and eight soldiers were injured.

311. On 5 November, Mr David Hayward, FCO Military Liaison Officer, sent a teletype to Mr Tom Dodd, Deputy Consul General in Basra, in reply to “a number of problems” Mr Dodd had raised about policing in MND(SE).¹⁵⁶ He wrote:

“You [sic] comment that rigid security rules prevents senior police officers from being allowed to move freely on the ground is understood. The underlying issue is that FCO duty of care for all HMG staff currently dictates that military vehicles do not meet the minimum level of protection required.”

312. Mr Hayward wrote that they were discussing with the Security Strategy Unit whether there was any “room for flexibility in application of current policy”. He added: “However, as you know the duty of care does weigh heavily in terms of the safety of personnel in Iraq.”

313. On 8 November, Private Pita Tukutukuwaqa was killed when the Warrior vehicle in which he was travelling hit a roadside IED south west of Baghdad.¹⁵⁷

¹⁵⁵ GOV.UK, 6 November 2004, *3 British soldiers killed in Iraq*; BBC News, 5 November 2004, *Blair tribute to Black Watch dead*.

¹⁵⁶ Teletype Hayward to Dodd, 5 November 2004, ‘Southern Iraq: Civilian Policing’.

¹⁵⁷ GOV.UK, 10 November 2004, *Private Pita Tukutukuwaqa*; BBC News, 9 November 2004, *MOD names soldier killed in Iraq*.

314. AM Torpy visited Iraq from 24 to 27 November.¹⁵⁸ He noted that “the level of incidents [had] increased significantly” since his visit in August, but in MND(SE) the security situation was “improved”.

315. On 2 December, the DIS produced a report on the evolution of the IED threat in Iraq.¹⁵⁹ It stated:

“Improvised Explosive Devices (IEDs) remain the main killer of coalition forces (CF). The threat from IEDs continues to evolve not only quantitatively, but also qualitatively, with new or modified device types and Modus Operandi (MO).

“The rise in IED attacks in 2004 indicates that, despite CF tactical successes, the security situation has not improved overall and individual terror groups are making significant progress in terms of ability to mount successful IED attacks, probably through improved C2 [command and control], logistics, recruiting and external assistance.

“Improvement in IED technology has been most significant in Shia areas since May 04, where insurgents have technical progress that we assess could only have been achieved through focused external assistance. We assess that this may be due to an influx of Lebanese Hizballah IED technology under Iranian sponsorship ...”

316. The DIS stated that the increased use of CWIEDs in MND(SE) indicated an awareness of UK ECM and assessed that the threat was likely “to continue to develop to resemble that of other Middle East countries, such as Israel, with the further import of IED technology and MO from Palestinian, Lebanese and AQ [Al Qaida] associated groups”. It highlighted that IEDs accounted for 40-45 percent of MNF fatalities and over 70 percent of all injuries.

317. On 19 January 2005, Mr Hoon wrote to Mr Paul Boateng, Chief Secretary to the Treasury, asking for an increase of £165m in the MOD’s current UOR ceiling (£829m).¹⁶⁰ The additional funding would cover “mainly” force protection and communications equipment:

“The environment in Iraq for the second half of 2004 was marked by a gradual deterioration in the security situation ... The immediate and expanding threat from Radio Controlled IEDs (RCIEDs), which has already resulted in death and injury to UK personnel, has required us to procure further Project L* ECM equipment, to the value of £54m ...”

¹⁵⁸ Minute Torpy to Walker, 30 November 2004, ‘CJO Visit Report – Iraq – 24-27 Nov 04’.

¹⁵⁹ Report DIS, 2 December 2004, ‘The Evolution of the IED Threat in Iraq’.

¹⁶⁰ Minute Hoon to Boateng, 19 January 2005, ‘Op TELIC; UORs’.

318. Mr Hoon wrote:

“Protected mobility continues to be a key requirement for forces undertaking a wide range of roles, including patrolling, public order duties and IED search tasks. Protected Patrol Vehicles are therefore vital, and we are seeking an advance of programmes already in our Equipment Plan to the tune of £12m.”

319. On 26 January, as part of the new biennial planning cycle, the DMB discussed proposals in a paper by Mr Woolley on the “Future Defence Programme”.¹⁶¹

320. Mr Woolley outlined that the strategy for Short Term Plan and 2005 Equipment Programme was to implement decisions already taken by the DMB and Ministers, “rather than making significant adjustments to force structure or capability”.

321. Mr Woolley wrote that “some £82m” had been earmarked to fund the continuing support costs of recently procured UOR equipments. Recognising constraints on accessing the Reserve, £30m had been set aside across 2005/06 and 2006/07 to “provide headroom for equipment enhancements that might be needed for planned operations” but no specific provision had been made for the “extra equipment costs required to support the possible deployment of a UK brigade to Afghanistan alongside the ARRC HQ”.

322. Along with the associated budgets, the paper identified:

- 69 proposed savings measures, including a delay to the ISD of three FRES variants;
- 78 proposed enhancements, including three enhancements to Warrior, two for CVR(T) (both including enhanced protection); and
- 24 further savings measures that were not recommended for DMB approval.

323. The list of proposed enhancements also identified “additional protected mobility for light forces from 2006”. That included the upgrade of 550 “near-obsolete Northern Ireland fleet of Snatch 1 vehicles, through the provision of a new chassis”, and 100 Vector vehicles that were “better suited to worldwide, rough terrain operations”.

324. The minutes of the DMB recorded that Sir Kevin Tebbit had said the 2004 Spending Review settlement had “increased resources in real terms, but there were substantial pressures”.¹⁶²

¹⁶¹ Paper Finance Director [MOD], [undated], ‘Future Defence Programme 05’.

¹⁶² Minutes, 26 January 2005, Defence Management Board meeting.

325. Lt Gen Fulton told the DMB that there had been “significant cost growth in several large programmes, some of which had proved impossible to contain”, and that:

“... balancing and de-risking the programme had required a number of painful measures, especially in the early years. But it was now a robust programme that could be taken forward effectively.”

326. In agreeing the programme to be submitted to Mr Hoon, the DMB approved lists of proposed savings and enhancements in the Equipment Programme, “reflecting the pressures and changing circumstances since the 2004 Spending Review settlement”.

327. A report on lessons from Op TELIC produced by the MOD’s Directorate of Operational Capability (DOC) on 22 February stated:

“With the continued increase in the use of IEDs, the Snatch conversion programme was a belated reaction to the threat ... Trends indicate that future operations will continue to face threats of a similar nature and Defence planning should be cognisant of this reality, rather than reactive to a situation after a deployment is under way.”¹⁶³

328. The report highlighted two lessons on protected mobility:

- “Sustained investment is required to provide sufficient protected mobility vehicles for operations in hostile environments such as Iraq ...”
- “Sufficient equipment to protect patrol vehicles against IEDs should be maintained and available for current and future operations ...”

329. The Chiefs of Staff discussed the report on the same day but the minutes do not record any specific reference to the protected mobility concerns raised in the DOC report.¹⁶⁴

330. The PPV Capability Integration Working Group (CIWG) met for the first time on 1 February 2005.¹⁶⁵ The Chair summarised the group’s challenge as “a combination of delivering a PPV capability with insufficient funding against an ambitious timeline”.

331. A DEC(SP) representative briefed the CIWG that the DMB had agreed, subject to Ministerial approval of the 2005 Equipment Programme, that the Capital Departmental Expenditure Limit should be approximately £42m over the next three financial years.

¹⁶³ Report DOC, 22 February 2005, ‘Operation TELIC Lessons Study Vol. 2’.

¹⁶⁴ Minutes, 22 February 2005, Chiefs of Staff meeting.

¹⁶⁵ Minutes, 1 February 2005, Protected Patrol Vehicle (PPV) Capability Integration Working Group meeting.

332. The minutes recorded that the £42m was insufficient to deliver the total fleet requirement of 1,228 needed to support the deployment of PPVs worldwide.¹⁶⁶ The 1,228 figure would have supported the deployment of 982 Snatch 2 and 246 Vector. There was now only available funding for one of the following options:

- 512 vehicles (312 Snatch 2 and 200 Vector);
- 724 vehicles (624 Snatch 2 and 100 Vector); or
- 936 vehicles (936 Snatch 2 and no Vector).

333. It was agreed that the Directorate of Joint Capability would confirm which option should be pursued by 18 February.

334. The Specialist Utility Vehicle IPT stated that in order to deliver 100 Vector vehicles by June 2006, the solution would need to be a commercial off-the-shelf option and the business case needed to be submitted by July 2005, with the contract let by October 2005.

335. The group agreed Key User Requirements for the Vector vehicle and, the Specialist Utility Vehicle IPT was tasked to identify all of the options that could meet them. Those would be discussed at the next CIWG on 23 February.

336. On 21 February, a revised PPV SOR was produced in light of the funding levels agreed by the DMB, which was referred to in the SOR as a “45% cut” (see the consideration of that figure in the Box, ‘Was there a 45% cut?’).¹⁶⁷

337. The SOR elaborated on the three options provided by the PPV Working Group:

- Option 1: Convert the remainder of Snatch to Snatch 2 – giving a total of 936 vehicles;
- Option 2: Convert 312 Snatch to Snatch 2 (in addition to the 312 already undergoing conversion for Iraq) and procure approximately 100 Vector giving a total of 624 Snatch 2 and 100 Vector – an overall total of 724 vehicles; or
- Option 3: Procure 200 Vector – giving a total of 312 Snatch 2 and 200 Vector.

338. Option 2 was identified as the preferred option, with Vector vehicles to be delivered by 1 June 2006.

339. The paper stated that further examination of the funding was necessary to enable a “sensible transition of the PPV fleet from its current to its future configuration” after the Vector vehicles were delivered. Force Level Reviews “must re-examine the current PPV requirements for all theatres” once the actual fleet size was known. The exact number of

¹⁶⁶ The minutes do not record the budget to which this figure refers but the Inquiry infers that it was to cover the 1,236 Type A and Type B vehicles proposed in the SOR on 27 October. See the Box, ‘Was there a 45 percent cut?’

¹⁶⁷ Minute MOD [junior officer] to DINF Col FD, 21 February 2005, ‘Protected Patrol Vehicle (PPV) Operational Requirement’.

PPVs that could be converted to Snatch 2, and the exact number of Vector vehicles that it would be possible to procure, was not yet known.

340. In considering protection levels, the paper stated:

“The increasing levels of violence during Phase IV of Op TELIC, which necessitated the widespread use of protected mobility, have been highlighted in recent reports.¹⁶⁸ Additionally OA [operational analysis] is consistently reporting on the increased effectiveness of small arms weapons and ammunition. Therefore the PPV CIWG has deemed that the combination of ECM and an enhanced level of protection [...] are to be the minimum standard for TYPE B Vector Variant. For Type A, a [...] protection level, in conjunction with ECM, is deemed sufficient given the nature of the threat it is likely to be exposed to ...”

341. Highlighting current concerns, including the DOC Op TELIC Lessons study, the paper stated:

- “As experience from the last 18 months has shown, having insufficient PPV to meet the operational demands ... has resulted not only in sub-optimal solutions through reallocation between theatres (and a commensurate increase in operational risk for all concerned), but also adverse media attention ...”
- “There are public, political and media expectations that military operations can now be conducted without significant casualties. Indeed, lessons learnt from operations and policy guidance are demanding sustained investment to provide sufficient protected mobility vehicles for operations in hostile environments, such as Iraq and Afghanistan.”

342. The paper ended:

“Despite the significant resource constraint that has been placed on this aspect of the Force Protection capability as a result of EP/STP05, the operational requirement for Op HERRICK [Afghanistan], which has been the principal driver behind this PPV work, demands a more capable vehicle than PPV Snatch 2. Indeed, the need for PPV is unlikely to diminish for the foreseeable future.”

Was there a 45 percent cut?

The Statement of Requirement (SOR) produced by the MOD on 21 February 2005 stated that it reflected revised funding levels for PPVs as agreed by the DMB as part of the 2005 Equipment Programme. The MOD claimed that was a 45 percent cut in funding.

The Inquiry has been unable to find any evidence that that was the case.

¹⁶⁸ “In particular, DOC Op TELIC lessons Study, Vol 2 ...” This footnote is provided in the original document.

It has considered the papers that went to the DMB meeting on 26 January 2005 and the minutes of that meeting. The only difference that appears to arise is that the DMB agreed to fund 650 vehicles as opposed to 724 but the minutes and papers do not provide any consideration of how the number of vehicles was decided.

The MOD told the Inquiry it was:

“... unable to find any evidence of a specific reduction in the funding of PPVs by 45%. It is unclear how that figure was determined.”¹⁶⁹

343. The second meeting of the PPV CIWG was held on 23 February.¹⁷⁰ Option 2 had been finalised but the Chair highlighted the need to “give SUV IPT direction with confirming URs and KURs”.

344. Concerns “were aired as to the future of the remaining Snatch” vehicles that had not been funded for an upgrade. The Directorate of Joint Capability agreed to investigate whether they could be funded “from the Afghanistan Contingency Funds through PJHQ”.

345. The business case for the conversion of the second batch of 312 Snatch vehicles was submitted on 16 June 2005 and was approved in early July 2005. That is addressed later in this Section.

Response to the increase in the threat

346. In Iraq the IED threat was continuing to evolve, prompting a review of tactics and protection.

347. On 28 April, DSTL produced a presentation entitled ‘Performance of Explosively Formed Projectiles Against UK Armour’ outlining the results of further testing of IEDs against Warrior-type armour.¹⁷¹ That stated:

“Initial investigations concluded that these devices [...] posed a significantly enhanced threat when compared to previously exploited weapons.”

348. DSTL recommended the inclusion of an additional layer of protective armour on Warrior to help to mitigate the new threat.

349. On 2 May, Guardsman Anthony John Wakefield died as a result of injuries sustained when the Snatch vehicle he was travelling in hit a roadside IED in al-Amara.¹⁷²

¹⁶⁹ Letter Duke-Evans to Hammond, 2 February 2016, [untitled].

¹⁷⁰ Minutes, 23 February 2005, Protected Patrol Vehicle (PPV) Capability Integration Working Group meeting.

¹⁷¹ Briefing DSTL, 28 April 2005, ‘Performance of EFPs against UK Armour’.

¹⁷² *BBC News*, 6 May 2005, *UK soldier’s body returned home*.

350. The first attack where an EFP was detonated using Passive Infra Red (PIR) technology took place in MND(SE) on 29 May, when Lance Corporal Alan Brackenbury was killed while travelling in a Land Rover south of al-Amara.¹⁷³

351. At the Chiefs of Staff meeting on 1 June, Gen Walker directed Major General Peter Wall, Deputy Chief of Joint Operations (Operations), to conduct an analysis of the incident and inform the Chiefs of Staff of the lessons identified, particularly with regard to countermeasures, and “to take a view on the current operating procedures and the relative merits of protected/unprotected vehicles”.¹⁷⁴

352. Maj Gen Wall submitted his analysis to the Chiefs of Staff on 6 June.¹⁷⁵ He wrote that the attacked vehicle was leading a three vehicle patrol of unprotected Wolf Land Rovers. It was assessed that a Snatch Land Rover would not have offered greater protection or prevented LCpl Brackenbury’s injuries.

353. Addressing the use of Snatch, Maj Gen Wall wrote:

“Operating procedures are based on the threat, the task, the terrain and force profile. Threat and mobility are the key factors in assessing the relative merits of deploying Snatch or TUM [Wolf Land Rover]. Whilst there is no formal limitation on the use of Snatch ... TUM is usually preferred for cross country use in rural areas ... and this is the standard operating procedure. There is insufficient Snatch in theatre for its general use outside the urban areas ...”

354. Maj Gen Wall added that Maj Gen Riley had “adopted a more protective posture” following the recent IED attacks and that “all road movement within the province” was being conducted in Snatch or armoured vehicles – Warrior and CVR(T).

355. In his final report as GOC MND(SE), Maj Gen Riley wrote that his “overriding concern” was the “continuing IED attacks in Maysan”, where:

“... patrols now use Warriors to over-watch the armoured Land Rovers in order to give additional protection. This takes careful explaining to the local population who remember the use of Warriors to defeat last summer’s JAM [Jaysh al-Mahdi] offensive.”¹⁷⁶

356. Some of the key lessons Maj Gen Riley identified in a separate report on 10 June were:

- “More training on Snatch and other UOR requirements, and the development of basic infantry skills, must be factored into any pre-deployment training.”

¹⁷³ GOV.UK, 29 May 2005, *Death of British Servicemen in Iraq – Lance Corporal Alan Brackenbury*. PIR reference provided in Minute DJC to PS/SofS, 26 August 2005, ‘Iraq: Pre-detonation of Passive Infra Red Initiated Roadside Bombs’.

¹⁷⁴ Minutes, 1 June 2005, Chiefs of Staff meeting.

¹⁷⁵ Minute DCJO(Ops) to PSO/CDS, 6 June 2005, ‘Analysis of Fatal IED Attack Against UK Forces in Iraq on 29 May 05’.

¹⁷⁶ Minute Riley, 8 June 2005, GOC MND(SE) Weekly Report.

- Poor administration of UORs in the UK had caused “a huge amount of work in theatre”. He cited ECM as an example.¹⁷⁷

357. Maj Gen Riley’s report also highlighted that a UOR had been raised for the enhanced protection of Saxon vehicles.

358. On 8 June, Gen Walker directed that Lt Gen Fry should lead on a paper looking at “the new IED threat” and the technical and tactical responses to it.¹⁷⁸

359. The record of actions from the Chiefs of Staff meeting on 15 June indicated that the paper would be produced on 17 June.¹⁷⁹

360. Lieutenant General Robert Fulton, DCDS(EC), provided that paper on 20 June.¹⁸⁰ He advised that the UK’s current capability was “largely ineffective” in MND(SE). A new detector, due to enter service in December, was more effective, but “not suitable for the protection of mobile patrols”. An airborne detection capability had been deployed to MND(SE) but that also had its limitations.

361. Lt Gen Fulton asked the Chiefs of Staff to note those points but no solution or further action was recommended. He stated that there was no complete solution to the problem available.

362. On 21 June, DSTL submitted a report to the DIS on the performance of EFPs against UK armour.¹⁸¹ It concluded that the weapons it had been asked to examine had “greatly enhanced penetration capability” against those tested by DSTL in September 2004 and could overmatch the armour of a Warrior.

363. On 30 June, Major General James Dutton, who had succeeded Maj Gen Riley as GOC MND(SE), recorded in his weekly letter that a PIR IED had been used in attacks in MND(SE).¹⁸² He stated:

“We are not yet sure exactly what this means (although a link to Lebanese Hizballah, possibly through Iran seems likely), but there is no doubt that the threat to our troops has increased. I have confidence that work under way both here and in the UK to address the threat is progressing as quickly as possible.”

364. Reflecting the preferred option identified in February of a PPV fleet comprising 624 Snatch 2 and 100 Vector vehicles, a business case to convert the remaining 312 vehicles to Snatch 2, at a cost of £21.5m, was put forward on 16 June.¹⁸³

¹⁷⁷ Report Riley, 10 June 2005, ‘Progress Report – Operation TELIC’.

¹⁷⁸ Minutes, 8 June 2005, Chiefs of Staff meeting.

¹⁷⁹ Minutes, 15 June 2005, Chiefs of Staff meeting.

¹⁸⁰ Minute DCDS(EC) to COS, 20 June 2005, ‘Command Wire Improvised Explosive Devices – Counter-Measures’.

¹⁸¹ Report DSTL, 21 June 2005, ‘Performance of Explosively Formed Projectiles Against UK Armour’.

¹⁸² Report, 30 June 2005, CG MND(SE) Southern Iraq Update – 30 June 2005’.

¹⁸³ Note DEC(SP), 16 June 2005, ‘SNATCH 2 Review Note – URD 1090’.

365. The ISD for 80 vehicles was November 2005 and the development of an up-armoured appliqué kit that could provide protection levels of up [...] for Snatch 2 was to be complete by September 2005.

366. The business case stated that the operational analysis on Snatch had been conducted by DSTL and that the cheapest options to meet the Snatch 2 and Vector protection requirements were to upgrade remaining Snatch 1 vehicles to Snatch 2 or a potentially new Snatch 3 variant.

367. While no work had been done to understand the proportion of the fleet that required higher levels of protection, a “sensitivity analysis” had confirmed that evolving the Snatch model was the most cost-effective method of achieving better protection. Further work would be done to understand the number of upgrades needed and would be reported when the Vector business case was submitted.

368. The business case to convert the remaining 312 Snatch 1/1.5 vehicles to Snatch 2 standard was approved by the Investment Approvals Board (IAB) on 7 July.¹⁸⁴

369. The IAB’s approval note said that, in early 2004, Mr Nick Bennett, Director General (Scrutiny & Analysis) (DG(S&A)), met a DEC(SP) official and agreed a strategy for “establishing the balance between Snatch 2 and Vector numbers around which a procurement route was to be determined”. The note said that that work had not been done, “presumably due to the Operational Emergency approach” taken to the 14 April 2004 submission, “which indicated that the balance of investment operational analysis work would be completed to inform the follow-on submission. This was also not done”.

370. The note stated that Mr Nick Barnett, DG(S&A) between July 2005 and September 2005, wanted reassurance that, in parallel with any other procurement action for the second batch of conversions to Snatch 2, the balance of investment work on Vector and Snatch 2 numbers would “be taken forward before long”.

371. The work that concentrated on the Type B PPV capability necessary to procure the Vector vehicle became known as Project Vector.

372. The business case for the first tranche of vehicles was submitted on 3 March 2006 and is addressed later in this Section.

373. Lord Drayson, who had become Parliamentary Under-Secretary of State and Minister for Defence Procurement in May 2005, visited Iraq from 6 to 8 July.¹⁸⁵

374. The report of his visit stated that feedback on equipment was generally positive but “a number of issues” were raised when he spoke to troops from 12 Mechanised Brigade. Those included the long wait for Warrior upgrades and that “the protection of

¹⁸⁴ Minute SIT-IAB Sec 1d to DEC(S), 7 July 2005, ‘SNATCH 2: Review Note – Approval Note (IAB Sec 1406)’.

¹⁸⁵ Note APS/Minister(DP) to DJC Iraq(Pol), 13 July 2005, ‘Minister(DP) visit to Iraq: 6-8 July 2005’.

RAF Regiment Land Rovers was not thought to be sufficient by the troops for the tasks that they were expected to carry out in the vehicles”.

375. On 16 July, Second Lieutenant Richard Shearer, Private Phillip Hewett and Private Leon Spicer were killed in an EFP IED attack in al-Amara.¹⁸⁶ They were travelling in a Snatch Land Rover.

376. After 16 July until late August, the Chiefs of Staff reviewed progress on countermeasures against the threat from IEDs using PIR devices and EFPs at every meeting.¹⁸⁷

377. At the Chiefs of Staff meeting on 20 July, AM Torpy briefed that there had been a 13 per cent increase in the overall number of attacks in Iraq, with a 65 per cent increase in casualties as the lethality of attacks also rose.¹⁸⁸

378. The minutes stated:

“With the exception of Maysan, MND(SE) had remained comparatively quiet; the fatal attack of a vehicle patrol on 16 Jul 05 had nevertheless resulted in a review of Tactics, Techniques and Procedures, including increased ISR [Intelligence, Surveillance and Reconnaissance] and use of SH [support helicopters], and the possibility of deploying elements of the Divisional Reserve to ensure that essential security and SSR could be sustained.”

379. The update from Major General Mark Mans, Deputy Commanding General MNF-I, on 20 July said that the attack on 16 July was “the fifth EFP incident in the vicinity” of al-Amara since October 2004, including three devices which had been “found and cleared”.¹⁸⁹ The use of EFPs was “spreading”, including attacks in Mosul and Kirkuk. Significant numbers had been used in attacks in Baghdad.

380. On 22 July, a UOR was submitted for additional armour to protect Warrior vehicles in Iraq.¹⁹⁰

381. The UOR said that, although the last three EFP attacks had been directed at Snatch vehicles, there was no reason why insurgents would not try to ambush Warrior vehicles, especially if Warrior was used “more in the future due to EFP attacks”. It was “not possible” to protect Snatch, CVR(T), FV430 and Saxon against EFPs; the only vehicle that could be “better protected” was Warrior. Warrior was currently being used as the lead and rear vehicle for all convoys in Maysan province.

¹⁸⁶ Report, 20 July 2005, ‘MNC-I Update – 20 Jul 05’.

¹⁸⁷ Minutes, 3 August 2005, Chiefs of Staff meeting; Minutes, 17 August 2005, Chiefs of Staff meeting; Minutes, 24 August 2005, Chiefs of Staff meeting; Minutes, 3 August 2005, Chiefs of Staff meeting; Minutes, 17 August 2005, Chiefs of Staff meeting; Minutes, 24 August 2005, Chiefs of Staff meeting.

¹⁸⁸ Minutes, 20 July 2005, Chiefs of Staff meeting.

¹⁸⁹ Report, 20 July 2005, ‘MNC-I Update – 20 Jul 05’.

¹⁹⁰ Minute DEC(GM), 22 July 2005, ‘Operation TELIC 5 Urgent Operational Requirement I0XXX Business Case: Warrior (WR) Additional Protection (WRAPUOR)’.

382. The UOR for additional Warrior armour was approved and the MOD told the Inquiry that that was fitted to vehicles in September 2005.¹⁹¹

383. The minutes from the Chiefs of Staff meeting on 27 July stated:

“Following the recent attacks in Maysan, procedures have been modified to counter the threat: TF [Taskforce] Maysan were now conducting patrols in Warrior, and would not automatically respond to IED incidents to avoid being caught in secondary explosions. An additional Warrior company and the Telic Reserve RE [Royal Engineer] Search Team (from Cyprus) had been deployed into the area, with the latter able to provide a surge capacity for up to 60 days. The current cycle of attacks had ‘fixed’ CF [coalition forces] in the area and, as a result, progress on SSR had stagnated; PJHQ had therefore asked for an urgent review of UK SH [support helicopters] priorities, to see if further assets could be allocated to MND(SE) ...”¹⁹²

384. Lt Gen Fry told the Chiefs of Staff that work on PIR IED countermeasures continued, “but thus far they were only effective at very short range”:

“The importance was therefore stressed of countering the threat by all means possible, including TTPs. DCDS(EC) confirmed that appropriate action was being taken at the right tempo, and that the work was joined up with US efforts to counter similar threats elsewhere in Iraq.”

385. On 30 July, two British security guards employed by Control Risks Group were killed while travelling in an armoured vehicle in Basra.¹⁹³ The deaths were later attributed to PIR EFPs.¹⁹⁴

386. AM Torpy’s report of his visit to Iraq in late July 2005 addressed the PIR EFP IED attacks:

“With the exception of Maysan, incident levels across the AOR [Area of Responsibility] remain low and there are no major issues. In Maysan, significant effort is focused on building up an intelligence picture of the group suspected of carrying out the EFP/PIR attacks ... whilst at the same time improving overall force protection measures. The GOC is also keen to gain more visibility of possible Iranian infiltration across the border ... and maintain the pace of SSR in Maysan.”¹⁹⁵

¹⁹¹ Paper [MOD] to the Iraq Inquiry, [undated and untitled], in response to letter Aldred to Duke-Evans 25 November 2010.

¹⁹² Minutes, 27 July 2005, Chiefs of Staff meeting.

¹⁹³ Report Smith, 31 July 2005, ‘UK Chief Police Advisor-Iraq: Weekly Report’.

¹⁹⁴ Minute DJC to PS/SofS, 26 August 2005, ‘Iraq: Pre-detonation of Passive Infra Red Initiated Roadside Bombs’.

¹⁹⁵ Minute PSO/CJO to PSO/CDS, 5 August 2005, ‘CJO Visit Report – Pakistan, Afghanistan, Iraq and Qatar 25-30 July 05’.

387. On 3 August, Maj Gen Dutton reported:

“... the threat from IEDs is worrying, with our Electronic Countermeasures unable to defend against the victim operated Passive Infra Red and the use of EFPs and (in the most recent attack) shaped charges able to penetrate armoured vehicles [...] if used accurately. This technology has now been used across MND(SE) and indeed further north having first been seen in Maysan.”¹⁹⁶

388. Following Lord Drayson’s visit to Iraq in early July, Mr Ingram sought advice on the protective capability of RAF Land Rovers on 19 August.¹⁹⁷

389. PJHQ advised that three Land Rover variants were used by the RAF Regiment, of which Snatch was “the most highly protected”. Its allocation across theatres was “centrally managed” on the basis of “relative priority” for those troops most at risk. That inevitably meant:

“... compromises which mean that individual theatres receive fewer than is ideal. That said, a greater allocation of Snatch to Iraq is not currently judged to be operationally essential.”

390. PJHQ wrote that there were “some 380 Snatch Land Rovers deployed” in Iraq, “(including 64 Snatch 2), against a liability of 420”. The Snatch 2 programme was under way and 66 of the “updated vehicles” had already arrived in theatre.

391. There were “no spare Snatch” to deploy to Iraq, and the production line was “currently devoted to non-air conditioned variants”. The programme would “not address the numbers” of vehicles available but would “enhance the capability” of the vehicles deployed. DLO intended to return the number of Snatch deployed in Iraq to the agreed level of 420 “as soon as suitable vehicles” were produced.

392. The process of allocating priorities in Iraq, in common with all operations, involved “acceptance of risk in some areas”. While PJHQ sought “to reduce this risk as much as possible”, it was “impossible to eliminate”. Since Lord Drayson’s visit, six Snatch vehicles had been allocated to the RAF Regiment. The number of vehicles allocated to the RAF Regiment was “judged to be commensurate with current threat levels” and would “continue to be subject to review”.

393. PJHQ stated that: “Theatre assigns its Snatch assets in line with the currently assessed areas of highest risk and operational policy.”

¹⁹⁶ Report, 3 August 2005, ‘CG MND(SE) – Southern Iraq Update – 3 August 2005’.

¹⁹⁷ Note PJHQ [junior official] to PS/Minister(AF), 19 August 2005, ‘Iraq: Equipment – Follow-up to Minister(DP)’s Visit Report’.

394. Draft press lines stated that British lives were not being put at unnecessary risk. Service personnel used:

“... the vehicles most appropriate to the missions and tasks they are undertaking. If the threat level increases, so do the protective and preventative measures taken, for example by using Warrior Infantry Fighting vehicles.”

395. The key message was that British forces were:

“... equipped with the most suitable and best protected vehicles for the job in hand. The allocation of vehicles on Op TELIC is therefore constantly reviewed in line with the currently assessed areas of highest risk and operational priority.”

396. Mr Ingram’s Private Office recorded on 24 August that he had noted the advice.¹⁹⁸

397. In late August, in response to tasking from Lieutenant General Robin Brims, who had become Senior British Military Representative-Iraq in April, the DIS, PJHQ and MND(SE) assessed Muqtada al-Sadr’s strategy and future intentions:

“Given past casualties and the increasing sophistication of recent attacks, we expect such action in the future to mainly consist of limited engagements, standoff attacks and deniable operations including the use of technologically advanced Improvised Explosive Devices (IED), (incorporating Passive Infra-Red sensors (PIR), Explosively Formed Projectiles (EFP), and Remote Controlled (RC) arming), of Lebanese Hizballah/IRGC QF design. It is assessed such IED attacks are not being directed by JAM as an organisation but it appears that certain Shia extremists, who may also belong to JAM, are co-operating with external actors to conduct such attacks.”¹⁹⁹

398. On 26 August, Dr John Reid, who had become Defence Secretary in May, was provided with advice from a junior official in the Directorate of Joint Commitments about how the MOD intended to counter the threat posed by the PIR IEDs.²⁰⁰

399. The official stated that technical work on a countermeasure was at an “advanced stage” and that the UK should deploy a pre-detonation capability (M*²⁰¹) to Iraq as soon as one was technically available, subject to securing UOR funding. That was expected to be around October 2005. The initial estimate of cost was £35m.

400. The official also warned that PIR detonation was the insurgents’ response to existing ECM and that it was likely that any UK response would be met with further adaptation resulting in yet further ECM requirements.

¹⁹⁸ Note PS/Minister(AF) to PJHQ Hd Fin/Pol Ops 1, 24 August 2005, ‘Iraq: Equipment – Follow-up to Minister(DP)’s Visit report’.

¹⁹⁹ Report [30 August 2005], ‘Muqtada Al-Sadr’s Strategy and Future Intentions’.

²⁰⁰ Minute DJC [junior official] to PS/SofS [MOD], 26 August 2005, ‘Iraq: Pre-detonation of Passive Infra Red Initiated Roadside Bombs’.

²⁰¹ A cipher has replaced the name of this project for national security reasons.

401. Dr Reid agreed on 30 August that this capability should be deployed once available.²⁰²

402. On 5 September, Fusilier Stephen Robert Manning and Fusilier Donal Anthony Meade died as a result of injuries sustained when the vehicle in which they were travelling hit an IED in az-Zubayr.²⁰³ They were providing top cover at the time of the explosion.

403. On 11 September, Major Matthew Bacon was killed when a roadside IED hit the Snatch vehicle in which he was travelling in Basra.²⁰⁴ Three other British soldiers, who were travelling in the same vehicle, were seriously injured.

404. AM Torpy visited Iraq from 12 to 15 September.²⁰⁵ On the threat in MND(SE) he reported:

“The recent spate of IED attacks in Basra appears to be employing the same EFP/PIR technology seen in Maysan ... Focused intelligence effort is being targeted against key individuals in these groups ... with the aim of conducting offensive operations at the earliest appropriate moment ... On the defensive side, it is apparent that aviation top cover has a positive deterrent effect and we are looking to see what can be done to increase the hours available from the aircraft currently in theatre. On the ground a great deal of work is under way to refine TTPs and the first tranche of PIR countermeasures equipment is due to arrive in theatre soon. The GOC has also worked hard ... to improve the use of ISTAR assets and coordination of intelligence.”

405. The first two M* units arrived in Iraq on 2 October.²⁰⁶

406. It is clear that UK forces struggled to cope with the sophistication of the IED threat in MND(SE) during the summer of 2005.

407. Lt Gen Riley told the Inquiry that, after “a long spell of quiet” after he arrived as GOC MND(SE) in December 2004, there was “an increase in effective attacks” from “the end of April/early May” 2005.²⁰⁷ Those attacks introduced more sophisticated IEDs that “were very hard for our countermeasures to defeat and which were capable of penetrating pretty much any vehicle that had been out”.

408. Asked how the UK dealt with the change in threat during his time as GOC, Lt Gen Riley told the Inquiry that it took “perhaps half a step backwards at first” and that

²⁰² Minute APS/SofS to DJC, 30 August 2005, ‘Iraq: Pre-detonation of Passive Infra Red Initiated Roadside Bombs’.

²⁰³ GOV.UK, 5 September 2005, *Deaths of two British soldiers in Iraq – Fusilier Donal Anthony Meade and Fusilier Stephen Robert Manning*.

²⁰⁴ GOV.UK, 11 September 2005, *British Officer killed in Iraq – Major Matthew Bacon*.

²⁰⁵ Minute Torpy to Walker, 19 September 2005, ‘CJO Visit Report – Iraq – 12 to 15 Sep 05’.

²⁰⁶ Report, 3 October 2005, ‘PJHQ Middle East Operations Team OPSUM 197 as at 021700Z OCT 05’.

²⁰⁷ Public hearing, 14 December 2009, pages 5 and 27.

“we had forgotten institutionally how to deal with this” after the long period of ceasefire in Northern Ireland.

409. Lt Gen Riley added that “the armour on the Warrior and Challenger main battle tanks was upgraded very rapidly”. The Snatch vehicles were also upgraded and “a new series of vehicles which were more effective” were introduced. But “the sort of vehicles that we employ now in Afghanistan were just not in production” and there was “no technological silver bullet” to address the problem. The US was still “relying on the Humvee ... largely”. The UK “had not procured anything and there was little on the market that could have been deployed to assist me”.

410. When the Inquiry asked whether the IED threat had been brought to his attention during his time as Defence Secretary, Mr Hoon said:

“I think it was beginning to develop at the time that I left the department [May 2005] yes.”²⁰⁸

411. Asked whether the UK was unable to move around in a protected way once the insurgency in Iraq developed, Sir Kevin Tebbit replied:

“I don’t think ... that was not anticipated because of lack of money. I think that was not anticipated because we hadn’t seen the threat evolving as rapidly as it did with IEDs and roadside bombs. That developed so very quickly from 2004.”²⁰⁹

412. Sir Kevin added: “I think the roadside bomb, the IED threat evolved very, very rapidly in a way we hadn’t anticipated, and we hadn’t really got grounds to have expected, frankly.”

413. Gen Dannatt told the Inquiry that the circumstances in Iraq:

“... became very difficult from the summer of 2005, particularly most dramatically evidenced by the appearance of ... explosively formed projectiles, in threes, that were sufficiently effective that even our most protected vehicles were at risk ...”²¹⁰

414. When asked by the Inquiry what he was being asked to produce to support force readiness for the growing insurgency, Gen Dannatt said: “The critical deficiency was force protection measures, vehicles in particular.”

415. At their meeting on 5 October, the Chiefs of Staff noted that “the high tempo of insurgent PIR technological and tactical innovation was forcing equally rapid evolution of Coalition countermeasures”.²¹¹

²⁰⁸ Public hearing, 19 January 2010, pages 199-200.

²⁰⁹ Private hearing, 6 May 2010, pages 46-47.

²¹⁰ Public hearing, 28 July 2010, pages 16-18.

²¹¹ Minutes, 5 October 2005, Chiefs of Staff meeting.

416. On 13 October, a DIS report of the technical influence of foreign fighters on the insurgencies in Iraq judged:

“Of key concern is the possible state sponsorship of insurgent groups in Iraq. Highly lethal Improvised Explosive Devices of Lebanese Hizballah origin, probably migrating from Iran to Iraq, continue to pose a significant challenge to coalition forces and in particular the UK forces in MND(SE).”²¹²

417. The DIS report continued:

“The development of the IED capability in Iraq has been rapid. By way of comparison, the level of IED expertise reached by the IRA over some 30 years of conflict in Northern Ireland has been far exceeded by Iraqi insurgents in less than three years. This rapid progress is largely attributable to the technical influence of foreign fighters, many of whom view Iraq as the centre of a global jihad.”

418. Following a visit to Iraq from 10 to 13 October, Gen Jackson reported:

“Much of MND(SE)’s tactical focus has been on countering the EFP/PIR threat. TTPs have been amended and Project M* is delivering an effective interim technical countermeasure. But the enemy will adapt too, so we remain alive to the threat for some time yet. It is clear that the Scientific Advisor and his team in HQ MND(SE) have been instrumental in developing these countermeasures so rapidly and efficiently ...”²¹³

419. It was agreed on 14 October that 14 Warrior vehicles that were due to be returned to the UK should remain in Iraq.²¹⁴ An additional Merlin helicopter would also be provided.

420. On 18 October, Sergeant Chris Hickey, who had disembarked from his vehicle, was killed in Basra when his patrol was hit by an IED.²¹⁵

421. At the end of October, Dr Reid reported to Cabinet that UK forces had, since May, been attacked by “a new type of bomb which had previously been associated mainly with Hizballah”.²¹⁶

422. On 31 October, Dr Reid wrote to Mr Des Browne, Chief Secretary to the Treasury, to request an increase in the UOR funding, predominantly to cover £30m funding for the initial roll-out of the M* capability.²¹⁷

²¹² Report DIS, 13 October 2005, ‘The Technical Influence of Foreign Fighters on the Iraqi Insurgency’.

²¹³ Report CGS to CDS, 18 October 2005, ‘CGS Visit to Iraq: 10-13 Oct 05’.

²¹⁴ Minute ACDS(Ops) to PJHQ – DCJO(Ops), 14 October 2005, ‘Iraq: Additional Resources to Counter Increased IED Threat in MND(SE)’.

²¹⁵ GOV.UK, 20 October 2005, *Sergeant Chris Hickey of 1st Battalion the Coldstream Guards killed in Iraq*.

²¹⁶ Cabinet Conclusions, 27 October 2005.

²¹⁷ Letter Browne to Reid, 11 November 2005, ‘Iraq – Urgent Operational Requirements (UORs)’.

423. Mr Browne agreed to the request on 11 November.²¹⁸

THE IMPACT ON WIDER CIVILIAN OPERATIONS

424. The IED threat constrained the UK's ability to deliver Security Sector Reform (SSR) and Civil Military Co-operation (CIMIC) as military officers, police officers and civilian personnel were unable to move safely around MND(SE).

425. Lt Gen Dutton told the Inquiry that he had an "optimistic" briefing from the MOD before he started as GOC MND(SE) – that his role was to keep SSR "ticking over" – but that was skewed "massively" by the increased EFP threat when he arrived in Basra.²¹⁹

426. On 11 November, Chief Constable Paul Kernaghan, the lead on international affairs for the Association of Chief Police Officers, contacted the Home Office to express concern about a report that Maj Gen Dutton had stated that he wanted to see civilian police personnel travel in Snatch vehicles, and that Maj Gen Dutton had suggested he would review – or even terminate – the relevant contracts of employment to ensure that was possible.²²⁰

427. On 20 November, Sergeant John Jones was killed whilst on patrol in Basra when his vehicle hit a roadside IED.²²¹ Four others sustained injuries in the attack, one seriously.

428. Gen Walker visited Iraq from 22 to 24 November.²²² His visit report stated that there was no "sole technical answer" to IEDs and "defensive tactics, techniques and procedures, and disruption of the terrorists, were essential parts of an overall solution".

429. On 29 November, Major General William Rollo, ACGS from January 2005, reported to Gen Jackson on his recent trip to Iraq:

"The PIR IED threat is of real concern, and we are now more fixed by force protection than ever before. The effect of these weapons is constraining activity across all lines of operation, including SSR. Whilst overall numbers of attacks across the division has reduced, the effectiveness of each attack has risen sharply and the opposition now achieves a coalition casualty rate exceeding one killed for every PIR attack conducted ..."²²³

430. The report was forwarded to Gen Walker.²²⁴

²¹⁸ Letter Browne to Reid, 11 November 2005, 'Iraq – Urgent Operational Requirements (UORs)'.

²¹⁹ Public hearing, 12 July 2010, page 17.

²²⁰ Email Kernaghan to Home Office [junior official], 11 November 2005, 'UK civil police assistance effort in Iraq – command & control issues – request for clarity'.

²²¹ GOV.UK, 21 November 2005, *Sergeant John Jones killed in Iraq*; BBC News, 22 November 2005, *Tributes to Iraq blast sergeant*.

²²² Minute PSO/CDS to PS/SofS [MOD], 25 November 2005, 'CDS Visit to Iraq – 22-24 Nov 05'.

²²³ Minute ACGS to CGS, 29 November 2005, 'ACGS Visit Report from Operation TELIC'.

²²⁴ Minute MA1/CGS to PSO/CDS, 12 December 2005, 'ACGS Visit to Iraq: 18-20 NOV 05'.

431. The FCO Senior Overseas Security Adviser visited Kirkuk, Baghdad and Basra between 10 and 21 November.²²⁵ He reported:

“The Security Managers and CRG [Control Risks Group] are to be congratulated on their professional control of road movement ... It is clear that all road moves are subject to risk ... The use of helicopters is vital in order to change the pattern of movements.

“We recommend that all staff in Basra can move in Warrior armoured vehicles.”

432. Dr Reid visited Basra in early December.²²⁶ The report of his visit stated that he had had “an opportunity to examine vehicles fitted with upgraded armour kits”.

433. On 7 December, AM Torpy briefed the Chiefs of Staff that the discovery of a large EFP suggested that rogue JAM elements “had intended to attack heavily armoured Coalition vehicles, including Warrior”.²²⁷

434. In his ‘Hauldown Report’ to AM Torpy of 12 December, Maj Gen Dutton wrote:

“... the dominant feature of the last four months of my ... tour has been the victim initiated passive infrared explosively formed projectile. This weapon, which has now proliferated through Iraq has radically affected our freedom of manoeuvre and consequently inhibited our Security Sector Reform and CIMIC effort. There is a straight trade-off here: if troops are doing force protection, they cannot be doing SSR. We are taking direct action against perpetrators ... constantly amending our TTPs and there is a huge scientific effort to produce counter measures. We will never entirely defeat this threat, but it is manageable and I do not believe it has a significantly deleterious effect on morale in this AO [Area of Operations].”²²⁸

435. On 16 December, officials from the Department for International Development (DFID) recommended to Mr Hilary Benn, the International Development Secretary, a number of changes to transport arrangements in Basra, including the use of Warrior vehicles by DFID staff for mission critical visits to certain sites in southern Iraq.²²⁹ Until then, DFID staff had travelled in civilian rather than military vehicles because of their lower profile, consistent with the nature of DFID’s work.

436. Officials advised Mr Benn:

“... the continuing threat from EFPs in southern Iraq fundamentally compromises our ability to complete important projects, particularly in the power and water sectors at acceptable levels of risk.”

²²⁵ Minute FCO [junior official] to Patey, 1 December 2005, ‘Security Visit to Baghdad and Basra’.

²²⁶ Minute Beadle to CJO, 7 December 2005, ‘The Secretary of State’s visit to Basrah – 2 December 2005’.

²²⁷ Minutes, 7 December 2005, Chiefs of Staff meeting.

²²⁸ Letter Dutton to Torpy, 12 December 2005, ‘June to December 2005 – Hauldown Report’.

²²⁹ Minute DFID [junior official] to PS/Secretary of State [DFID], 16 December 2005, ‘Iraq: Iraq Security Update’.

437. Three days later, FCO officials recommended to Mr Jack Straw, the Foreign Secretary, “a safe and measured return to road moves” for civilian staff in the South “in order to fully promote HMG objectives”.²³⁰ They proposed that, subject to regular review:

- all civilian staff be allowed to travel in Warrior vehicles within Basra, where there was a significant risk from armour piercing roadside bombs;
- UK civilian police officers be able to travel with contracted British Iraqi Police Advisers in their FCO armoured vehicles, escorted by UK military Snatch Land Rovers; and
- road moves in FCO armoured vehicles should restart along the main road from Basra Airport to Nasiriyah and Basra Airport to Kuwait.

438. Mr Straw approved the recommendations on 9 January 2006, provided the rules were subject to regular review.²³¹

439. In his post-tour report on 18 January, Maj Gen Dutton recorded:

“The most significant threat in MND(SE) derives from Passive Infra-red (PIR) initiated EFP IED attacks on MNF patrols and civilian convoys ... RCIEDs and CWIEDs remain an extant threat ... EFP IEDs [...] were responsible for 18 fatalities between Sept and Dec 05 ...”²³²

440. Maj Gen Dutton reported that the “new and more complex IEDs allowed Shia militants to conduct increasingly lethal attacks and effectively fix MNF by an extended low intensity terrorist operation. This achieves the intent ... by separating MNF from the Shia community and allowing local JAM to fill the security vacuum.”

441. In explaining the lessons from his tour, Maj Gen Dutton wrote: “The over-riding operational imperative during this period has been the requirement to mitigate the development and proliferation of PIR initiated IEDs.”

442. Maj Gen Dutton stated that in some circumstances their effect had been “particularly tangible” upon freedom of operation and had “resulted in significant rebalancing of force structures” and “a rapid evolution and re-examination” of TTPs. That had led to decisions to prohibit any ground movements, other than by Warrior or Challenger vehicles, inside the towns of al-Amara and al-Majir al-Kabir in Maysan; and subsequently, “stringent” Warrior-led convoys into Basra City and “the satellite bases”. SSR had been “significantly curtailed”.

²³⁰ Minute Iraq Directorate [junior official] to Foreign Secretary, 19 December 2005, ‘Iraq: Proposed Changes to Travel in Southern Iraq for HMG Civilian Staff’.

²³¹ Minute Siddiq to Iraq Directorate, 9 January 2006, ‘Iraq: Proposed Changes to Travel in Southern Iraq for HMG Civilian Staff’.

²³² Report HQ MND(SE), 18 January 2006, ‘Progress Report Operation TELIC’.

443. Lt Gen Dutton told the Inquiry that less time was devoted to SSR because of the need for greater force protection. Describing how the threat restricted movements in the second half of his tour, he said:

“... my vehicles never left the compound, we did all movement by air, or if the vehicles did move, they were in convoys protected by armoured vehicles.”²³³

444. Lieutenant General John Cooper, GOC MND(SE) from December 2005 to June 2006, told the Inquiry that, when he arrived in MND(SE), “on the security side, everything was containable but there was this sense of increasing military activity, particularly from [JAM]”.²³⁴ The introduction of PIR EFPs “had an impact on lower level tactical issues”. That was an “issue with which we could deal, but it was sometimes unpleasant”.

445. Lt Gen Cooper stated that the response from the UK’s “scientific and defence community was very good, both in terms of personal equipment and vehicles”.

446. In a statement to the Inquiry, Assistant Chief Constable Colin Smith, Chief Police Adviser Iraq from May 2005 to April 2006, wrote:

“The ‘deteriorating’ security situation had a major influence on ability to progress development plans. As attacks increased in MND(SE) movement became difficult ... Movement of CivPol [civilian police] became a further issue. As security deteriorated CivPol officers needed increasingly to be escorted by substantial military resources (Warrior Armoured Vehicles and helicopters). Their priority however was increasingly lowered by the military ... This caused serious difficulties in moving between sites to attend meetings with staff often stranded overnight in various locations without transport. It was not uncommon for officers to spend 2 or 3 days at the Basra APOD [aerial point of departure] awaiting movement. Similar problems existed in Baghdad with an FCO ‘fly only’ policy supported by insufficient helicopter resources.

“I do not criticise the military for this situation. As security and ‘war-fighting’ became a greater priority, movement of civilians became a lesser priority.”²³⁵

447. Speaking to the Inquiry about his duty of care to UK police officers in Iraq, CC Kernaghan said that he had not wanted his officers to travel in Snatch Land Rovers.²³⁶ He said he “was quite clear that Snatch Land Rovers posed an unacceptable risk”. CC Kernaghan added that this was not meant as a criticism of general officers who deployed the military in Snatch vehicles because: “They had no alternative. You do what you do with what you have got.”

²³³ Public hearing, 12 July 2010, page 18.

²³⁴ Public hearing, 15 December 2009, pages 17-18.

²³⁵ Statement, 25 June 2010, pages 7-8.

²³⁶ Public hearing, 23 July 2010, page 50.

448. The DOC published its third report of Op TELIC lessons on 4 April 2006.²³⁷

449. The report contained a section on “National Issues” described as “issues that warrant MOD’s attention due to the impact on operational capability”. Such issues affected “not only Iraq but may have a wider significance for other operations, including Afghanistan”. One of those issues was the UK’s counter-IED capability.

450. The report highlighted how PIR IED and EFP attacks had restricted the SSR and CIMIC effort, citing Maj Gen Dutton’s Hauldown Report. It stated: “The technology is developing quickly and it is highly likely that it will migrate between theatres.” Countering the IED threat had become a “tactical focus” and, while the MOD continued “to strive to counter the long term threat”, it anticipated that the M* capability “should deliver an effective interim countermeasure to the *current* threat”.

451. The report stated that the “system” to counter IEDs was “made up of four elements: threat awareness; operating in an IED threat environment; disposal of IEDs; and development of CIED [counter-IED] capability”. For CIED capability to evolve into “a coherent expeditionary capability”, integral components of that system needed to migrate because “much of the capability currently deployed in Iraq is dependent upon personnel and equipment on attachment from Northern Ireland”. If that did not happen, there was a risk that CIED expertise would be lost when operations were drawn down from Northern Ireland as part of the Peace Process.

452. Lieutenant General Sir Richard Shirreff told the Inquiry that, when he arrived as GOC MND(SE) in July 2006, there was “effectively no security at all”: “Any movement required deliberate operation to ... get around the city. There was a significant lack of troops on the ground.”²³⁸ He said that troops that could have been used on the ground were perhaps “tied up guarding, securing convoys”.

Decisions on the wider protected mobility capability for the Army

453. Over the same period, in mid-2005, the Army was continuing to voice concerns about delays in the FRES programme.

454. The origin of the FRES programme and the DMB’s decision in July 2004 to defer its ISD were addressed earlier in this Section.

455. Brig Moore and Brig Inshaw produced a paper on 18 May 2005 to inform ECAB members on the progress of the FRES programme, prior to their meeting on 26 May.²³⁹ The paper set out the “potential conflict” between capability decisions: a vehicle that could be rapidly deployed by air could not also be the solution to a whole range of medium weight ground vehicles that needed replacing.

²³⁷ Report DOC, 4 April 2006, ‘Operation TELIC Lessons Study Volume 3’.

²³⁸ Public hearing, 11 January 2010, pages 3-6.

²³⁹ Paper DEC(GM)/DCI(A), 18 May 2005, ‘Future Rapid Effects System (FRES)’.

456. While the requirement to deploy quickly must be included, ECAB was asked to endorse the FRES Steering Committee's view,²⁴⁰ that it "should not overly distort" the need to provide "an effective family" of vehicles across "the full spectrum of operations".

457. ECAB agreed Brig Moore and Brig Inshaw's recommendations on 26 May.²⁴¹ The FRES Steering Committee "had identified a potential conflict of priorities between FRES as an element of the medium weight capability, and FRES as the Army's light and medium Armoured Vehicle replacement programme".

458. Gen Jackson "said that ECAB agreed that the purpose of FRES was to equip the balanced force and that within this, both the development of a medium weight capability and the replacement of increasingly obsolete CVR(T), Saxon and FV430 fleets were equally important".

459. On 8 June, Maj Gen Rollo set out the Army's equipment priorities for the 2007 Equipment Programme (EP07) in a paper that would go to ECAB later that month.²⁴² Following the 2005 Programme, the challenge to identify savings while funding necessary equipment enhancements to support current operations (including an investment in light protected mobility) had meant that "a number of very painful savings measures and slippages had to be absorbed". FRES had been protected "apart from a slip to 3 variants at the back end of the programme".

460. Maj Gen Rollo wrote that the slip in the FRES ISD suggested the Army "should invest further in the transitional medium force" but any additional purchase "should not threaten the FRES ISD". Maj Gen Applegate's team was "examining this issue in detail, looking at innovative ways of finding the necessary resources and assessing the STP and EP impacts". It would report in July.

461. It is not clear what the details and results of this work were as the minutes of the next three ECAB meetings do not record that Maj Gen Applegate's team reported back to the Board in July.²⁴³ The MOD has been unable to find any supporting documents.

462. Addressing the various programmes under way, Maj Gen Rollo wrote that there was "a need in this planning cycle to determine the protected mobility requirements for light forces across the Army".²⁴⁴ He cited DUCKBOARD and Vector as examples of "disparate programmes" that might need to be "rationalised" in the future programme to "provide a coherent solution" for force protection.

²⁴⁰ The Inquiry requested all meeting minutes from the FRES Steering Committee between 1 January 2005 and 1 January 2008. The MOD has been unable to locate any such records.

²⁴¹ Minutes, 26 May 2005, Executive Committee of the Army Board meeting.

²⁴² Paper ACGS, 8 June 2005, 'Army Equipment Priorities for EP 07'.

²⁴³ Paper ACGS, 'Army Equipment Priorities for EP 07'; Minutes, 20 June 2005, Executive Committee of the Army Board meeting; Minutes, 6 July 2005, Executive Committee of the Army Board meeting; Minutes, 22 September 2005, Executive Committee of the Army Board meeting.

²⁴⁴ Paper ACGS, 8 June 2005, 'Army Equipment Priorities for EP 07'.

463. In introducing his paper to ECAB on 20 June, Maj Gen Rollo said it “was a realistic approach which recognised that requests for extra investment might require the identification of compensating reductions”.²⁴⁵

464. Gen Jackson said that ECAB was content with the priorities listed and “emphasised that war-fighting must continue to determine the Army’s equipment priorities”. He said that there should be “a sharper focus on FRES, emphasising the delivery of the programme”.

465. At the ECAB meeting on 22 September, Gen Jackson explained that, whilst progress on the FRES programme continued, “he feared a slip in the ISD”.²⁴⁶ That “would be very damaging to the Army”. The minutes record that Gen Dannatt “reinforced this point”. ECAB would “need to make strong representations” to the Chief of Defence Procurement and DCDS(EC).

466. On 14 November, ECAB discussed a report of the Army’s performance between 1 July and 30 September.²⁴⁷

467. Maj Gen Rollo had produced a paper on the areas of under-performance, which reported that Gen Dannatt had emphasised “an equipment issue of immediate concern”.²⁴⁸ Gen Dannatt was quoted as saying:

“Our patrol vehicles routinely deployed on current operations ... are vulnerable and we are suffering casualties. Snatch has poor mobility, inadequate protection and is unreliable due largely to its hard use. We are working with PJHQ to address vehicle and ECM issues and to develop TTPs, but there is a need to bring a clarity to the requirement for protected patrol vehicles. In addition, I am concerned at the lack of [Type] B vehicle protection more generally. I recognise that it may take time to deliver a solution, but we face the prospect of continuing operations in Iraq into 2008 as well as in Afghanistan.”

468. Maj Gen Rollo’s asked ECAB to note Gen Dannatt’s concern and “consider whether any additional measures can bring greater clarity to vehicle protection requirements”.

469. The minutes of the ECAB meeting on 14 November do not record any specific discussion of Gen Dannatt’s concerns at the meeting but the subject of protected mobility was discussed more broadly.²⁴⁹

²⁴⁵ Minutes, 20 June 2005, Executive Committee of the Army Board meeting.

²⁴⁶ Minutes, 22 September 2005, Executive Committee of the Army Board meeting.

²⁴⁷ Minutes, 14 November 2005, Executive Committee of the Army Board meeting.

²⁴⁸ Paper ACGS, 10 November 2005, ‘The Army Second Quarter Performance Report AP 05/Army Risk Register Discussion Paper’.

²⁴⁹ Minutes, 14 November 2005, Executive Committee of the Army Board meeting.

470. In considering the “failure to provide appropriate protected mobility on operations”, ECAB noted that the mitigating action to cover the risk included:

- “Improve ECM: two sets of the new equipment had been delivered to Iraq in a trial to meet the threat from IEDs.”
- “Replace Snatch 1 with Snatch 2/Vector: Snatch 2 was more reliable than Snatch 1 but still had the same protection and mobility characteristics. Although money had been allocated towards the Vector project, a vehicle solution had yet to be identified.”
- “Examine early replacement of Saxon with Warrior/improved FV430: Warrior is the only vehicle currently available to the Army which provided significant protection against EFP IEDs. Any additional battalions equipped with Warrior to fill the AV [Armoured Vehicle] gap on operations need only be trained on its use for mobility requirements and not full manoeuvre capability.”
- “Maintain FRES ISD of 2012.”

471. At its meeting on 19 January 2006, ECAB was given a presentation on the progress of the Assessment Phase for FRES in the light of the critical decisions required for the programme to maintain momentum, including the extent to which “the Army was prepared to compromise on capability ... to achieve an early ISD” for FRES.²⁵⁰ Final decisions would be taken by Ministers on the advice of the IAB.

472. In a paper for ECAB about the FRES Fleet Review, Brig Moore concluded that further work was necessary and the earliest that an initial operating capability (which would meet the requirements for survivability and future growth) could be achieved was 2015 to 2018.²⁵¹

473. The paper stated that full operating capability would not be delivered until beyond 2023. That meant that some elements of the current fleet would be over 60 years old before they were taken out of service, and additional funding would be required.

474. The paper stated that, although the US Stryker vehicle could be procured to fulfil the Utility FRES variant “around 2013”, that option had been discounted because it would only be available in its current configuration. For the “FRES era”, this model offered insufficient protection, lacked growth potential and the UK was unlikely to be able to make any necessary modifications to it.

475. A second paper by Brig Moore, on the implications of the Fleet Review on the Army’s AV capability, detailed how the FRES delays had “exacerbated” the Armoured Personnel Carrier (APC) vehicle gap; Saxon’s limitations made it unsafe for use on operations but there was currently no alternative vehicle available.²⁵² Gen Dannatt had

²⁵⁰ Minutes, 19 January 2006, Executive Committee of the Army Board meeting.

²⁵¹ Paper DEC(GM), 12 January 2006, ‘Future Rapid Effect System (FRES) Fleet Review Outcome’.

²⁵² Paper DEC(GM), 13 January 2006, ‘The Implications of the Outcome of the Future Rapid Effect System Fleet Review on the Armoured Vehicle Fleet’.

asked Brig Moore to identify the options to fill this gap until FRES was able to enter service.

476. In considering whether PPVs could offer a solution, Brig Moore outlined the differences between the FRES APC requirement and PPV capabilities:

“... PPV [sic] has a limited degree of protection and mobility, and is designed around a patrol mission of up to 8 hours. These vehicles are not organic to units, but are issued in theatre as required. Originally designed as a specialist NI capability, the requirement for PPV in all theatres is becoming enduring ...”

477. Brig Moore wrote that the in service PPV capability was provided by Snatch vehicles, which were being upgraded and completion was expected by August 2006. The Vector programme would deliver “about 80” vehicles. The original requirement had been for 153 but “further risk” had been taken “for reasons of affordability”. Vector would not replace Snatch and its protection levels would be “less than Saxon”.

478. Brig Moore stated:

“Whilst new PPVs cannot fill the APC gap, they may help to mitigate its impact, especially on operations in the short term. The longer term plan for PPVs is currently being scoped by DCI(A) [Brig Inshaw].”

479. Brig Moore concluded that the “most effective way” to address the issue was by “a combination of upgrading and managing in-service AVs”. That would have an impact on the AV fleet, but further work was necessary to “confirm the most operationally appropriate and cost effective mix” and to assess how much risk could be carried.

480. Gen Jackson stated at the meeting that the Army was “disappointed by the conclusions” of the review, “but it was vital that ECAB understood how such conclusions had been reached and the implications for the in-service armoured vehicle fleet”.²⁵³

481. ECAB agreed:

- “FRES was the Army’s highest priority and that, given the future threat, the requirement was fully justified. It would be important to get the DMB engaged in the whole Armoured Vehicle Fleet issue so that it was seen as a priority in terms of resources.”
- The FRES Fleet Review Outcome Paper with some amendments, including that:
 - The programme should “aim to achieve the earliest possible” ISD and full operating capability by “challenging traditional acquisition models and seeking an incremental introduction of capability”.
 - It would be necessary to update and upgrade FV430 and CVR(T) and replace Saxon.

²⁵³ Minutes, 19 January 2006, Executive Committee of the Army Board meeting.

- Purchasing new MOTS [modified-off-the-shelf] vehicles such as to meet the Mechanised Infantry APC gap, such as Stryker, “should not be considered further”.
- It endorsed the “aspiration” to withdraw Saxon from mechanised brigades and take it out of service “as soon as was practicable”.
- “The requirement to improve our PPV capability should be addressed as a related but separate piece of work.”

482. Reflecting ECAB’s discussion, Gen Jackson wrote to Lord Drayson, on 23 January, inviting him to note the delay in the forecast FRES ISD and that ECAB had commissioned further work on maintaining adequate military capability.²⁵⁴

483. Gen Jackson set out how the FRES programme had failed to keep up with planned timescales, with the earliest ISD being delayed from 2012 to “2015-2018” as a result of the requirement to meet the threats it would likely face. He described that conclusion as “extremely unpalatable”.

484. Gen Jackson wrote that ECAB had concluded that there was “an urgent non-discretionary requirement to maintain adequate military capability and protected mobility” until FRES came into service, and that there was “a clear moral responsibility to do the best we can to safeguard soldiers’ lives in the interim”. That would include plans “to run on – and upgrade” FV430 and CVR(T) vehicles to fill the gap.

485. Lord Drayson’s Private Office recorded that he had discussed the advice with Gen Jackson on 24 January and was not content to note the delay.²⁵⁵ Lord Drayson viewed:

“... the suggested slip in (FRES) In Service Date as entirely unacceptable and, as agreed, intends to work with CGS [Chief of the General Staff] and IAB [Investment Approval Board] members over the next months to ensure a way ahead is found that meets the Army’s requirements.”

486. Lord Drayson spoke to Mr Bill Jeffrey, MOD Permanent Under Secretary, on 30 January, about armoured vehicle capability including those in use on current operations and FRES.²⁵⁶

487. Lord Drayson told the Inquiry that he had asked Mr Jeffrey:

“... to grip the FRES situation because I was not content with the proposal to further delay the project and because I was concerned that the MOD was not giving the issue of armoured vehicles sufficient priority.”²⁵⁷

²⁵⁴ Minute CGS to PS/Min(DP), 23 January 2006, ‘Future Rapid Effects System (FRES) Fleet Review’.

²⁵⁵ Minute APS/Minister(DP) to MA/CGS, 24 January 2006, ‘Future Rapid Effects System (FRES) Fleet Review’.

²⁵⁶ Minute DCDS(EC) to PUS [MOD], 3 February 2006, ‘Armoured Vehicle Capability’.

²⁵⁷ Statement, 15 December 2010, page 5.

488. On 3 February, Lt Gen Fulton advised Mr Jeffrey how the MOD intended “to deliver a coherent armoured vehicle capability which meets current and future needs, against the background of the wish to make an early announcement to reassure the public, industry and the Army that the MOD is on top of the issue”.²⁵⁸

489. Lt Gen Fulton recommended that Mr Jeffrey should note that:

- a. Urgent work is under way to identify and cost options to meet Defence’s short term need for armoured vehicles which meet the increased demand of current operations and to consider whether timescales and capability can be advanced by making an early commitment.
- b. The armoured vehicle work builds on the Defence Industrial strategy ... and the more general armoured fighting vehicle work with industry.
- c. Concurrent work is considering how the Future Rapid Effect System (FRES) project can be accelerated to meet Defence’s longer term need for armoured capability.”

490. Lt Gen Fulton advised that work “during the FRES Assessment Phase” had “indicated” that it was “very unlikely” that an initial operating capability could be achieved before 2015; and that was “principally driven by the need to ensure” that it was “capable of future weight growth (in order to achieve protection requirements over a long life) and technology insertion”.

491. Addressing the implications of that delay, including the need to retain existing armoured vehicles with recognised deficiencies, Lt Gen Fulton wrote: “Work has been under way since July 2005 to identify the full implications for the armoured vehicle fleet of these deficiencies, and to consider how to address them.” The FV430 and CVR(T) fleets were facing obsolescence but that could be managed to a degree. They would need up-armouring to meet the threat level faced in Iraq. Saxon was described as “insufficiently effective”. The funding provided for FRES in the Equipment Programme would be examined “to identify opportunities to fund enhancements to the existing AV fleet”.

492. Mr Jeffrey forwarded Lt Gen Fulton’s advice to Lord Drayson, agreeing that the issue should be looked at urgently for a number of reasons, including that “the increased demands of current operations” had “exposed weaknesses in what was already a fleet facing obsolescence”.²⁵⁹

493. Mr Jeffrey stated that the DMB would discuss the deficiencies of the existing armoured vehicle fleet on 9 March and it “may be that there will be opportunities to deploy funds previously earmarked for FRES”. FRES would be discussed by the IAB on 9 February.

²⁵⁸ Minute DCDS(EC) to PUS [MOD], 3 February 2006, ‘Armoured Vehicle Capability’.

²⁵⁹ Minute PUS [MOD] to Minister (DP), 3 February 2006, ‘Armoured Vehicle Capability’.

494. Mr Jeffrey promised a progress report after the DMB in March, stating:

“My aim is to put the Secretary of State and you in a position to make a clear early public statement on FRES and plans for armoured vehicle capability in the intervening period before FRES comes into service, to give confidence that we are addressing the issue responsibly.”

495. The MOD has not been able to provide a complete record of the DMB meeting held on 9 March, but the summary of conclusions makes no specific reference to FRES.²⁶⁰

496. The summary of the record did state that the DMB had concluded “that there was a stronger continuing operational requirement for FV430 overhaul and upgrade than had been assumed in STP05”. It was decided that sufficient additional resources should be provided to cover this cost in 2006-2007 and the longer-term requirement would be reviewed in STP/EP07.

497. ECAB met on 16 March.²⁶¹

498. The minutes of the meeting stated that Lord Drayson’s:

“... visit to Land had gone well, and the Minister understood the importance of FRES; the implications of the new ISD [In Service Date]; the need for an interim solution to plug the gap ... and the requirement to improve Protected Patrol Vehicles (PPVs).”

499. On 17 March, Mr Jeffrey wrote to Lord Drayson with an update on armoured vehicle capability following the DMB’s discussion of the subject on 9 March.²⁶²

500. Mr Jeffrey stated that the discussion was “set in the context of the wider financial position in 2006/07 and the other demands on our resources; including the desire to bring forward the buy of the 5th C17, higher fuel prices ... and a range of other matters”.

501. The DMB view was that “the majority of issues should be resolved in the wider EP/STP planning round, but that there were grounds for taking some decisions early”. That included replacing Saxon and the overhaul of the FV430 series of vehicles “to provide a better capability for mechanised infantry”. The resources for the conversion of vehicles for use on Op TELIC would be sought through a UOR.

502. Mr Jeffrey said that the DMB had discussed the “high priority” of ensuring FRES was delivered “as early as possible”. Lt Gen Fulton was tasked to prioritise the requirement for FRES funding in 2006/07 in the context of “other capability requirements, and any other cost pressures on the Equipment Programme” in 2006/07.

503. Other issues relating to armoured vehicle capability were to be taken forward within STP/EP07.

²⁶⁰ Minutes, 9 March 2006, Defence Management Board meeting.

²⁶¹ Minutes, 16 March 2006, Executive Committee of the Army Board meeting.

²⁶² Minute PS/PUS [MOD] to Min(DP), 17 March 2006, ‘Armoured Vehicle Capability – DMB Decisions’.

504. Mr Jeffrey's minute stated that the requirement for PPVs was "distinct from the armoured vehicle capability, but PPV may help to mitigate shortfalls over the next few years". The Vector contract "for at least 62 vehicles" was imminent and "options to deliver more" would be considered in the planning round.

505. On 24 April, Maj Gen Rollo told ECAB that co-ordinated work on "the FRES/AV Gap" was "in hand for STP/EP07 and STP/EP08".²⁶³ Two programme reviews were ongoing, including an Armoured Vehicle strategy and "Armoured Vehicle Through Life Management Plan". Lord Drayson "was fully engaged in this issue and the Army should capitalise on this".

506. Mr Des Browne replaced Dr Reid as Defence Secretary in May 2006.

507. On 25 May, Mr Browne was advised by a junior MOD official to write to Mr Stephen Timms, Chief Secretary to the Treasury, to seek an uplift in UOR funding to begin up-armouring the FV430 fleet for Iraq "as soon as possible".²⁶⁴ A business case for £6m to procure the "long-lead items" for this project had been approved in April 2006.

508. The FV430 fleet had not previously operated outside MNF bases as they fell short of the force protection levels required, but Mr Browne stated:

"It is anticipated that there will be an increasing requirement for the FV430 fleet to deploy in a more overt capacity over the coming months, necessitating appropriate protection against the associated exposure to prevalent threats."

509. Mr Timms approved the proposal on 15 June.²⁶⁵

510. On 21 June, the DMB received two presentations; one about medium weight capability, and one about FRES.²⁶⁶ The minutes do not make clear what constituted medium weight capability for the purposes of the meeting but stated that it was a valuable "over the horizon" capability that was much broader than FRES, although FRES "formed an important part of it". It was a joint capability to which all three Services contributed. It did not appear from the minutes that either presentation related to PPVs.

511. The DMB concluded that FRES was the Army's highest priority equipment programme after support to operations. FRES would be in service for many decades and it would be essential that there was growth potential and realism about timelines. The Board noted "with concern" that the programme was taking longer than originally anticipated. That was attributed to the time it had taken to understand the requirement properly, to plan, research and de-risk the programme. The delays were operationally

²⁶³ Minutes, 24 April 2006, Executive Committee of the Army Board meeting.

²⁶⁴ Note MOD [junior official] to PS/SoS [MOD] 25 May 2006, 'Iraq – Additional Funding for Urgent Operational Requirements (UORs)' attaching Letter [draft] SoS [MOD] to Chief Secretary [Treasury], undated, 'Iraq – Additional Funding for Urgent Operational Requirements'.

²⁶⁵ Letter Timms to Browne, 15 June 2006, 'Iraq – Urgent Operational Requirements (UORs)'.

²⁶⁶ Minutes, 21 June 2006, Defence Management Board meeting.

damaging and had led directly to the need for force protection enhancements to FV430 vehicles deployed in Iraq. The DMB stressed that it expected lessons to be learned.

512. The up-armoured FV430 vehicles, known as Bulldog, began to deploy to Iraq in December 2006.²⁶⁷

513. Following his trip to Iraq in late 2006, General Sir Timothy Granville-Chapman, Vice Chief of the Defence Staff, recorded:

“Bulldog (up-armoured and engined 430) received rave reviews for its protection (not yet fully tested), mobility in tight streets and reduction in road/kerb damage. The battlegroup’s hierarchy saw it as a sound medium capability for up to 10 years.”²⁶⁸

PROJECT VECTOR

514. As the preceding text in this Section shows, the MOD had been considering the potential requirement to deploy PPVs concurrently in Iraq and Afghanistan since 2004. In February 2005, it had been decided that, alongside the Snatch conversion programme, 100 Vector vehicles should be procured.

515. A business case for Project Vector, requesting approval to purchase 62 Vector vehicles at a cost of £18.8m was submitted to the IAB on 13 March 2006.²⁶⁹ Those vehicles were intended for Afghanistan. PJHQ accepted that the vehicles would not be available before March 2007.

516. The business case stated that “initial scoping studies” for a Vector vehicle solution had considered “an increased capacity Snatch” but that had not been successful and would not be considered any further as a suitable platform for Vector. That was due to a “complete inability” to meet the Key User Requirement concerning the weight it was expected to carry.

517. Snatch 2 vehicles had been deployed to Afghanistan but had been “restricted to urban patrols” because of their mobility issues and the extreme terrain. Vector would offer a “substantial increase in the performance to that of Snatch 2 in terms of protection, mobility and capacity”. On protection it stated:

“It can be seen that Vector can be used in a more hostile environment than Snatch as is anticipated on Op HERRICK once full operations are undertaken.”

518. The operational analysis had been conducted by DSTL.

519. The business case stated: “Vector is currently CinC (LAND) [Gen Dannatt]’s highest priority.”

²⁶⁷ House of Commons Standard Note, SN/IA/5128, 14 July 2009, *Afghanistan: Equipment Issues*.

²⁶⁸ Minute VCDS to CDS, 4 December 2006, ‘VCDS’s visit to Afghanistan and Iraq 27 Nov – 2 Dec 06’.

²⁶⁹ Paper DEC(SP), 13 March 2006, ‘Business Case – Project Vector’.

520. There was a reference to the SOR produced on 21 February 2005 stating that the requirement for PPVs on a global and enduring basis was 1,030 vehicles: 877 Snatch 2 and 153 Vector vehicles. The business case stated that financial limitations currently constrained the numbers to 624 Snatch 2 and 62 Vector vehicles. The risk arising from the shortfall in vehicles would be managed by “the PPV management committee” but:

“Initially all of the procured vehicles will be deployed on Op HERRICK due to the improved mobility that Vector offers over Snatch 2A.”²⁷⁰

521. A requirement for 166 PPVs had been endorsed for Op HERRICK. That would initially be met through the deployment of Snatch 2A but 62 would be withdrawn and replaced with Vector during roll-out. The 62 withdrawn vehicles would be “redeployed to reduce risk taken on expeditionary operations” which was “expected to be Op TELIC”.

522. A commercial off-the-shelf option was recommended as the means to deliver the capability as there were “a number of manufacturers who produce armoured vehicles which would fulfil the requirements of Project Vector” and some of those vehicles were in service with “other armed forces”. There was “insufficient time” to develop a bespoke option.

523. Lord Drayson’s copy of the business case was annotated by his Assistant Private Secretary on 7 March.²⁷¹ It stated:

“For info only and low priority. Worth a skim solely because it deals with armoured vehicles (albeit light ones), is described CinC Land’s ‘highest priority’ and you will see him on Friday!”

524. On 9 March, Lord Drayson noted: “Following visit let’s get focused on this project.”²⁷²

525. On 14 March, Lord Drayson’s Assistant Private Secretary wrote to the Directorate of Capability, Resources and Scrutiny (Battlespace Manoeuvre) (DCRS(BM)), noting the 3 March business case and Lord Drayson’s visit to Land Command.²⁷³ Lord Drayson understood “that the vehicles are required for the March 2007 Afghanistan roulement”, and it would be important that work was completed “on schedule by September”.

526. The “Project Vector” business case was approved on 21 March.²⁷⁴

²⁷⁰ Snatch 2A was the latest variant of the Snatch Land Rover.

²⁷¹ Manuscript comment APS/Min(DP) on Paper DEC(SP), 3 March 2006, ‘Business Case – Project Vector’.

²⁷² Manuscript comment Drayson on Paper DEC(SP), 3 March 2006, ‘Business Case – Project Vector’.

²⁷³ Minute APS/Min(DP) to DCRS BM, 14 March 2006, ‘Project Vector – Protected Patrol Vehicles’.

²⁷⁴ Minute DCRS [junior official] to APS/Min(DP), 22 March 2006, ‘Project VECTOR – Protected Patrol Vehicles’.

527. On 22 March, Lord Drayson's Private Office recorded that:

“Given the present tempo of operations, and the threat the Army are typically facing during deployments, Lord Drayson believes it is imperative that we ensure we are providing them (in both the near and long term) with appropriately protected vehicles. This will clearly involve both addressing the present operational requirement, and ensuring that FRES is brought into service no later than 2012.”²⁷⁵

528. On 22 March, an MOD official from DCRS(BM) advised Lord Drayson on how the remaining 104 Vector vehicles (from the 166 total) might be procured with Treasury funding.²⁷⁶ The manufacturer would be working “flat out” to produce the initial purchase and there was “no scope to produce either more vehicles [between March and May 2007], or bring forward the delivery timeline”.

529. Approval had been given to buy as many vehicles as the available funding would allow but, due to the late inclusion of an additional protection measure against EFPs, it was “possible” that fewer than 62 would be purchased.

530. The official added that there were “anticipated requirements for future PPV capabilities in the short and long terms”. Lord Drayson was advised that a follow-on purchase could be made in the short term either through UOR or Equipment Programme action to meet the “full Defence wide requirement”.

531. Considering the UOR route, the official wrote that the requirement for additional Vector vehicles had not been included in the financial estimate for Afghanistan approved by Cabinet. It was therefore not advised to approach Treasury until the operational requirement was “sufficiently mature”, coupled with some operational experience of Snatch's performance in Afghanistan. Delaying a UOR until September would not have an impact on the delivery schedule, given that the manufacturer was working at maximum capacity to deliver the first tranche of vehicles. “Initial informal soundings” from the Treasury were that:

“... not only would the requirement need to be robust (ie a clear explanation of why Snatch, for which they have already provided UOR funding is not appropriate at all for Op HERRICK, and that no other in-service vehicle ... would not fill the gap), but also that the costs would need to fall within our currently negotiated funding envelope.”

532. Raising an Equipment Programme enhancement option was an alternative route to secure the vehicles which again would not have an impact on the delivery schedule. The official advised that, whilst it was “likely” that procuring additional Vector vehicles would be seen as “a high priority across Defence”, it was noted that “other competing priorities

²⁷⁵ Minute Pfeffer to CM(BM) and DCRS, 22 March 2006, ‘Armoured Vehicles’.

²⁷⁶ Minute DCRS (BM) [junior official] to APS/Min(DP), 22 March 2006, ‘Project Vector – Protected Patrol Vehicles’.

in EP07” meant that there was no guarantee that funding would be found. The official gave three examples of those priorities, one of which was additional FRES funding.

533. The official did not recommend which option Lord Drayson should approve. It was also stated that longer-term consideration was needed to understand “how this enduring capability might be met, to replace the Snatch/Vector mix”.

534. Lord Drayson was also informed that, of the £74.5m the DMB had allocated to the PPV programme in FY 2005/06, £11m would not be spent.

535. Gen Dannatt told the Inquiry that, from the time of the announcement in June 2004 that the Headquarters ARRC would be deployed to Afghanistan in 2006, “whatever was happening in Iraq and however Iraq was going to develop, there was going to be another operation in Afghanistan in the middle of 2006”; and that:

“... everything as far as I was concerned to do with Iraq from the time that I became Commander in Chief in March 2005 was not just in the context uniquely of Iraq, but in the wider context of ‘... and we are going to be involved in Afghanistan as well’.”²⁷⁷

536. Gen Dannatt told the Inquiry that, in his view:

- Afghanistan was “perhaps much more important to get right”;
- “resourcing the operation in Afghanistan was particularly important”; and
- “Afghanistan would always develop as being the main effort”.

537. Referring to the decision to procure Vector vehicles, Gen Dannatt told the Inquiry that one of the brigades going into Afghanistan “had no vehicles at all” and the Army “knew that by spring 2007 we had to have something for them”.²⁷⁸ Gen Dannatt said that the Vector programme was decided “in something of a hurry”.

538. The procurement of the remaining 104 Vector vehicles, to bring the total to 166, was progressed as part of Maj Gen Applegate’s response to the armoured vehicle review in June 2006. That is addressed later in this Section.

THE DECISION TO PROCURE ADDITIONAL VEHICLES FOR IRAQ

539. Further fatalities in Iraq prompted questions about what more could be done to provide better protection for British troops.

540. On 31 January 2006, Corporal Gordon Pritchard was killed whilst on patrol in Umm Qasr when the Land Rover in which he was travelling was hit by a roadside IED.²⁷⁹ Three other soldiers were injured, one seriously, in the same incident.

²⁷⁷ Public hearing, 28 July 2010, pages 14-15.

²⁷⁸ Public hearing, 28 July 2010, pages 52-53.

²⁷⁹ GOV.UK, 31 January 2006, *Corporal Gordon Alexander Pritchard killed in Iraq*; BBC, 31 January 2006, *British forces suffer 100th Iraq death*.

541. On 28 February, Captain Richard John Holmes and Private Lee Ellis were killed in an IED attack in a joint Snatch and Warrior vehicle convoy in al-Amara.²⁸⁰

542. On 15 April, Lieutenant Richard Palmer was killed when his patrol vehicle hit a roadside IED north-west of Basra.²⁸¹

543. On 13 May, Private Joseva Lewaicei and Private Adam Morris were killed while on patrol when their Snatch vehicle hit a roadside IED just outside of Basra.²⁸²

544. On 28 May, Lieutenant Tom Mildenhall and Lance Corporal Paul Farrelly were killed by a PIR EFP IED whilst on patrol in Snatch vehicles.²⁸³

545. Brigadier James Everard, Commander 20 Armoured Brigade, wrote in his post-operation tour report that a policy had been put in place from 29 May whereby all vehicles travelling around Basra City were led by Warriors.²⁸⁴ He wrote:

“This measure proved its worth as SAF [small arms fire] and RPG contacts also increased from July and Warrior a magnet for enemy fires frequently drawing attention away from other less well protected vehicles ...”

546. In a debate in the House of Lords on 12 June, Lord Astor of Haver raised the question of when the Government intended to bring into service further patrol vehicles armoured to provide protection against IEDs.²⁸⁵

547. Lord Drayson responded that PPVs were:

“... only one of a range of vehicles available to commanders to allow them to balance mobility, protection, and profile based on the threat, the terrain and the task. PPVs offer a level of protection commensurate with their weight, size and role, together with good mobility and a low profile.”

548. Following a supplementary question from Lord Astor, stating that the Snatch “was not remotely adequate for patrolling areas where insurgents used land mines” and asking whether an assessment had been made of the RG31,²⁸⁶ “which the Americans had bought in large numbers”, Lord Drayson responded:

“... I do not accept that Snatch Land Rovers are not appropriate for the role. We must recognise the difference between protection and survivability. It is important

²⁸⁰ GOV.UK, 1 March 2006, *Captain Richard Holmes and Private Lee Ellis killed in Iraq*; BBC News, 1 March 2006, *Troops in Iraq blast named*.

²⁸¹ GOV.UK, 16 April 2006, *Lt Richard Palmer of the Royal Scots Dragoon Guards killed in Iraq*.

²⁸² GOV.UK, 15 May 2006, *Private Joseva Lewaicei and Private Adam Morris killed in Iraq*; BBC News, 15 May 2006, *Dead British soldiers are named*.

²⁸³ BBC News, 30 May 2006, *MoD names troops killed in Iraq*.

²⁸⁴ Report, 15 December 2006, ‘HQ 20 Armd Bde Op TELIC 8 Post Operational Tour Report’.

²⁸⁵ House of Lords, *Official Report*, 12 June 2006, columns 1-2.

²⁸⁶ An RG31 is a 4x4 vehicle manufactured in South Africa.

that we have the trade-offs that we need for mobility. The Snatch ... provides us with the mobility and level of protection that we need.

“We had RG31s in Bosnia, which we took out of service some time ago due to the difficulties with maintenance. We have looked at the RG31 ... and concluded that the size and profile did not meet our needs. Size is important in the urban environment. The RG31 cannot access areas that Snatch Land Rovers can get to.”

549. Lieutenant General Nicholas Houghton, who succeeded AM Torpy as CJO in March 2006, visited Iraq from 13 to 15 June.²⁸⁷ He reported:

“... I do have some concerns as I look ahead over the balance of the year ... If we are to match the wider campaign desire for a decisive six months we need to balance ourselves accordingly.”

550. On reducing troops and equipment in Iraq, he stated:

“Do not look for too big a dividend this year. Particularly we need to retain as much Warrior ... as LAND can afford. The reality is that Warrior gives us confidence and a protective edge over EFPs. The boys can manage Snatch – just; but they have no inherent confidence in it.”

551. Mr Ingram gave evidence about Snatch Land Rovers to the Defence Select Committee on 20 June.²⁸⁸ He said that there was no “off-the-shelf” solution that would offer the “all-round protection we would seek with the same utility and manoeuvrability”.

552. Mr Ingram told the Committee that there was “a balance of risk” that needed to be taken. While the MOD was “very conscious of where the threats were coming from”, they did “not necessarily have every capacity to deal with those threats”.

553. On 26 June, Mr Browne announced a review of armoured vehicles in Parliament.²⁸⁹ He stated:

“As I have already said to the House, it is open for commanders to deploy vehicles that have heavier protection than the Snatch Land Rover ... Other vehicles are available to them; there is a choice. However, commanders must be free to make decisions in relation to the operations for which they deploy soldiers. I have already said to the House that I am aware of the issue: I could not but be aware of it following my visit last week and, indeed, my earlier visit. I have asked for a review of what we can do in the long term and immediately. I shall see what we can do immediately to respond to the changing situation, although significant measures other than those in relation to the vehicle’s armour must be taken. We are at the leading edge of some of them, and electronic counter-measures, in particular.”

²⁸⁷ Minute Houghton to PSO/CDS, 16 June 2006, ‘Visit to Iraq 13 – 15 Jun 06’.

²⁸⁸ Thirteenth Report from the House of Commons Defence Committee, Session 2005-06, *UK Operations in Iraq*, HC 1241.

²⁸⁹ House of Commons, *Official Report*, 26 June 2006, column 7.

554. Mr Browne met Mr Ingram and Lord Drayson to discuss the review on 27 June.²⁹⁰ He asked Lord Drayson to:

“... set the necessary work in hand to provide Ministers with urgent, realistic, costed advice on whether there is anything more we can do to protect troops ... and to enable them to achieve their mission(s). In particular, the review should examine whether there are any vehicles with a higher level of protection than Snatch Land Rovers which could be procured quickly (and if so, at what cost).”

555. Maj Gen Applegate provided a paper to Lord Drayson on “the capability that might be achieved with the investment of about £50m for the protection of soldiers in PPVs” on 28 June.²⁹¹ He recommended that Lord Drayson approve:

- a commitment of £2m for an “urgent study on options for an enhanced PPV”;
- the procurement of all 166 Vector vehicles for Afghanistan; and
- the purchase of additional armoured kits for FV430 for use in Iraq. The existing UOR would begin to deliver up-armoured FV430s in October 2006 and deliveries would be completed by January 2007.

556. Maj Gen Applegate advised Lord Drayson:

“PJHQ and LAND regard a broad systems approach to force protection as essential, linking ISTAR, situational awareness, tactic techniques and procedures, ECM and platform survivability. This systems approach seeks to defeat the system; if this fails defeat [sic] the device, and finally defeat the attack.”

557. Maj Gen Applegate highlighted that the UK had been criticised for not adopting the RG31, variants of which were in service with US and Canadian forces and which had been used by UK forces in the past. He wrote that RG31 had previously been discounted as a suitable alternative to Snatch. Brig Moore would be briefed on its development and growth potential when he visited South Africa on 29 June.

558. In relation to the study into future PPV capability, Maj Gen Applegate wrote:

“The threat continues to develop and there is a requirement to assess urgently how to sustain the PPV capability. The US is conducting a similar assessment. New developments designed to meet this threat are currently at the demonstrator stage and it would be prudent to examine these urgently to understand what capabilities they might offer. In general if we are to combat the developing threat we will require a heavier vehicle capable of carrying a higher payload in order to mount additional armour. The ability of such a vehicle to operate effectively in the urban environment will be part of the assessment.”

²⁹⁰ Minute PS/SofS [MOD] to PS/Minister(DP), 27 June 2006, ‘Protected Patrol Vehicles: Review’.

²⁹¹ Minute Applegate to APS/Min(DP), 28 June 2006, ‘Protected Patrol Vehicles (PPV)’.

559. Maj Gen Applegate recommended that additional funding be provided “to develop concurrently an enhanced PPV capability to match the emerging threat, with an anticipated fielding in the latter half of 2007”. In the interim, “and to provide the commander with sufficient flexibility to mitigate the weakness of Snatch, additional armour packs should be procured for FV430”. The possibility of accelerating the modification of FV430 and Vector was also being explored.

560. Lord Drayson approved the request the same day.²⁹² He asked Maj Gen Applegate to “engage with coalition partner to identify whether they may have excess PPV capacity which would provide a greater level of protection which could be made available to the UK”; and for further advice by 13 July.

561. Following his visit to South Africa, Brig Moore advised on 3 July that, should the Army decide that “a better protected PPV” was required, then the RG31 had “the potential to meet that requirement”.²⁹³ In considering the requirement, Brig Moore wrote that there was a “conundrum” between a heavier vehicle that was able to protect soldiers against the mine or IED threat, and ensuring the vehicle was agile enough to access built-up areas. He added that “if the UK wants to provide its soldiers with the protection necessary to do their job, it will need a heavier PPV”.

562. On RG31, Brig Moore stated:

“It is now apparent that RG31 ... has sufficient stretch potential to take the additional weight associated with protection against [...]. In addition, LSSA [Land Systems South Africa] has a rigorous testing regime ... and this is fully compliant with DSTL thinking. LSSA is innovative, front running and is at the leading edge of their trade. Should the Army want a heavier and better protected PPV, RG31 would be a strong contender.”

563. In his summary, Brig Moore said that “the South Africans were open, engaging and ready to help in any way possible. Notwithstanding the considerable attributes of RG31, UK should exploit this opportunity.”

564. In response to a question from the Inquiry, about whether he had asked about potential alternatives to Snatch on the global market before June 2006, Lord Drayson wrote in his statement:

“Yes ... I was advised that there was no vehicle identified that could provide the mobility and small footprint offered by Snatch and that the vehicles used by the US such as Stryker and Humvee did not offer a better solution. The larger protected patrol vehicles (such as the RG31 ...) were regarded by the Army as unsuitable for Iraq ...

²⁹² Minute PS/Min(DP) to Applegate, 28 June 2006, ‘Protected Patrol Vehicles (PPV)’.

²⁹³ Minute Moore to APS/Minister (DP), 3 July 2006, ‘Protected Patrol Vehicles (PPV) – Exploratory Visit to South Africa: 30 Jun – 2 Jul 2006’.

“Following a visit to South Africa in July 2006, it was concluded by Brigadier Moore that the RG31 would be a strong contender should the Army want a heavier and better protected PPV. Getting the Army to want such a vehicle to the point where it was prepared to allocate funding to it was the key point. I pushed to try to make this happen.

“I asked Des Browne to direct me to look into this issue.”²⁹⁴

565. While discussions about the medium weight PPV were ongoing, Gen Dannatt wrote to Gen Jackson in July about the level of operational risk on current operations.²⁹⁵ Gen Dannatt was to take over as Chief of the General Staff in August. He wrote:

“The pace and changing dynamics in theatre have brought into sharp relief the concerns that you and I have about support to current operations. In addition, Ministers have recently faced difficult questions in the House. Given that there are some important discussions in ECAB, Programme and Planning Strategy Group, and DMB in the next few days, I thought I should set out now very clearly my view of the unacceptable areas of risk.”

566. Gen Dannatt described four “major concerns as the Force provider”, protected mobility and protected patrol vehicles being his “first and overriding concern”.

567. Gen Dannatt wrote that the use of Vector, up-armoured FV430 and Warrior would “provide a balanced capability” in the short term which could be “tailored to meet the different demands” of operations in Iraq and Afghanistan. It was “accepted” that Vector would not provide “full protection against all threats” but it would “increase survivability compared with Snatch improved protection, greater mobility and larger capacity” and he believed that there was “no immediate or practicable alternative”.

568. Gen Dannatt stated that there was therefore “an urgent need to complete the buy of Vector now”. While plans in place meant that that “should achieve the immediate goal” for Afghanistan, it would leave forces in Iraq with Snatch “for the foreseeable future”. He wrote:

“How the remainder of the PPV capability shortfall should best be addressed will require further consideration. If a better PPV than Vector can be developed, and delivered in the right timeframe, then clearly we should pursue this line. However, I reiterate the need for a balanced capability ...”

569. “In parallel”, Gen Dannatt thought that there was “an urgent need to complete the upgrade of FV430s”.

²⁹⁴ Statement, 18 January 2011, pages 5-6.

²⁹⁵ Letter Dannatt to Jackson, July 2006, ‘The Level of Operational Risk on Current Operations’.

570. On 4 July, Mr Browne sent Lord Drayson a note summarising a meeting they had earlier that day to discuss PPVs.²⁹⁶ They agreed that Lord Drayson would pursue:

- clear confirmation from military commanders that there was a requirement for a medium weight armoured patrol vehicle as an alternative to Snatch or Tracked Armoured Vehicles;
- subject to that confirmation, a rapid investigation of options to deliver such a capability as an interim solution (around 50-100 vehicles, although that would need to be refined) whilst work continued on longer term solutions; and
- subject to both points, deploying the vehicles alongside the forces due to be deployed to Iraq in November 2006.

571. Mr Browne reported that he had discussed funding with Mr Gordon Brown, Chancellor of the Exchequer, following his meeting with Lord Drayson where it was concluded that the MOD could initially use the UOR contingency of £30m to fund the project; and that additional funds could be sought as required.

572. On 5 July, Lord Drayson asked Lt Gen Houghton for clear confirmation, “in consultation with Front Line Commands”, as to whether there was a requirement for a medium weight armoured patrol vehicle “as an alternative to use of Snatch or Tracked Armoured Vehicles on current operations”.²⁹⁷

573. Lt Gen Houghton provided that confirmation on 7 July, stating:

“I am clear that, in light of the increasingly sophisticated and potent asymmetric threat that we now face, a requirement for a medium weight PPV, in addition to the current and planned enhancements to light weight PPV and tracked armoured vehicles exists ...

“We need a medium weight PPV ... to provide a significantly enhanced physical protection against EFP IEDs and RPGs ... to prosecute our missions successfully without unnecessary casualties. Only a balanced force will give the operational commander the optimum flexibility to meet the range of tasks based on an assessment of threat and risk. The Frontline Commands share this assessment.”²⁹⁸

574. Lt Gen Houghton added that, as Lord Drayson was aware, physical protection was “only part of a balanced systems approach to delivering a Force Protection capability”; and that improvements to the ISTAR capability were “a key element in achieving the overall protection that we need”.

²⁹⁶ Minute APS/SofS [MOD] to PS/Minister(DP), 4 July 2006, ‘Protected Patrol Vehicles (PPV)’.

²⁹⁷ Minute APS/Minister(DP) to MA/CJO, 5 July 2006, ‘Protected Patrol Vehicles (PPV)’.

²⁹⁸ Minute CJO to PS/Min(DP), 7 July 2006, ‘Protected Patrol Vehicle (PPV)’.

575. On the same day, Lord Drayson asked Maj Gen Applegate:

“... for advice ... in consultation with CJO and Land by 1600 14 July setting out the number of vehicles required to meet present operational commitments ... [and] project plans for delivering the requisite number of vehicles in time to deploy on the next Iraq roulement in November 2006.”²⁹⁹

576. On 11 July, Mr Browne told the House of Commons Defence Committee that the increased IED threat had “generated a set of circumstances” where, in his view, the MOD needed “to look at whether there is a need for something between Snatch Land Rovers as a form of land transport and the Warrior”.³⁰⁰ In ordering a review of the use of the Snatch, he had “accepted in principle” the need “to see if we can identify resources that can be procured and deployed in the timescale that would provide that [the required] level of protection while we wait for other armoured options becoming available”.

577. On 12 July, Brig Inshaw recommended that Maj Gen Applegate agree:

“Despite recent casualties, the requirement to operate PPVs on current operations endures and may increase as Defence is likely to be required to conduct concurrent ... campaigns over the next 3-4 years.”³⁰¹

578. Brig Inshaw advised that there was a requirement for a “balanced PPV capability”. It should include a medium weight PPV, for which there was “an urgent requirement”, and light, agile PPVs “such as Vector”, although “commanders recognise that such a vehicle will never be protected against the most demanding threats”.

579. Brig Inshaw advised that Brig Moore had examined “a number of options” that were “either in development or in service elsewhere in the world”. Brig Inshaw wrote that commanders accepted all of these could produce solutions that were “significantly larger” or have “a more aggressive profile” than Snatch and Vector. It was accepted that this was “a penalty” commanders would “have to pay for the improved levels of protection”. Brig Inshaw added:

“To avoid confusion, it should be noted that PPVs will not deliver the capability or overall protection levels we would expect of an in-service APC [Armoured Personnel Carrier] (such as FV430 Mk 3) or of FRES, which will be designed to operate in a less permissive environment (where issues surrounding size and posture are far less important) and to defeat a significantly more demanding threat. A mixed fleet of light and medium PPVs would allow commanders to force package appropriately to the terrain and task.”

²⁹⁹ Minute APS/Minister(DP) to CM(BM), 7 July 2006, ‘Protected Patrol Vehicles (PPV)’.

³⁰⁰ Defence Committee, Session 2005-06, *Defence – Minutes of Evidence*, 11 July 2006, Q44.

³⁰¹ Minute DCI(A) to MA/CM BM, 12 July 2006, ‘Requirement for a More Capable Protected Patrol Vehicle (PPV)’.

580. In addition, Brig Inshaw wrote that there was “an urgent requirement for armoured vehicles to provide protected transport to move personnel for administrative purposes” because PPVs had “been used to fulfil this role” in the past. That would be addressed by the deployment of FV430s in November 2006 and LAND was “deploying additional up-armoured Warrior” vehicles to meet the requirement in “the very short term”.

581. Brig Inshaw advised that improved physical protection was only part of the solution; work was also under way to address battlefield helicopter and ISTAR shortfalls, and TTPs would continue to be adapted. He noted that fielding a larger PPV would “require some change to current operational practices”.

582. Initial calculations highlighted a shortage of PPVs in Iraq, Afghanistan and the training pool. Brig Inshaw wrote that the MOD was taking “some 30% risk in numbers against the requirement” and that could worsen between 2007 and 2008 when Snatch 1.5 was removed from service. He suggested that 808 medium PPVs were needed to meet the operational requirement, 510 of which would be for Iraq. He also advised that all PPVs in Iraq should be medium weight (as opposed to a combination of light and medium weight vehicles, which was the suggestion for Afghanistan). The planned procurement of Vector and up-armouring of the FV430s should continue.

583. On 13 July, Lord Drayson’s Assistant Private Secretary summarised a meeting that had been held between Lord Drayson and Maj Gen Applegate that evening.³⁰² Maj Gen Applegate had informed Lord Drayson that the requirement for 166 Vector and additional armour packs for FV430 had been confirmed. Lord Drayson had confirmed that the resources for those requirements “would not count against the new resources being provided by the Treasury to meet the medium weight PPV requirement”.

584. Maj Gen Applegate had advised Lord Drayson that 15 vehicles had been examined and “the only option to borrow vehicles was 25-50 Bushmasters that Australia could release” but there was no way of acquiring additional vehicles beyond this because “there was no manufacturing line”. Two options were “worthy of further consideration”: the Protector (a new variant of the RG31) and the Iraq Light Armoured Vehicle (ILAV) (derived from the Cougar which was already being used by the US Marine Corps and had survived around 1,000 IED attacks in Iraq). Both vehicles would meet the required protection capabilities; the key for the MOD was which vehicle could be delivered more quickly. The US was “willing to provide a couple of ILAV vehicles to the UK early for testing”.

585. Lord Drayson had suggested acquiring a number of both vehicles to reduce the delivery time and Maj Gen Applegate undertook to investigate it further. There was a discussion about “the difficulties posed” by Force Protection Inc being a new MOD supplier. Two possible options had been identified for expediting matters: either acquiring

³⁰² Minute APS/Minister(DP) to CM(BM), 13 July 2006, ‘Protected Patrol Vehicles (PPV)’.

ILAV vehicles from the US under Foreign Military Sales with configuration for the UK's communications equipment, or acquiring the vehicles through a "call off contract".

586. Lord Drayson was grateful for the efforts which had been made and had stated that the "pace of work must now be maintained". He requested an update by 20 July, including advice on how "to achieve the necessary commercial arrangement".

587. Gen Granville-Chapman visited Iraq from 9 to 13 July.³⁰³ He reported:

"On equipment, ISTAR and helicopters remain the key focus. Whilst clearly all acknowledge the limitations of Snatch, feeling was not as strong ... as I had expected. Very striking was great confidence in ECM equipment ... All I spoke to had faith that this, coupled with rigorous execution of the now highly developed TTPs, gave them confidence and a good level of protection. But they would welcome a new PPV, though were clear that any vehicle would need to be able to access the tight urban sprawl that characterises much of Basra – Vector, they felt, would take the trick in this respect, but their point about utility in tight urban areas will need to be taken into account in the Medium PPV work."

588. On 19 July, in the House of Commons, Mr Owen Paterson asked Mr Browne what the performance specifications of the new Vector vehicle were and how its protection levels compared to Snatch and the RG31.³⁰⁴ Mr Browne replied:

"The key performance requirements for Vector are improved mobility, payload and capacity compared to Snatch. We do not comment on levels of armour protection ..."

589. The USUR for a medium weight PPV, for use in Iraq and Afghanistan, was articulated by Lt Gen Houghton on 19 July 2006.³⁰⁵ He reported that, between July 2004 and July 2006, almost half of the UK's fatalities from hostile action, 20 of the 44 deaths, were personnel travelling in Snatch Land Rovers.

590. The USUR stated: "The IED and RPG threats" in Iraq and Afghanistan "are here and now; Snatch is both obsolete as a light weight PPV and the heightened EFP IED threat" in Iraq demanded that it "should be replaced by a Medium Weight PPV (MPPV)". It should "have as much protection as possible without compromising its function (capacity and mobility) providing as balanced an answer to the range of threats as is feasible".

³⁰³ Minute Granville-Chapman to Stirrup, 14 July 2006, 'VCDS Visit to Iraq and Afghanistan 9-13 Jul 06'.

³⁰⁴ House of Commons, *Official Report*, 19 July 2006, column 505W.

³⁰⁵ Minute CJO to DEC GM – SO1 PLANS, 19 July 2006, 'Op TELIC and Op HERRICK – Urgent Statement of User Requirement for Medium Weight PPV'.

591. In explaining the justification for the requirement and the inadequacies of existing equipment, the points made by Lt Gen Houghton included that:

- “EC advice suggests that we have reached the engineering and technological limits of the physical protection that can be provided by Snatch and other light weight PPVs.”
- “ ... Defence has a moral responsibility towards our servicemen to ensure we have done everything that is reasonable to minimise loss to life and ensure operational success; there is still some way to go before that assurance can be offered.”
- “ ... [T]he public, political and media expectation is that military operations can now be conducted without significant casualties”.
- “A MPPV is needed in order to provide significantly enhanced physical protection against IEDs (incl EFP) and RPGs ... to prosecute the mission successfully without unnecessary casualties.”
- “Every effort should be made to enhance force protection measures – perversely this may mean that as troop numbers go down, PPV numbers remain broadly similar, thereby affording greater levels of protection to a larger part of the deployed TELIC force.”
- “ ... [O]nly a balanced force will give the operational commander the optimum flexibility to meet the range of tasks based on an assessment of threat and risk.”
- “ ... [H]elicopters are already in short supply and it is highly unlikely that additional aircraft will be available to meet the increased demand without severe impact on JHC [Joint Helicopter Command] ability to sustain the current and emerging operational requirements.”
- “Snatch is no longer fit for purpose as a light weight PPV and the increased threat requires a MPPV.”

592. When the Inquiry asked Lord Drayson why he had found it necessary to ask Lt Gen Houghton for confirmation that there was a requirement for a medium weight PPV, Lord Drayson wrote in his statement:

“It was necessary because I had become concerned about the growing casualties to personnel travelling in Snatch from IEDs in Iraq. The military had identified a requirement for a new light PPV for HERRICK (Afghanistan) which had been approved via the core equipment programme by PJHQ in March 2006 (the Vector vehicle) but no requirement had been identified for Iraq. I wrote to CJO to force the issue. The push to procure a medium weight PPV in time for the Nov 06 roulement of forces came from Ministers.”³⁰⁶

³⁰⁶ Statement, 18 January 2011, page 6.

593. The Inquiry asked Lt Gen Fulton why he thought the push for a medium weight PPV had to come from Lord Drayson instead of from the Defence Board or Chiefs of Staff:

“... I think there’s a sort of relationship there between the commander on the ground at whatever level, the commander in theatre, the Permanent Joint Headquarters, the chiefs, the equipment customer and a series of examinations of what was needed against what was ... available in the sense of, you know, did it exist?”

“I don’t think people were sitting on their hands saying, ‘It is all fine’. I think people were saying, ‘this IED problem is a whole theatre problem ...’³⁰⁷

594. Lieutenant General Andrew Figures, who succeeded Lt Gen Fulton as DCDS(EC) in June 2006, told the Inquiry that the procurement of a medium weight PPV was not possible before 2006 because there was not a vehicle that could meet the requirement:

“... my judgement would be that every waking hour people had they were attempting to solve the problem in this area, but if there is no technical solution to it, however much effort you put into it, you can’t solve it.”³⁰⁸

595. The Inquiry asked Lord Drayson why the military chain of command had not identified the requirement earlier. He replied:

“I found it hard to understand why the military chain of command had not raised a requirement for a medium weight PPV when it was clear that it was not technically possible to procure a light weight PPV at that time with enough armour protection to overmatch the IED then being used against our troops. The thinking of the military throughout this period was that a small light weight vehicle of the size and weight of Snatch was needed to patrol in the way the British Army operated in Iraq. I accepted that buying a much bigger and better protected medium weight vehicle would not be suitable for this type of patrolling in narrow streets but I believed that providing commanders in theatre with the option of a bigger vehicle would allow them to choose when and where to use it.”³⁰⁹

THE INTRODUCTION OF MASTIFF

596. A variant of the US Cougar vehicle was selected as the solution to the medium weight PPV gap. It was already in service with the US Army in Iraq.

³⁰⁷ Public hearing, 27 July 2010, pages 75-76.

³⁰⁸ Public hearing, 27 July 2010, pages 77-82.

³⁰⁹ Statement, 15 December 2010, page 6.

597. A business case for the procurement of 108 Cougar vehicles at an estimated cost of £73.1m was submitted to the IAB on 20 July.³¹⁰ It was a joint case from the DEC(GM) and SUV IPT teams. One company of vehicles would be delivered by November 2006 and the remaining vehicles by April 2007. The total requirement was for 510 vehicles for Iraq and 150 for Afghanistan.

598. The business case stated that a “significant proportion of IEDs are EFPs, which have constantly changing initiation methods and are difficult to detect”.

599. There were currently 380 Snatch vehicles in Iraq, against a theatre establishment of 420:

“The Snatch PPV provide the deployed force with a level of manoeuvrability and survivability in order to conduct operations, however, the rapidly evolving asymmetric threat faced on Ops TELIC and HERRICK have overmatched the capability envelope of the Snatch PPV. Moreover, the majority of Snatch deployed on Op TELIC are the 1.5 variant which is due to go out of service from January 2007. With a host of obsolescence issues, Snatch is no longer capable of matching the high level of threat faced in Iraq and Afghanistan.”

600. The business case stated that there was “no specific operational analysis to support the requirement” for a medium weight PPV but that it had been driven by the “rapidly evolving threat”, namely EFPs. Work had been initiated by Brig Inshaw “to define the longer term requirement to fulfil the future PPV capability”.

601. The business case considered four options:

- To do the minimum: deploy additional assets “and/or” reallocate assets to Op TELIC and Op HERRICK. In Iraq that was likely to mean more Warrior vehicles were deployed but “the current high usage rates” were already having a detrimental effect on the ability to sustain the Warrior fleet in the longer term. That option had “been discounted”.
- RG31: That solution was considered “immature” and had “been discounted”.
- Cougar 6x6: The preferred solution with “proven mine protection (in-service US Army data)” and sufficient payload to mount armour necessary for better protection.
- Bushmaster: An Australian vehicle with mine protection that was in service with Australian forces in Iraq. Up to 25 vehicles had been offered by the Australian Government which could meet the “challenging timelines” but it would need further investigation.

602. The business case proposed procuring the Cougar 6x6 through a Foreign Military Sales case with the US (see Box, ‘The Cougar vehicle’). In assessing the commercial

³¹⁰ Report AD CC DEC(GM) to IAB Sec, 20 July 2006, ‘UOR IO4165/AO1082 Business Case for Medium Protected Patrol Vehicles’.

risk, the attached risk register said that there was “high level US military support for the planned acquisition”. The business case proposed to adopt “a single source acquisition strategy” that was based on “a world-wide market survey, paper technical assessment and industrial visits to ascertain the most suitable and cost effective solution”.

603. The business case stated that, although Cougar would provide a “significant enhancement in survivability” over Snatch and Vector, it would still be defeated by the most effective EFP and very large blast IEDs. It also highlighted that Cougar was “a large platform with good cross country mobility but less agility and terrain accessibility in the urban environment than Snatch and Vector”. It was reiterated that the chain of command should understand and explain the strengths and limitations of the platform to all potential users.

604. On 20 July, Lord Drayson wrote to Mr Timms seeking his agreement for an additional £89.2m of UOR funding to be found from the Reserve for Cougar vehicles and FV430 vehicles.³¹¹ The £47.8m required for additional Vector vehicles for Afghanistan could be found from within the Defence budget.

605. Lord Drayson wrote that the review of protected vehicles announced by Mr Browne on 26 June had “confirmed” there was a capability gap in Iraq and Afghanistan’s protected vehicles. The “key threat in Iraq” was “now” the EFP IED. Warrior vehicles had been up-armoured to help meet this threat but that had led to an “over-reliance” upon it in theatre which meant that personnel in Warrior units were “significantly exceeding” guidelines for operational tour intervals.³¹²

606. Lord Drayson stated that Snatch vehicles could not “be armoured sufficiently to defeat the EFP IED or RPG threats”: “As the media and a number of politicians have highlighted recently, there have been a significant number of deaths in Iraq from EFP IED attacks on Snatch.”

607. Lord Drayson said that, after “a very rapid evaluation” of “possible vehicles available worldwide”, the Cougar variant was best placed to meet “both the time and performance criteria”. He added:

“The fact that an early version is already in the UK service with Explosive Ordnance Disposal troops and it is also in service with both the US Army and Marine Corps gives us considerable confidence in it. We will be relying on the assistance of the US Government and military to deliver it as rapidly as possible and this is an excellent example of where the Special Relationship will have a direct impact on our capability on operations.”

³¹¹ Letter Drayson to Timms, 20 July 2006, ‘Iraq and Afghanistan – Request for Additional Funding for FV430 Uparmouring and Medium Protected Patrol Vehicle Urgent Operational Requirements’.

³¹² The guidelines for operational tour intervals are detailed in Section 16.1.

608. Lord Drayson wrote that, given Mr Browne’s commitment to report back to Parliament “as soon as possible” and the start of recess on 26 July, he would be grateful for confirmation of the funding by the following day.

609. Mr Timms replied to Lord Drayson on Sunday 23 July, saying he realised that Mr Browne was “under pressure to make an announcement in the House on Monday” and the “considerable work” undertaken by officials “in scoping the requirement” within the tight deadline.³¹³ Mr Timms wrote that he fully recognised the need to provide “adequate protected mobility in these challenging environments” and that he supported the proposals.

610. While Mr Timms agreed that the MOD could enter into commercial arrangements to up-armour the FV430s and procure Cougar vehicles, he was “not comfortable” that the “commercial terms” had been reached for the requirements to be “properly costed”. He asked for an update once the full costs were finalised, at which point he would “formally uplift” the UOR funding.

The Cougar vehicle

The Cougar is described by the US Department of Defense as “a hardened engineering vehicle that provides protection against armor-piercing rounds and high-explosive devices”.³¹⁴ It is used for “ordnance disposal, communications, command and control, and leading convoy missions”. It is available in two configurations: 4x4 and 6x6.

Both of these configurations have been integrated with UK systems to enable their use on UK operations: the 4x4 became the Ridgback, and the 6x6 became the Mastiff.

The main distinction between the two is their size. The British Army refer to Mastiff as Ridgback’s “bigger brother”.³¹⁵

The US Marine Corps contracted Force Protection Inc to provide 28 Cougar vehicles in April 2004.³¹⁶ Three further orders were placed by the US Army for Cougar vehicles between May and June 2005, but for a Joint EOD Rapid Response Vehicle (JERRV) variant. Those were in both configurations (4x4 and 6x6) and were delivered in 2005.

The JERRV variant was a type of vehicle also known as a Mine Protected Vehicle, or more commonly a Mine Resistant Ambush Protected vehicle (MRAP) which is specifically designed to protect against landmine and IED attacks, making them suitable for Explosive Ordnance Disposal tasks.

The MOD has told the Inquiry that it cannot confirm details about US vehicles and their deployment to Iraq.³¹⁷

³¹³ Letter Timms to Lord Drayson, 23 July 2006, ‘Protected Vehicles’.

³¹⁴ Report US Department of Defense, 27 June 2007, ‘Procurement Policy for Armored Vehicles’.

³¹⁵ British Army website, *Ridgback*. Website content correct as of date of publication.

³¹⁶ Report US Department of Defense, 27 June 2007, ‘Procurement Policy for Armored Vehicles’, pages 6-7; *USA Today*, 10 February 2007, *The truck the Pentagon wants and the firm that makes it*.

³¹⁷ Letter Duke-Evans to Hammond, 2 February 2016, [untitled].

The UK's EOD teams were using early versions of the MRAP Cougar, the 4x4 variant, from "2003-04" in Iraq and also deployed them to Bosnia (in 2004) and Afghanistan.³¹⁸

To procure equipment from the US, the MOD is required to follow a Foreign Military Sales programme. That is where, under the US Arms Export Control Act, the two Governments enter into a government-to-government sales agreement.³¹⁹ It can be done where the President formally finds that to do so would strengthen the security of the US and promote world peace.

611. In anticipation of his written statement on the armoured vehicle review, Mr Browne was offered presentational advice on 21 July.³²⁰

612. The advice stated that one of the key messages to convey was:

"With current vehicles, including Snatch (which will remain appropriate for some tasks) this provides a coherent package of vehicles, offering a range of protection, mobility and profile. Commanders will have a significantly increased choice of vehicles to be used as they see fit to best meet the mission and counter the threat. No one vehicle is appropriate for every task.

"It will be important to make clear that while we are confident that the Med[ium] PPV being procured offers significantly greater protection against the key threats in both Iraq and Afghanistan than the Snatch, as with any other vehicle, it cannot be guaranteed to offer absolute protection ..."

613. According to the advice, the short timescales in which the medium PPV programme had been developed meant that the usual "full testing" of the vehicle had not been possible but the MOD was confident of its capability based on US use of the same base vehicle in Iraq.

614. The range of different vehicles would allow commanders "to balance protection against the requirements of the mission". Snatch was "still an appropriate vehicle for some tasks" and the additional vehicles did not mean Snatch was "not used at all".

615. The advice recognised that the announcement marked a significant change of direction. Answers to Parliamentary Questions in June had stated that the "requirement was for small, light, highly mobile vehicle that could operate in urban areas and vehicles such as RG31 and Cougar would not meet this requirement". It added:

"At that time the ECC [Equipment Capability Customer] was considering whether there was a long term answer to the need for a small, mobile but better protected

³¹⁸ Minute DCRS [junior officer] to APS2/SofS [MOD], 21 July 2006, 'Enhanced Protected Patrol Vehicle: Presentational Advice'.

³¹⁹ Letter Duke-Evans to Aldred, 26 June 2015, 'Procuring Military Equipment'.

³²⁰ Minute DCRS [junior officer] to APS2/SofS [MOD], 21 July 2006, 'Enhanced Protected Patrol Vehicle: Presentational Advice'.

patrol vehicle ... The review [announced on 26 June] established that there was no small but better protected vehicle available now and the only immediate options for better protection were vehicles such as Cougar.”

616. The advice stated that the MOD “might be open to criticism” that it had only taken action “when forced to by the media”. Draft briefing for Press Office included:

“Q. Why have you done this now, not a year ago?”

“A. As recent events have shown, the situation in Iraq and Afghanistan changes rapidly and the threat is constantly evolving. In response, work was ongoing within the department to examine options for the procurement of a medium protected patrol vehicle. The review announced by the Secretary of State for Defence on 26 June enabled the acceleration of this work including by securing additional funding.”

617. The advice also considered the potential question of why Cougar had not been procured sooner, given that the US had been using it for “some time”. The suggested response was that that was because the situation in the UK’s Area of Responsibility was different to that of the US.

618. The advice acknowledged that the UK had “some very early versions” of the Cougar, such as the Mine Resistant Ambush Protected (MRAP) variant, which was used for Explosive Ordnance Disposal tasks and deployed to Iraq in “2003-4”. It had been bought in 2002 from Supacat Technical Solutions Group, a subsidiary of Force Protection Inc. The advice said the MRAP vehicles were “very different” to the Cougar vehicles being procured because the MRAP vehicle was not a patrol vehicle and would not meet the UK’s requirements. It did not elaborate on any of those points.

619. Mr Browne’s Written Ministerial Statement on 24 July said:

“It [the Armoured Vehicles Review] has confirmed that there is a growing requirement for a protected vehicle with capabilities between our heavy armour, such as Warrior, and lighter patrol vehicles, such as Snatch. The review has also identified feasible options to address the gap in the short term. We have now completed a very rapid assessment of those options and have identified three complementary ways forward ...”³²¹

620. Mr Browne announced:

- the purchase of an additional 100 Vector vehicles for Afghanistan;
- the up-armouring of a further 70 FV430s for Iraq by spring 2007, in addition to the 54 already ordered; and
- the purchase of 100 Cougar vehicles for Iraq and Afghanistan.

³²¹ House of Commons, *Official Report*, 24 July 2006, column 74WS.

621. Mr Browne concluded:

“The up-armoured FV430, the Cougar medium PPV, and Vector fill the requirements for varying degrees of protection, mobility and profile ... But I am confident that together these vehicles provide commanders with the right range of options to deal with the situations and threats they face.”

622. The MOD IAB approved the Cougar business case on 25 July.³²² It warned:

“There is clear risk of cost and time growth given the focus on satisfying the survivability requirement and the speed with which the case has been put together ... Due to the exceptional way in which this programme has been funded, it is important that it is understood that there is no scope for cost growth. The Treasury have indicated that they will pay no more than the stated cost of the vehicles ... Contrary to ... the Business case it is not correct to assume that additional funding will be available from the Department. Any cost growth must be contained within the approved cost, if necessary by reducing numbers.”

623. The IAB asked for a further note to be submitted following the examination of Bushmaster vehicles “as soon as possible, and by Sep 06”. It should report the results and, if necessary, seek the appropriate approval.

624. On 5 August, the DIS produced a report on the EFP threat in MND(SE).³²³ It stated:

“Since May 2005 the use of Explosively Formed Projectiles (EFPs) has become increasingly common in MND(SE); 83 incidents have been reported with the monthly number peaking at 12 in April 2006 ...

“MND(SE) has a disproportionate number of EFP attacks in comparison to the rest of Iraq ... and they have accounted for [...] IED related fatality in the region since the end of May 2005.”

625. The DIS concluded:

“The supply of EFPs in Iraq has recently increased with a four to five fold increase in the number of EFPs in circulation for Apr to Jun 06 compared with the previous three months ... Recent incidents in MND(SE) have involved increasingly more EFPs and are becoming more complex, involving additional munitions and targeting entire convoys. It is likely that we will continue to see a widening of the charges and munitions used ...”

³²² Minute IAB Secretariat 1d to DEC(GM) and SUV IPTL, 25 July 2006, ‘Medium Protected Patrol Vehicle (Med PPV) UOR Business Case: Approval (IAB Sec 1864)’.

³²³ Report DIS, 5 August 2006, ‘EFPs in MND-SE Update’.

626. In its report on UK operations in Iraq published on 10 August, the House of Commons Defence Committee referred to its visit to Basra Palace in June:

“We heard that Snatch were very good vehicles, but they were old and could often break down. Many had previously been used in Northern Ireland. They were fast and manoeuvrable but not well armoured and were particularly vulnerable to IED attack. Similar concerns were voiced by UK troops at the Shaibah Logistics Base.”³²⁴

627. The Committee stated:

“We are concerned at the increasingly sophisticated nature of the threat and the consequent vulnerability of UK Forces travelling in Snatch Land Rovers. We welcome the Secretary of State’s review of the use of Snatch vehicles in Iraq and believe it is essential that this review be completed as quickly as possible. In the long-term, FRES may offer a solution to the difficulties associated with the Snatch, but its introduction is too far off to offer an answer to current operational needs in Iraq. The MOD should consider an ‘off-the-shelf’ purchase as an immediate and interim replacement for Snatch, even if it does not fulfil the long term capability requirement. It is unsatisfactory that the lack of capability was not addressed with greater urgency much earlier.”

628. Gen Dannatt wrote to Mr Browne on 31 August:

“I wrote to my predecessor [Gen Jackson] in July expressing my concerns about the levels of protection for our patrol vehicles, the shortage of intelligence and surveillance capability, the pressure on helicopters ... That said I am most appreciative of Lord Drayson’s recent efforts on the vehicle issue, but we have a deficit to make up and the threat/response cycle is very dynamic ...”³²⁵

629. The Inquiry asked Mr Gordon Brown, the Prime Minister, whether there were any requests for funding for armoured vehicles between 1997 and 2006, and if any concerns were raised with him about Snatch Land Rovers.³²⁶ Mr Brown said that the question of expenditure in Iraq had to start from the “one fundamental truth” that “every request that the military commanders made to us for equipment was answered. No request was ever turned down.”

630. With regards to Snatch vehicles, Mr Brown told the Inquiry that:

“... the point at which the Ministry of Defence decided that, as a result of the change in tactics by insurgents against them, that they wanted additional and other vehicles to deal with the problems they faced in the Basra area, we immediately agreed with the Ministry of Defence that they should have the money ...

³²⁴ Thirteenth Report from the House of Commons Defence Committee, Session 2005-06, *UK Operations in Iraq*, HC 1241.

³²⁵ Letter Dannatt to Browne, 31 August 2006, [untitled].

³²⁶ Public hearing, 5 March 2010, pages 115-118.

“So the first time the request was made, we met it immediately with £90 million, and that was a decision that military commanders could make only themselves as to when and where they needed these new vehicles ...”

631. Sir Peter Spencer, the Chief of Defence Procurement from May 2003 to March 2007, told the Inquiry that he used to call regularly on the three single Service Chiefs of Staff, the Chief of the Defence Staff and the three Commanders in Chief and that: “If there had been concerns about UORs, they would have been raised.”³²⁷

632. Sir Peter later observed:

“... if it had been a problem somebody would have come to me and said ... Chiefs of Staff aren’t backwards in coming forward. If they think something is not right they let you know.”³²⁸

633. Several witnesses, in their evidence to the Inquiry, explained that hardening vehicles was just one way of protecting troops and emphasised the importance of tactics, techniques and procedures.

634. Asked whether he had been concerned about the vulnerability of Snatch in Iraq, ACM Stirrup replied:

“Very concerned. We wanted to get rid of Snatch outside the wire as quickly as possible but you can’t get rid of it by using just a big, heavy vehicle ... it is a mistake to believe that simply by increasing the armour on a vehicle, you can defeat an improvised explosive device. You have to take a broad spectrum approach. You have to improve your detection of the devices ... You have to provide as much physical protection in terms of armour as is consistent with the mission ... but, crucially, you have ... to attack the people who are doing this.”³²⁹

635. When asked specifically for his reflections on “the growth of the IED threat or Iranian influence”, in the context of a wider question on the development of particular trends or any notable events during his tenure, ACM Torpy wrote:

“During my time as CJO we saw a gradual, although not dramatic rise in the number of IED/EFP attacks against UK troops. Considerable effort was directed at developing tactics, techniques and procedures to mitigate the threat ... whilst at the same time seeking improvements to equipment, particularly the introduction of new electronic warfare equipment, additional vehicle armour and better body armour for personnel. Additional intelligence effort was also directed against IED/EFP networks to enable disruption operations to be undertaken.”³³⁰

³²⁷ Public hearing, 26 July 2010, page 27.

³²⁸ Public hearing, 26 July 2010, page 31.

³²⁹ Public hearing, 1 February 2010, page 71.

³³⁰ Statement, 14 June 2010, page 7.

636. Major General Jonathan Shaw, GOC MND(SE) from January 2007 to August 2007, told the Inquiry:

“There is no such thing as a safe vehicle because if you look at ... what protection means, only a part of that ... is actually the hardening of the vehicle itself. Most protection is achieved by not being located or identified or targeted in the first place ...

“... more heavy armoured vehicles were hit than Snatch ... Snatch has come in for a lot of criticism, but actually it was an extremely effective weapon, and the soldiers really liked using it because, although it was risky, it avoided the damage [to roads and streets].”³³¹

637. For the PPV programme, Sir Peter Spencer told the Inquiry that Lord Drayson had become “the catalyst” for moving it forward.³³² When asked if that was unusual, Sir Peter replied that it was “a leadership issue for the top of the shop in defence”.

638. The Inquiry asked ACM Torpy what direction he had provided about the appropriate levels of risk. He responded:

“I honestly do not believe it is CJO’s role to be giving direction to the in theatre commander as to the levels of risk he should be taking with his people ... Clearly we wanted to minimise risk to people, but recognising that we had a job to deliver as well ... So we would do the utmost we could possibly do in terms of providing improvements in terms of capability ... tactics and procedures, I have to say I left very firmly to the GOC ...”³³³

639. The Inquiry asked ACM Torpy whether he was reliant on or had challenged the GOC’s judgments. ACM Torpy replied:

“... that goes back to ... regular visits by senior officers.... not just me going out to theatre but CinC LAND ... General Jackson ... very experienced army officers. So I would have hoped if there was concern about what they were seeing on the ground that they would have put that in a visit report or come and tapped me on the shoulder and said, ‘Torpy, why hasn’t this been addressed?’ and that never happened.”³³⁴

640. When asked whether commanders on the ground were telling him that they had confidence in Snatch, ACM Torpy told the Inquiry that they:

“... saw it as a capability that they needed to fulfil the task ... they clearly would have liked a vehicle which offered better degrees of protection and extra armour was put on to Snatch vehicles. They had alternatives ... Warrior or, if necessary, a Challenger, but that ... has perception problems ... So ... there is a balance to

³³¹ Private hearing, 21 June 2010, page 41.

³³² Public hearing, 26 July 2010, page 45.

³³³ Public hearing, 18 January 2011, page 64.

³³⁴ Public hearing, 18 January 2011, page 67.

be struck ... and the only person I believe who could take that is the commander on the ground.”³³⁵

641. Asked if he had discussed with Generals Jackson or Dannatt whether something else was needed for Snatch or if he had ordered any review of Snatch, ACM Torpy said:

“There was work going on ... Snatch had always been identified as a problem and I was very aware of the work ... going on in the equipment capability area and in the Front Line Command to look at what alternatives there were.

“The message ... of the equipment capability areas is that there is not another vehicle on the market which can provide that sort of mobility which we could go out and procure tomorrow ... The Americans didn’t have anything. They were still using Humvees ... they were having similar problems ...

“... from a PJHQ perspective ... we rely on the expertise which is in the equipment capability area and the Frontline Commands to deliver the requirements of the in theatre force ...”³³⁶

642. The Inquiry asked ACM Torpy if he had received any requests for the provision of a replacement for Snatch. He replied:

“No, not that I recall.”

643. Lt Gen Dutton told the Inquiry:

“Snatch served a really useful purpose in built-up areas where it was not easy – in some cases not even possible – to get more heavily armoured vehicles, so ... Snatch was not necessarily an unpopular vehicle ... depending on what was happening. But ... I recall ... there was a particularly nasty incident in Maysan, where ... soldiers ... were killed and they were in Snatch Land Rovers and that was IEDs, so it became obvious at that point that this vehicle was not optimised in any way to counter that.”³³⁷

644. The Inquiry asked Lt Gen Dutton whether it was difficult for commanders to decide when it was appropriate to use heavier armoured vehicles in Iraq.³³⁸ He told the Inquiry:

“Yes, but there was an element of ‘You have got what you have got.’ So you might have to use them, even if you know they are not the vehicle optimised for that particular – and then you ask for different ones, and over time, they appear.”

³³⁵ Public hearing, 18 January 2011, pages 68-69.

³³⁶ Public hearing, 18 January 2011, pages 69-70.

³³⁷ Public hearing, 12 July 2010, pages 26-27.

³³⁸ Public hearing, 12 July 2010, pages 28-29.

645. When asked by the Inquiry whether the need and subsequent requests for different levels of armouring was a feature of his time as GOC, Lt Gen Dutton replied:

“It must have been, but I don’t actually sort of recall it now ... we were certainly aware that, once the EFP arrived – we either needed to move people more by air or we needed different tactics, techniques and procedures or we needed more heavily armoured vehicles.”

646. The Inquiry asked Lord Drayson whether action to improve the effectiveness of electronic countermeasures or the level of protection afforded by Snatch was suggested to him when he took office in May 2005.³³⁹ In a statement to the Inquiry Lord Drayson wrote:

“The briefings at that time did not indicate that action was required on the effectiveness of countermeasures against IEDs or the protection afforded by the Snatch Land Rover ... I was informed by the military advice that the Snatch was essential to the UK’s style of operations in Iraq that required a small, light and highly manoeuvrable vehicle to enable our troops to patrol in the narrow streets of Iraqi towns. The view expressed by the military at that time was that a heavily armoured tank like vehicle would not have been practical or consistent with the UK’s style of patrolling ‘amongst the people’.”

647. The Inquiry asked ACM Torpy whether the problem was that there was no agreement on what an alternative vehicle should be able to do.³⁴⁰ He told the Inquiry that different commanders had different views, but that was not the problem. The problem was that “genuinely there was a lack of a product on the market” which could replace Snatch.

648. When asked if it was “ultimately pressure from Ministers” on the military chain of command which had led to the acquisition of heavier patrol vehicles, ACM Torpy replied that Lord Drayson had “created momentum for Mastiff to be introduced”, and “provided leadership in the MOD to make sure something was delivered”. That provided the in theatre commander with “another medium weight vehicle with a higher level of protection”. There was “no doubt that Mastiff was welcomed by the people on the ground” and that they “could undertake certain tasks”, but they “could not do what they were doing with Snatch previously”.

649. Asked why the pressure for a heavier vehicle had not come through the chain of command, ACM Torpy added:

“I think there was always pressure from the ... theatre ... to the MOD. I think the problem actually arises where you have an equipment programme which is under-funded and a desire ... on the one hand to make sure that the capabilities

³³⁹ Statement, 15 December 2010, page 1.

³⁴⁰ Public hearing, 18 January 2011, pages 72-73.

we have to sustain our long-term defence capability against Defence Planning Assumptions, you have that conflict against today's problem in an operational theatre, and how do you balance the money? It took the Minister to say, 'We are going to do this'.³⁴¹

650. Asked whether he had been pushing for an alternative vehicle to Snatch for deployment in Iraq, Gen Jackson told the Inquiry:

"This is one of those areas where it can be very frustrating as a single service chief, because you don't have the chequebook and you don't place the orders. At that time we were somewhat – what is the word I seek – quaintly known as Customer Two in the procurement construct, which says something about how the user was regarded ..."³⁴²

651. Gen Jackson added:

"... it leaves the single Services somewhat at arm's length from the process of acquiring equipment ... we need something better to use than Snatch – you may need something bigger ... That's the requirement from the user but it gets rather tortuous: it's a very arm's length relationship and therefore a very frustrating one."

652. Gen Jackson stated that the Defence Procurement Agency wrote the specifications; they were not handled by the service board and only in broad parameters by the Equipment Capability staff.

653. Responding to a comment from the Inquiry that General Kevin O'Donoghue, Chief of Defence Logistics 2005 to 2007 and Chief of Defence Materiel 2007 to 2009, had said Gen O'Donoghue only bought what the customer had requested, Gen Jackson replied:

"Yes, but who says 'it must withstand an explosion of this size'? Who says 'its ground pressure must not be more than that'? Who says 'it must not be more than this weight'? That's not the function of the Army Board. The Army Board says 'we want a vehicle that will do this' without going into that sort of detailed specification."³⁴³

654. Asked specifically whether he had tried to push back against the processes he was describing in relation to Snatch, Gen Jackson told the Inquiry:

"Yes, very much so. I have a recollection of what to me was a very important meeting with the then Procurement Minister, Lord Drayson, because I just felt we were not getting anywhere within the normal processes of the MOD, you know, and actually reflecting upon moral duty here."³⁴⁴

³⁴¹ Public hearing, 18 January 2011, page 74.

³⁴² Public hearing, 28 July 2010, pages 76-77.

³⁴³ Public hearing, 28 July 2010, page 81.

³⁴⁴ Public hearing, 28 July 2010, pages 84-85.

655. In Gen Jackson's view, Lord Drayson:

"... was able, using his ministerial authority, and to be fair his commercial experience, to cut through some of the Gordian knots which seemed to surround what otherwise was this complex process."

656. The Inquiry asked Gen Dannatt about Sir Peter Spencer's comment that if the Commanders in Chief had concerns about UORs they would have been raised, and asked whether he was satisfied that the Army had had the equipment it needed to fight in Iraq coming through the UOR process.³⁴⁵ Gen Dannatt replied:

"In general terms the answer is yes. There was a problem, though, which was ... that the process whereby the troops deployed on the front line saw a requirement and reported it back to PJHQ, the action in the PJHQ and the staff there, which were relatively small in number, were able to turn the opinion and the requirement of soldiers on the ground into a rapidly staffed requirement for new and changed equipment that could then be fired at the Defence Procurement Agency or whatever it was at the time.

"I felt that there was a greater role that ... Land Command, could have played to help out at least the horse power of those on the equipment staff of PJHQ, and also play our wider understanding of army requirements from our frequent involvements informally with the troops on the front line. I thought we could actually get a greater understanding, get it more quickly. I made several offers, and they were taken up eventually, to have my own equipment staff help the PJHQ equipment staff to try to convert the needs of the front line into identified requirements that the procurement system could then get on and act upon."

657. Gen Dannatt added that he "was never convinced" that "we were actually doing all we could be doing to make sure that we had the right equipment, in the right quantity in ... front line hands, as quickly as possible"; and that "there was a bit of deficiency in leadership and energy at times".

658. When asked specifically about why it had taken so long to find a replacement vehicle for Snatch, Gen Dannatt told the Inquiry:

"All commanders have accepted there is the need to have a light patrol vehicle. Narrow streets, small roadways and so on, that you have got a vehicle that can get down these places.

"That has been used as a justification to keep the existing Snatch in small numbers still in theatre for the present moment.

"Another line is ... and I was strongly of this view, let's get all the Snatch out as quickly as we can, but if you accept there is a need for a light patrol vehicle, it was

³⁴⁵ Public hearing, 28 July 2010, pages 43-45.

said by all those involved with industry and the procurement process that there was nothing available on the market to replace the sort of Snatch-type dimension very quickly.

“I think we have already ... mentioned the fact that even now the Ministry of Defence I understand is deliberating between two contenders for effectively a Snatch replacement. This is 2010. That was 2003/4.”³⁴⁶

659. Gen Dannatt continued:

“... it was said by the people whose advice one had to take, ‘There is nothing else out there’. I am not a scientist myself. If that’s what they say, one had to accept that.

“Therefore the next strand of argument was to really go for the work-arounds as to how do we protect our people with other vehicles? That’s where we get into the Mastiffs, the Bulldogs ... Many of these have been very successful. Mastiff very successful ... In the context of Iraq something that I found counterintuitive and had to agree to while I was Commander in Chief was the Bulldog. The old 430 lightly armoured personnel carrier that I grew up as a platoon commander in the early 1970s and I thought had had its day in the battlefield. When I said, ‘We must have a better vehicle’, eventually they came to me in middle 2005 and said, ‘Commander in Chief, the best option that we can get into the field quickly with good protection is to slap modern armour around a re-engined 430 series vehicle. That’s the best we can do’.

“I took a very deep breath and said, ‘If that’s the best we can do, then that’s what we are going to do’. For Iraq I think it played a significant role.”

660. When asked about the Ministerial review into PPVs in 2006, why it had taken so long and why it was a political rather than a military initiative, Gen Dannatt told the Inquiry:

“... it wasn’t money and was not industry capacity ... I think it was a deficiency in leadership and energy in solving this problem ... but really frustrating not to be able to get on with this, and the fact we have still not closed with the issue in 2010.”³⁴⁷

661. The Inquiry asked Gen Dannatt about where that lack of leadership and energy resided. He replied:

“... if you were going to identify a requirement that needed resources thrown at it, which couldn’t be funded immediately from the UOR process, it has to come from somewhere else in the core MOD Equipment Programme. That meant something else had to go and other people perhaps did not want to see other things they thought were very important going.

³⁴⁶ Public hearing, 28 July 2010, pages 49-51.

³⁴⁷ Public hearing, 28 July 2010, pages 54-55.

“It would be wrong to say this was kicked into the long grass, but other solutions, work-arounds were preferred than tackling this one head-on ...I am not a technical person, I am not a scientist ...”

662. The Inquiry asked why the Mastiff programme had been initiated by Ministers rather than the Defence Board providing the answers to what, by then, was recognised every day in Iraq to be a serious problem.³⁴⁸ Gen Dannatt replied:

“I was purely a member of the Defence Board, and there were many people around the table and many conflicting points of view. You can articulate your point of view as clearly as you can. Others might be persuaded by your argument or choose not to be persuaded by your argument. ... In many cases they chose not to be persuaded by my argument. So one had to accept the decisions that were taken, albeit with a degree of frustration.”

CHANGES TO THE ARRANGEMENTS FOR IDENTIFYING AND FUNDING UORS

663. The earlier part of this Section, considering improvements in the MOD’s procurement processes during Op TELIC, looks in more detail at the advice given by Lt Gen Houghton in 2006 on how to improve the way in which capability gaps were identified.

664. At the same time, concern was growing about the MOD’s failure to control expenditure on UORs for Iraq and Afghanistan, leading the Treasury to seek a new arrangement for funding UORs.

665. When ECAB discussed a review of the Equipment Programme on 5 July 2006, it was pointed out “that considerable work had been undertaken (including the engagement of Ministers) on the PPV issue and protected mobility”, but there were remaining concerns about:

“... the ability of the routine procurement process to react quickly enough to match changing threats. The UOR process worked well at the start of a campaign, but was not designed to support enduring operations.”³⁴⁹

666. On 24 November, Mr Browne wrote to Mr Timms to request an increase of £460m in the combined UOR funding.³⁵⁰ Despite tight controls, the requirements for UORs continued “at a rate higher than anticipated, and considerably above historical norms”, because of:

- the intensity of operations in Afghanistan;
- the slow drawdown of forces from Iraq;

³⁴⁸ Public hearing, 28 July 2010, pages 67-68.

³⁴⁹ Minutes, 5 July 2006, Executive Committee of the Army Board meeting.

³⁵⁰ Minute MOD [junior official] to PS/Secretary of State [MOD], 24 November 2006, ‘Additional Funding for Urgent Operational Requirements (UORs)’.

- the constantly evolving threat in both theatres; and
- “a decreased willingness, at all levels, to ‘make do’ with sub-optimal solutions and uncomfortable living and working conditions now that both operations [Afghanistan and Iraq] have become enduring”.

667. The size of the request prompted Mr Browne’s Assistant Private Secretary to do “a little digging” into the MOD’s UOR system.³⁵¹ He reported to Mr Browne:

“The UOR system – the people who make bids on it and those who sanction bids within it – are changing their attitude. There is greater willingness to ask for technical solutions to reduce risk and discomfort and less inclination to block such bids. Partly this is because there is a perception (rightly or wrongly) that the political environment has changed, and money is no longer the constraint it was. Whilst it never was for UORs/operations, many in the MOD became used to it as a constraint in restructuring and that attitude bled across to other things ...”

668. Mr Browne’s Assistant Private Secretary suggested a discussion of the UOR culture that was forming, and “whether we need to re-steer a little or accept that this is the new price of doing business”.

669. The request on 24 November prompted a series of discussions between the Treasury and the MOD about the adequacies of the UOR system.

670. Mr Timms was advised by a Treasury official on 9 January 2007 that:

“At official level, MOD have indicated that the underlying reason for the sustained high level of UORs is linked to a Ministerial judgement that soldiers must be provided with the optimum equipment, especially where force protection is at stake.

“HMT [the Treasury] have never refused a request to fund a UOR. Once forces are deployed and commanders are generating requirements it is difficult to deny the resources ... It follows that the mechanism for limiting the total cost of operations is to resist any expansion of troops committed to operations, rather than UORs to supply the troops already deployed in theatre.”³⁵²

671. Mr Timms was advised by a Treasury official on 20 April that the “step-change” in the level of UOR funding made the current UOR arrangement “unsustainable”.³⁵³ The Treasury had provided £2.1bn to fund UORs relating to Iraq and Afghanistan since 2001, of which over half had been provided in the last two years:

“We [the Treasury] do not question the military judgment that there is a current operational need – but we believe that many of these items seek to provide

³⁵¹ Minute MOD [junior official] to Browne, undated, ‘UOR Funding – Iraq and Afghanistan’.

³⁵² Minute Treasury [junior official] to Chief Secretary, 9 January 2007, ‘Increase in the Urgent Operational Requirements Envelope’.

³⁵³ Minute Treasury [junior official] to Timms, 20 April 2007, ‘Increase in the Urgent Operational Requirements Envelope’.

a general capability that could have been provided through the Equipment Programme. Many items appear to be kitting out the Army while the Equipment Programme has invested in ships and aircraft ... As such we think the UOR scheme is becoming a straightforward supplement to the EP [Equipment Programme] in a way that it was never intended to be, bailing out MOD of the need to prioritise in the kit they purchase and compensating for bad decisions in the past.”

672. The official advised that the UOR regime was not ideal for the UK military either, as:

- despite accelerated procurement, UORs were frequently not available until several months after a need had been identified. It would be better to plan to have the capability in advance;
- that would also enable soldiers to be trained on new equipment before their deployment to theatre, and for new equipment to be properly incorporated into military doctrine; and
- after one year, the ongoing costs of UORs reverted to the core defence budget. Those unplanned costs could be difficult to accommodate.

673. From June 2007, the process changed so that the Treasury cleared every UOR individually (rather than only those above £10m).³⁵⁴

674. The outline of a new UOR regime was agreed in late July, as part of the MOD's settlement in the 2007 Comprehensive Spending Review:

- the Reserve would pay for the “first element” of total UOR costs each year;
- MOD and Treasury would share equally any costs in excess of this amount (with the Treasury meeting those excess cost up front, and then reclaiming them from MOD on a rolling three-year basis);
- MOD would receive £200m to assist with its first payments under this new arrangement, and;
- MOD would review its Equipment Programme with the intention of “rebalancing spend towards ... the current operating environment”.³⁵⁵

675. The changes to the UOR process, and discussions leading up to them, are considered in more detail in Section 13.1.

³⁵⁴ Minute Lester to Woolley, 30 October 2007, ‘Approach to UOR Funding Following the CSR07 Settlement’.

³⁵⁵ Letter Burnham to Browne, 24 July 2007, ‘Comprehensive Spending Review 2007: Ministry of Defence Settlement’.

Protected mobility between late 2006 and mid-2009

676. The security situation in MND(SE) continued to deteriorate into late 2006.

677. On 4 September 2006, Gunners Stephen Robert Wright and Samuela Vanua died as a result of injuries sustained when their Land Rover hit a roadside IED on patrol north of Basra.³⁵⁶

678. By the end of October, the security situation in Basra had deteriorated to the point where Mrs Margaret Beckett, the Foreign Secretary, decided that it would be necessary to withdraw the majority of civilian staff from Basra Palace.³⁵⁷ That is addressed in Section 9.5.

679. A note from Brig Inshaw on 3 January 2007 advised Gen Dannatt that the first four Mastiff vehicles had been delivered to Iraq on 30 December 2006.³⁵⁸ A further 11 vehicles were expected by the end of January.

680. Brig Inshaw acknowledged that those deliveries would miss by one month the “hard target” set by Lord Drayson for a company’s worth of vehicles to arrive in Iraq by 31 December, but that Gen Dannatt “may feel” that the work undertaken since July to get the Mastiff vehicles ready for theatre so quickly was “very impressive”.

681. Maj Gen Shirreff wrote in his post-operation tour report on 19 January 2007:

“Bulldog is proving itself in battle and has the confidence of the soldiers who fight from it. Mastiff has arrived and although it will take some time to prepare it for operations, it is an impressive beast and will significantly enhance our capability.”³⁵⁹

682. Mr Jeffrey visited Iraq from 12 to 13 March where he met Brigadier Paul Jacques, Chief of Force Support.³⁶⁰ Mr Jeffrey was shown one of the new Mastiff vehicles and Snatch ECM equipment. Brig Jacques reported that 12 out of 54 Mastiff vehicles “had arrived and were proving highly capable, but even when the full complement was delivered there would be a continuing requirement for Snatch because of their manoeuvrability and speed”.

683. Brig Jacques praised the work that had enabled Mastiff’s arrival into service and “said they would welcome follow-up visits to discuss problems and potential improvements based on operational experience”. He thought in general that it would be helpful to have more frequent visits from IPT members, and for closer contact between theatre and the DECs on the progress of UORs.

³⁵⁶ GOV.UK, 5 September 2006, *Gunners Stephen Robert Wright and Samuela Vanua killed in Iraq*; BBC News, 6 September 2006, *MOD names soldier killed in Iraq*.

³⁵⁷ Minute Cabinet Office [junior official] to Sheinwald, 30 October 2006, ‘Iraq Strategy Group, 27 October’.

³⁵⁸ Minute DCI(A) to MA/CGS, 3 January 2007, ‘Mastiff’.

³⁵⁹ Report Shirreff to PSO/CDS, 19 January 2007, ‘Post Operational Report – Operation TELIC’.

³⁶⁰ Minute PS/PUS [MOD] to PS/SofS [MOD], 16 March 2007, ‘PUS Visit to Multinational Division South-East, 12 March 2007’.

684. IED attacks in MND(SE) continued to cause casualties, with an increase in the targeting of Warrior vehicles.

685. On 28 December 2006, Sergeant Graham Hesketh was killed when the Warrior vehicle in which he was patrolling hit a roadside IED in Basra City.³⁶¹

686. On 5 January 2007, PJHQ informed Mr Browne that a Warrior vehicle had been penetrated by an IED attack on 27 December, resulting in seven minor casualties.³⁶²

687. PJHQ said there had been an increasing number of larger EFPs used against MNF vehicles over the last two months and, as a result, two further UORs to enhance the Warrior's armour had been submitted. A reserve pool of Warrior vehicles was maintained to replace those damaged beyond repair in theatre.

688. On 10 January, Mr Browne requested further advice on the nature of the advanced armour, when it was likely to be fitted and any intelligence held on the increased threat.³⁶³

689. Private Michael Tench was killed on 21 January when his Warrior vehicle suffered an IED attack while patrolling with three other Warrior vehicles.³⁶⁴ Four other soldiers sustained injuries, one of which was very serious.

690. PJHQ submitted further advice to Mr Browne on 26 January.³⁶⁵ It said that the recent attacks were the first to penetrate the Warrior vehicles but, while the number of EFP attacks had increased, "these large EFPs are not a new threat, as they were first seen in MND(SE) in Jul 05". Six Warriors had sustained serious damage since 1 November 2006.

691. PJHQ assessed that the increased targeting of Warrior was likely to be a result of their increased use in road convoys (due to the reduction in the use of Snatch Land Rovers). The two UORs for enhanced armour were predicted to be in service by the end of April.

692. On 5 February, Second Lieutenant Jonathan Carlos Bracho-Cooke died as a result of injuries sustained when his Warrior vehicle suffered an IED attack on patrol in Basra City.³⁶⁶

³⁶¹ GOV.UK, 29 December 2006, *Sergeant Graham Hesketh killed in Iraq*.

³⁶² Minute PJHQ [junior official] to APS2/SofS [MOD], 5 January 2007, 'Op TELIC: Improvised Explosive Device (IED) Attack on Warrior'.

³⁶³ Minute APS/SofS [MOD] to PJHQ [junior officer], 10 January 2007, 'Op TELIC: Improvised Explosive Device (IED) Attack on Warrior'.

³⁶⁴ Minute PJHQ [junior officer] to PS/SofS [MOD], 21 January 2007, 'Iraq: Op TELIC: Death of British Soldier Basra City'.

³⁶⁵ Minute PJHQ [junior officer] to APS/SofS [MOD], 26 January 2007, 'Op TELIC: Improvised Explosive Device (IED) Attacks on Warrior'.

³⁶⁶ GOV.UK, 6 February 2007, *Second Lieutenant Jonathan Carlos Bracho-Cooke killed in Iraq*.

693. On 9 February, Private Luke Daniel Simpson was killed when his patrol vehicle hit a roadside IED.³⁶⁷ Private Simpson had been driving the lead vehicle in a convoy of three Snatch Land Rovers in Basra.

694. Lord Drayson visited Iraq on 8 March and discussed various equipment issues in theatre, including force protection.³⁶⁸ The report of his visit stated that “the overall opinion” on Mastiff and Bulldog “seemed to be positive” although there were some performance issues and suggestions for improvement. With Mastiff, there were “a number of minor issues” that “could be easily solved” with a visit from IPT. Those included: a lack of servicing schedule or handbook; radio batteries not generating sufficient power for good communications; and air conditioning units not adequately cooling the ECM, creating a risk of overheating. The “most significant concern” was that “the vehicle would be a victim of its own success”; there had been cases of visitors “insisting on travelling in Mastiff, relegating them to VIP taxis rather than the patrol tasks they were bought to fulfil”. Lord Drayson “made it clear that they should not be abused in this way”.

695. Lord Drayson was told that there were “many problems” with the Snatch 2 platform. The Snatch 2A was “a lot more reliable than the Snatch 2” but needed modifications to improve night vision and communications equipment.

696. The visit report highlighted that Mastiff was too large for use inside Basra City. There were some areas where Bulldog was also too large to go and Snatch was deployed because the threat of IED attacks in those areas was “minimal”. The US was using less protected vehicles, Humvees, for that role but “protected them through aircover”. The report stated:

“Given the scientific limits on the amount of armour that could be applied to a vehicle the size of Snatch, any vehicle used to carry out tasks in confined urban areas was inevitably going to be at risk – but it was safer than carrying out the tasks by foot, or by helicopter.”

697. Lord Drayson was told:

“Overall there was a clear perception in theatre that UK MOD was not taking account of the rate of change. UORs too often sought to deliver a perfect capability, but in doing so delivered so late the requirement had changed or theatre were without any capability for too long. It was suggested that if there were greater dialogue between theatre and the ECC/ABW [Equipment Capability Customer/Abbey Wood³⁶⁹] on individual UORs then trades ... could be made.”

³⁶⁷ GOV.UK, 10 February 2007, *Private Luke Daniel Simpson killed in Iraq*; BBC News, 26 September 2007, *Iraq soldier ‘unlawfully killed’*.

³⁶⁸ Minute APS/MIN(DES) to PSSC/SofS [MOD], 26 March 2007, ‘Minister(DES) Visit to Iraq’.

³⁶⁹ Abbey Wood is the location of the Defence Procurement and Support Agency (DE&S).

698. The report concluded by saying that “the lack of faith in the UOR process” and the suggestion of a “fundamental mismatch” between theatre’s requirements and the “ECC/IPTs endeavours to deliver the perfect capability in a more extended timeframe was concerning”. Lord Drayson asked for advice, by 10 April, from Maj Gen Figgures on how to address that and for him and the Chief of Defence Materiel “to reinforce the urgency that everyone should attach to delivering UORs”.

699. In his evidence to the House of Commons Defence Committee on 20 March about UK operations in Afghanistan, Lt Gen Houghton said that the deployment of Mastiff and Vector was expected to be complete by the end of autumn.³⁷⁰ He said that, by that time, all Snatch vehicles would have been removed from theatre.

700. On 18 May, Lord Drayson was advised that a total of 49 operational Mastiff vehicles out of 108 had been delivered so far: 14 in Iraq, 16 in Afghanistan and 19 in the UK.³⁷¹

Capacity to improve the UOR system

Following Lord Drayson’s request for advice on how to address the “fundamental mismatch” between theatre’s requirements and the delivery of capability, Lt Gen Figgures advised on 4 April that the UOR process continued to be “agile and reactive, with an average of just seven months between the PJHQ endorsement of a requirement and the in-service date of the UOR-ed equipment”.³⁷² Those seven months included:

- identification of a solution;
- the drafting and approval of a business case;
- the placing of a contract;
- the manufacture and/or integration of the equipment; and
- the delivery of that equipment to theatre.

Lt Gen Figgures acknowledged the rise in USURs during FY 2006/07 and stated that “the more heavily loaded” teams, the Departments of Equipment Capability (DECs) and Directorate of Capabilities Resources and Scrutiny (DCRS), had augmented their staff “so as to be able to continue to react rapidly to the increase in volume and not slow the process down”.

Time was “the key driver for UORs” and it was “universally accepted” that UORs only had to meet “an 80+ percent solution”, on the basis that it was “preferable to rapidly fill the capability gap that exists in theatre rather than achieve a technically perfect outcome”.

Considering potential reasons for delay, Lt Gen Figgures wrote that there had been “a gradual evolution” in the type of UORs being submitted over recent months from “traditional” UORs that sought to modify or enhance existing equipment to UORs “asking for entirely new systems” which inevitably would take longer to deliver.

³⁷⁰ Thirteenth Report of the House of Commons Defence Committee, Session 2006-07, *UK operations in Afghanistan*, HC 408.

³⁷¹ Minute SO1 DCC [DEC(GM)], 18 May 2007, ‘Medium Protected Patrol Vehicle Mastiff’.

³⁷² Minute DCDS(EC) to PS/Min(DES), 4 April 2007, Minister(DES) Visit to Iraq – Equipment Issues’.

Lt Gen Figgures added that perceived delays could also potentially be attributed to optimism bias and the six-month duration of rotations, the latter meaning that some personnel might not stay in theatre long enough to see equipment enhancements arrive during their tour.

On communications between the UK and theatre, Lt Gen Figgures advised that PJHQ remained “in constant *daily* contact” with Equipment Capability (EC) cells in theatre. The DECs were also “in frequent dialogue” with the EC cells. There had been various visits from teams engaged in the procurement chain and those would continue in balance with theatre’s priorities.

Recognising that some improvements could be made, Air Commodore Brian Bates, Director Directorate of Joint Capability, and Mr Guy Lester, Director DCRS, were going to join PJHQ’s monthly video conference calls with theatre as of that month. Lt Gen Figgures concluded:

“Indeed, this already regular dialogue with theatre made the concerns expressed to the Minister all the more surprising as reports from theatre on UORs tend to be very positive.”

On 23 April, Lord Drayson met Lt Gen Houghton and Lt Gen Figgures “to discuss the apparent discrepancy between the view of troops in theatre and PJHQ/MOD on equipment and UORs”.³⁷³ VAdm Style sent a note of the meeting to Lord Drayson on 21 May after consulting with PJHQ and EC cells.

VAdm Style reported that the average length of UOR delivery time had fallen over the last three years from an average of 9.3 months to 7.5 months. A “longer term analysis” indicated delivery times at the start of Op TELIC were shorter, taking 5 months in 2002 and 3.1 months in 2003, but it was felt that “reflected the simpler nature of the UORs processed”.

VAdm Style wrote that the overall feedback on UORs remained “very positive” with “94 percent/100 percent” of Op TELIC and Op HERRICK UORs being rated as effective or highly effective.

The recent comments about perceived failures in the UOR process were “a source of concern”. VAdm Style suggested several ways to address the “causal factors” for those comments:

- a review of pre-deployment UOR training;
- better communication of what had been done and what was being done;
- a clearer flow of information from theatre because direct communication between theatre and the Equipment Capability Customer (ECC) was “still the exception rather than the rule”;
- assessing staff shortfalls in “key” Integrated Project Team (IPT) posts; and
- finding ways to “aggressively and imaginatively bear down upon UOR timelines”.

³⁷³ Minute DCDS(C) to Min(AF), 21 May 2007, ‘Meeting with CJO and DCDS(EC) – Equipment Requirements in Theatre’.

On 28 June, VAdm Style reported that progress had been made against all actions, “but it would be premature to state that they may have been met or that the underlying issues have been resolved”.³⁷⁴

To improve the communication flow with theatre, DEC desk officers had been encouraged to engage directly with theatre EC cells instead of through PJHQ. There was greater sharing of information such as sending copies of the UOR database and all approved business cases to EC cells.

701. The threat in Iraq continued to increase and further improvements to force protection were agreed.

702. On 29 March 2007, Mr Browne wrote to Mr Timms to outline UOR funding requirements for financial year 2007/08.³⁷⁵ That included:

- An additional £15m plus for ECM: “Anti-coalition forces in both Iraq and Afghanistan are developing the methods they employ in the use of Improvised Explosive Devices; we are in a stronger position as a result of additional better-protected vehicles procured last year (by summer 2007 there will be over 50 Mastiff and Bulldog in theatre), but the best way to protect against attack remains to stop the IEDs before impact ...”
- £50m for a Counter Rocket, Artillery and Mortar (C-RAM) system capable of detecting, providing warning of and intercepting indirect fire (IDF).
- £87m plus for intelligence and surveillance capabilities for both Iraq and Afghanistan, including ISTAR enhancements.

703. On 5 April, Second Lieutenant Joanna Dyer, Corporal Kris O’Neill, Private Eleanor Dlugosz and Kingsman Adam James Smith were killed when an IED exploded underneath the Warrior vehicle in which they were travelling.³⁷⁶ A local civilian interpreter was also killed in the attack.

704. On 17 April, the Chiefs of Staff were briefed that the security situation in MND(SE) “had been dominated by the two under belly IED attacks against a Warrior and a Challenger 2”.³⁷⁷ That type of attack had been seen elsewhere in Iraq but was unusual for MND(SE). The implications were still being assessed but “appeared not to represent a migration of this type of attack to the South, rather a response by a resourceful and adaptive enemy responding to MNF operations – operating procedures continued to be reviewed and refined in theatre”.

³⁷⁴ Minute DCDS(C) to Min(AF), 28 June 2007, ‘Equipment Requirements in Theatre – Update of Actions’.

³⁷⁵ Letter Browne to Timms, 29 March 2007, [untitled].

³⁷⁶ GOV.UK, 6 April 2007, *Second Lieutenant Joanna Yorke Dyer, Corporal Kris O’Neill, Private Eleanor Dlugosz and Kingsman Adam James Smith killed in Iraq*.

³⁷⁷ Minutes, 17 April 2007, Chiefs of Staff meeting.

705. On 19 April, Corporal Ben Leaning and Trooper Kristen Turton were killed when their Scimitar vehicle was struck and badly damaged by an IED attack in Maysan province.³⁷⁸ Three other soldiers were injured in the attack. The vehicle had been providing protection for a convoy.

706. On 6 May, Private Kevin Thompson died as a result of injuries sustained when the vehicle in which he was travelling hit an IED in the early hours of 3 May.³⁷⁹ He had been taking part in a routine convoy to re-supply the Contingency Operating Base at Basra Air Station.

707. Maj Gen Shaw sent an update to CJO on 7 June, stating:

“Our vehicles are protecting us but at an unsustainable rate. On average we are losing an armoured vehicle due to damage beyond local repair at a rate of a vehicle every nine days; faster than the UK can resupply them.”³⁸⁰

708. Maj Gen Shaw told the Inquiry that the vehicle he was referring to in his update of 7 June was Warrior.³⁸¹ When asked what he had in mind in making that statement, Major Gen Shaw said:

“It was the unsustainability of what we were doing ... alerting people that what we were doing was unsustainable.”

709. When asked by the Inquiry what was being done to deal with that problem, Maj Gen Shaw said: “I can’t recall.”

710. On 22 June, Corporal John Rigby died from injuries sustained by a roadside bomb attack in Basra.³⁸²

711. On 28 June, Corporal Paul Jozzko, Private Scott Kennedy and Private James Kerr were killed by a roadside IED in Basra.³⁸³ The soldiers had dismounted the Warrior vehicle in which they had been patrolling when the device detonated.

712. On 7 July, Lance Corporal Ryan Francis was killed when an IED hit the Warrior vehicle in which he was travelling north of Basra.³⁸⁴ LCpl Francis was taking part in a large scale operation to detain insurgents in Basra City. Corporal Christopher Read was

³⁷⁸ GOV.UK, 20 April 2007, *Corporal Ben Leaning and Trooper Kristen Turton killed in Iraq*.

³⁷⁹ GOV.UK, 7 May 2007, *Private Kevin Thompson dies in UK from injuries sustained in Iraq*.

³⁸⁰ Private hearing, 21 June 2010 pages 40-42. This evidence was quoted to Maj Gen Shaw during his hearing.

³⁸¹ Private hearing, 21 June 2010 pages 40-42.

³⁸² GOV.UK, 24 June 2007, *Corporal John Rigby killed in Iraq on Friday 22 June 2007*.

³⁸³ GOV.UK, 29 June 2007, *Corporal Paul Jozzko and Privates Scott Kennedy and James Kerr killed in Basra roadside bomb attack on 28 June 2007*.

³⁸⁴ GOV.UK, 7 July 2007, *Lance Corporal Ryan Francis 2nd Battalion The Royal Welsh killed in Iraq 7 July 2007*.

also killed as a result of the operation, through injuries sustained from small arms fire attack, and a third soldier was injured.³⁸⁵

713. On 31 July, Corporal Steve Edwards was killed when the Warrior vehicle in which he was patrolling was struck by an IED in Basra City.³⁸⁶

714. On 9 August, Lance Sergeant Chris Casey and Lance Corporal Kirk Redpath were killed when their Snatch Land Rover was hit by an IED during an operation to the west of Basra City.³⁸⁷

715. On 3 September, UK forces withdrew from Basra Palace and moved to Basra Air Station. The move and the arrangements surrounding it are addressed in Section 9.6.

716. In its review of UK land operations in Iraq, published on 3 December 2007, the House of Commons Defence Committee acknowledged the introduction of Mastiff and Bulldog.³⁸⁸ It stated that that had “significantly improved the force protection available to our Forces in Iraq”.

717. Major General Graham Binns became GOC MND(SE) in August 2007. He told the Inquiry that when he arrived in Basra, the security situation was “difficult”:

“Every move outside our bases required detailed planning and was high risk. I thought that we were having a limited effect on improving the security situation in Basra. 90 percent of the violence was directed against us ...”³⁸⁹

718. Maj Gen Binns told the Inquiry that the move to Basra Air Station in September 2007 coincided with other changes that helped to reduce the threat to forces.³⁹⁰ He said that protected mobility of vehicles “improved significantly” with the upgrade of Warrior vehicles and introduction of Mastiff, the latter being “a very good vehicle for the role on roads”.

719. On 13 September 2007, the Defence Board endorsed a request to use MOD funding to pay for additional Mastiff vehicles as a UOR.³⁹¹ In discussion, it was said that procuring more Mastiff vehicles “was the right thing to do. They had already proved their worth in theatre in Iraq and Afghanistan and there was a clear operational requirement.”

720. On 2 October, a DCRS official advised Lord Drayson that the MOD had initiated the procurement of an additional 147 Mastiff vehicles.³⁹² Force Protection Inc, the

³⁸⁵ GOV.UK, 7 July 2007, *Corporal Christopher Read 3rd Regiment Royal Military Police killed in Iraq*.

³⁸⁶ GOV.UK, 2 August 2007, *Corporal Steve Edwards 2nd Royal Tank Regiment killed in Iraq*.

³⁸⁷ GOV.UK, 10 August 2007, *Lance Sergeant Chris Casey and Lance Corporal Kirk Redpath killed in Iraq*.

³⁸⁸ First Report of the House of Commons Defence Committee, Session 2007-08, *UK land operations in Iraq 2007*, HC 110.

³⁸⁹ Public hearing, 15 January 2010, page 3.

³⁹⁰ Public hearing, 15 January 2010, page 35.

³⁹¹ Minutes, 13 September 2007, Defence Management Board meeting.

³⁹² Minute DCRS [junior officer] to APS/Minister(DES), 2 October 2007, ‘Announcement of Additional Mastiff’.

manufacturer, was “not yet on contract” to provide the vehicles but IPT was “maturing the Business Case” and “negotiating with both the United States Marine Corps (USMC) and the manufacturer”. The USMC held “considerable influence” over Force Protection Inc’s production “as it accounts for a significant proportion of the manufacturer’s order book”.

721. DCRS advised that the MOD’s request for additional Mastiff vehicles would be considered at the next US Joint Chiefs of Staff on 11 October. Without its approval, Force Protection Inc was unable to make any commitment to the MOD.

722. On presentational advice, DCRS stated that “any attempt to directly influence the US Congressional process would be unhelpful and so an announcement” should be “considered carefully”. It added that an announcement would, “however”, offer “significant advantages” because it “would illustrate the Department’s intent to procure additional protected mobility vehicles, in order to improve force protection and operational effectiveness”.

723. The UOR for an additional 147 Mastiff vehicles for Afghanistan was submitted to the IAB by DEC(GM) and the Specialist Utility Vehicle IPT on 4 October.³⁹³ That would increase the total Mastiff fleet to 280: 76 for Iraq and 204 for Afghanistan. Of Iraq’s 76 vehicle allocation, 54 would be deployed (including eight ambulances) and there would be 22 vehicles in the training fleet (including two ambulances).

724. The UOR stated that an additional 26 vehicles were to be deployed “to the user” by 31 April 2008. That would meet Iraq’s requirement but would leave Afghanistan with insufficient vehicles “to meet the operational, training and maintenance requirements”. There were currently 49 Mastiff vehicles available in Iraq, with 18 vehicles in the UK in a training pool shared with operations in Afghanistan.

725. While it had been “originally envisaged that Vector would be suitable to provide the bulk of the protected mobility” in Afghanistan, it was “now clear that the situation, threat, mission and nature of operations demand[ed] a different capability”. A “comprehensive review of protected mobility” in Afghanistan had shown that “the capabilities required for the bulk of the combat troops are best met by a combination of ATV(P) Viking and Mastiff”.

726. The UOR stated that Mastiff was “now essential to operations on Op TELIC”. It was “the most appropriate vehicle for long distance convoy escort operations where movement is canalised on the main supply routes” between the Contingent Operating Base and Kuwait, where logistic elements were based. It was “not possible” to draw down Iraq’s Mastiff fleet to support Afghanistan without an impact on operations. It added: “The shortfall in ambulances with commensurate protection and mobility is constraining commanders (or forcing them to take risk).”

³⁹³ Minute DEC(GM) to IAB Sec, 4 October 2007, ‘MASTIFF Urgent Operational Requirement (UOR) Uplift IQ4165/AO1082 Review Note’.

727. On 8 October, Mr Brown announced that the MOD was placing an order for an additional 140 Mastiff vehicles.³⁹⁴

INTRODUCTION OF A NEW PROCESS TO DETERMINE THE ACCEPTABLE LEVEL OF RISK IN OPERATIONS

728. In September 2007, the DOC reported on its “extensive review and analysis of the UK’s current Force Protection (FP) capability in order to expose risk, provide assurance and present strategic recommendations to COS [Chiefs of Staff]”.³⁹⁵

729. The review was not specific to Iraq or Afghanistan but drew heavily on the UK’s experience there. The review focused on:

- risk and governance;
- the application of theatre entry standards;
- training;
- lines of communication;
- protection in the land, air and maritime environments;
- operational level protection; and
- UOR procured equipment.

730. The review stated:

“Before undertaking an operation, COS should collectively reach a judgement on sensitivities, likely benefits and consequences as well as the appetite – amongst public, politicians and ministers – for sustaining casualties and prosecuting operations that carried a certain degree of risk. This risk/benefit analysis would be articulated and reviewed through the Strategic Estimate process. Any guidance would have to be balanced to ensure that it was not overly prescriptive ... or, conversely, too generic ...”

“... The management of FP risk must be based on a thorough identification of strategic and operational threats to ensure that a balance of research, investment and training is achieved commensurate with the threat ...

“In deriving an assessment of cumulative risk, PJHQ should have a clear understanding of the totality of known risk in the forces declared to it. This should include all the equipment and other limitations which were accepted in the procurement of force elements; all the subsequent limitations evident in practice together with manpower, training or logistic support issues. If this risk capture process works efficiently, CJO will be able to form an accurate judgment of the risk to the protection of UK forces, which in turn would allow him to engage on palliative measures required early in the operational planning process.”

³⁹⁴ House of Commons, *Official Report*, 8 October 2007, column 24.

³⁹⁵ Report DOC, September 2007, ‘Protection of the Deployed Force Operational Audit Report 1/07’.

731. One of the points the Chiefs of Staff were asked to note was that, while the UK had “a first class capability to neutralise and mitigate the IED threat”, “significant continued investment” was necessary “to keep pace” with its rapid development. The review stated: “Physical protection levels against the more capable anti-armour IEDs are, however, probably approaching engineering and material limits.”

732. On protected mobility, the review stated:

“The commander needs a range of protected vehicles to provide different levels of protection and mobility depending on the specific operation. This includes the need to operate in urban areas where larger, tracked vehicles may not be able to enter.”

733. The review stated that, while the Snatch Land Rovers had been upgraded, they were “still very vulnerable to roadside bombs and RPG”.

734. The review stated that “the need for a replacement wheeled protected vehicle was previously identified and Vector ... PPV was procured with money being pulled forward from the programme that already sat within the EP. Vector delivers increased protection and greater capacity in comparison to Snatch and a total of 166 vehicles have been procured.” There were 34 vehicles in Afghanistan and 22 in the training fleet; the remaining 110 were due to be delivered by 31 October 2007.

735. The review also referred to Mastiff’s rapid procurement and said that early reports suggested it was “performing well”.

736. There was “still no clearly defined Theatre Entry Standard for minimum levels of protection and equipment that must be fitted to all vehicles” and that “an overall assessment of the protection levels” would be “appropriate”.

737. The Chiefs of Staff endorsed the recommendations on 26 September, including the need to understand and articulate the level of risk that was acceptable on any operation.³⁹⁶

738. As a result of the DOC audit, the MOD produced a force protection policy in November 2007.³⁹⁷ It stated:

“The central tenet of this Force Protection (FP) policy is that the application of FP measures to achieve a tolerable level of risk ... enables, rather than constrains, our freedom of manoeuvre.”

739. In the policy document, the MOD mandated “the employment of a standard risk methodology across all activities to ensure a common approach to the implementation of FP [Force Protection] measures”. Oversight across the department would be achieved through an FP Co-ordinating Committee (FPCC) chaired by Air Commodore Brian Bates,

³⁹⁶ Minutes, 26 September 2007, Chiefs of Staff meeting.

³⁹⁷ Paper MOD, November 2007, ‘Policy for the Protection of UK Forces’.

Director Directorate of Joint Capability. The committee, with the DECs, would ensure that FP development was “coherent across the DLODs [Defence Lines of Developments] and prioritised in accordance with current and future vulnerabilities”.

740. The risk management process was laid out as:

- “**Identify.** The key to efficient risk management is the identification of adversary, natural and human threats to the Force, which, if not tempered, would otherwise impact upon mission success. That includes the anticipation of increasing and emergent threats, particularly where it may take time to develop countermeasures.”
- “**Assess**” – assessing the probability and impact of the identified threats on mission success.
- “**Address.** Resource constraints inevitably mean that Defence cannot protect against all threats at all times in all circumstances.” That meant that investment in capabilities had to be prioritised. It added: “Where a lack of resources or mitigation activity could impact adversely on mission success, commanders must communicate, through the chain of command, the need to review the risk level.”
- “**Review.** Staff and commanders must manage risk proactively by monitoring the risk profile, assessing the effectiveness of risk mitigation measures and reporting upwards FP shortfalls or unavoidable risk issues.”

741. Although the policy did not refer specifically to Theatre Entry Standards for minimum levels of protection, it did identify the leads for a comprehensive range of force protection elements, and what their considerations should be.

742. The policy lead for platform protection was the Directorate of Joint Capability but responsibility for its capabilities was spread across the relevant DECs and was co-ordinated on behalf of DCDS(EC) through the Joint Capabilities Board. It said:

“Procurement staffs must balance key user requirements and forecast operational exigencies against current and future threats to deliver the appropriate degree of platform protection ... Operational staffs must risk manage the employment of platforms according to the threat and the level of tolerable risk.”

743. The policy said that the Joint Commander³⁹⁸ owned the operational risk for forces under his command. The CDS was responsible for articulating the risk for specific operations and the Defence Secretary owned the risk inherent in the activities of the Armed Forces on behalf of the Government.

744. The MOD told the Inquiry that the latest iteration of the force protection policy, dated 21 May 2015, “defines risk ownership and governance more clearly than

³⁹⁸ Confirmed by the MOD as CJO for Operation TELIC; Letter Duke-Evans to Aldred, 26 June 2015, ‘Procuring Military Equipment’.

its predecessors”.³⁹⁹ The MOD said this had been integrated into wider MOD risk management processes which had also been revised.

745. The MOD said that the Operational Commander (which for Iraq was the CJO), is accountable to CDS for understanding, quantifying and reducing risk to the force and mission respectively. This risk response may require changes to activities or capabilities.

THE REQUIREMENT FOR AN “URBAN” PPV

746. Fatalities in Afghanistan meant the continued use of Snatch Land Rovers remained the subject of media and political debate.

747. Baroness Taylor of Bolton became the Minister of State for Defence Equipment and Support in November 2007.

748. On 22 April 2008, a junior officer from DCRS advised Mr Browne that the requirement for light PPVs was likely to continue in Afghanistan, albeit at a reduced level, and with the introduction of more heavy and medium PPV variants.⁴⁰⁰ The advice had been prompted by a series of fatalities on Op HERRICK where personnel had been travelling in General Service Land Rovers; vehicles that offered less protection than Snatch Land Rovers.

749. While operations in Iraq were not addressed in the note, the junior officer did cover broader protected mobility issues and “the constant need to balance protection against mobility”: “A range of vehicles, with different protection and mobility capabilities is required.” The choice of vehicles available to commanders had been increased significantly, and the delivery of more Mastiff, combined with the introduction of Ridgback, would “harden” the Op HERRICK force considerably.

750. A summary of the UK’s current and planned PPV range was provided in an annex, where the Mastiff was described as a “heavy” PPV as opposed to the “medium” Ridgback, and “light” Vector and Snatch vehicles. It stated that the Force Protection Inc’s Cougar vehicle, the 4x4 variant, had been selected as the model for the Ridgback in December 2007. Its expected interim operating capability date was October 2008.

751. On Baroness Taylor’s copy of the minute, her Assistant Private Secretary had written: “This useful note ... has been triggered by Matt Cavanagh [Special Adviser to Mr Brown] who wants to see zero use/casualties of Snatch ...”⁴⁰¹

752. In April 2008, the UK began to deploy Military Training Teams (MiTTs) alongside the Iraqi Security Forces (ISF). The roles of those teams and the rationale behind them are explained in Section 12.1.

³⁹⁹ Letter Duke-Evans to Aldred, 26 June 2015, ‘Procuring Military Equipment’.

⁴⁰⁰ Minute EC DCRS [junior officer] to PS/SofS [MOD], 22 April 2008, ‘The Use of Light Vehicles on Operations’.

⁴⁰¹ Manuscript comment MOD [junior officer] on Minute EC DCRS [junior officer] to PS/SofS [MOD], 22 April 2008, ‘The Use of Light Vehicles on Operations’.

753. In his weekly report on 17 April, Major General Barney White-Spunner, GOC MND(SE) from February 2008 to August 2008, wrote that one of the lessons learned about “MiTTing” was that the MiTT teams “must have the same mobility as their Iraqi partners”.⁴⁰² Maj Gen White-Spunner said that AFVs were perceived as “too aggressive (by both the Iraqi leadership and by Basrawis)” and whilst the Mastiff had a reduced profile, it was “still too large” to manoeuvre around “a complex urban environment”. He described it as “an elephant compared to the Humvees of the US and Iraqis”.

754. Maj Gen White-Spunner wrote that “the mobility challenges presented by Mastiff” also increased the risk of it being “vulnerable to attack”. He concluded: “There is an urgent requirement to consider if there are protected mobility vehicles that might best suit this task, although we are now clear that the solution is not Humvees.”

755. On 20 April, the EC Branch in MND(SE) submitted a USUR for an “urban” PPV that provided better manoeuvrability around Basra City than what was possible with the existing, larger PPVs.⁴⁰³

756. The USUR stated that both Warrior and Bulldog were considered to be unsuitable because tracked vehicles were unable to operate in urban areas. There was a concern that Bulldog would “be considered as a tank” and affect the local perception about the nature of the tasks being undertaken.

757. The USUR described Mastiff as being used “through necessity, not choice” because of restrictions on Warrior and Snatch. Mastiff’s size, kerb weight and manoeuvrability made it unsafe in urban areas. Snatch was assessed as providing insufficient force protection.

758. On Snatch the USUR said:

“There would be political concern associated with the use of SN2A [Snatch 2A] in the city. SN2A was withdrawn from use in the city in 2006 due to the high rate of fatalities when vehicles were attacked. The equipment is not suitable for the task in its current form and is not considered further.”

759. The EC Branch identified the Cougar Ridgback as its preferred solution; US MiTTs were using the US version of the Ridgback, the Cougar 4x4, and “generally” did not have any problems accessing Iraqi Army units within the city. It also had good levels of protection and some commonality with the Mastiff.

760. In reviewing the potential vehicle solutions, the EC Branch said that the Australian Bushmaster had good protection and mobility comparable with the Ridgback but required “another Foreign Sales agreement”, had no commonality with the Mastiff and the Australian fleet was being withdrawn in June 2008.

⁴⁰² Minute White-Spunner to CJO, 17 April 2008, ‘GOC MND(SE) Weekly Letter – 17 April 2008’.

⁴⁰³ Minute ECB MND(SE), 20 April 2008, ‘Op TELIC – Urgent Statement of User Requirement for a Urban Protected Patrol Vehicle (UPPV)’.

761. On 29 April, Lieutenant General Peter Wall, DCDS(C), briefed the Chiefs of Staff that the protected mobility options for the MiTTs in Basra “had been investigated and Bulldog had been determined as the most applicable solution”.⁴⁰⁴

762. The minutes do not record that that was said to be the best option in the interim, but the documents that follow suggest that Bulldog was only ever intended to be a short-term solution until Ridgback came into service at the end of 2008.

763. In his weekly report, on 2 May 2008, Maj Gen White-Spunner stated:

“The provision of suitable vehicles for the remaining MiTTs is going to be a tricky one and we are grateful for all the hard work being done in the UK to find a solution. We have accepted ... that we will have to manage with Mastiff and Bulldog in the short term, and at least until Ridgback becomes available later in the year. This is not ideal, as you know; Mastiff, as well as being in short supply, are having considerable difficulty keeping pace with IA [Iraqi Army] Humvees through narrow obstructed streets and Bulldog, being tracked, will be unpopular with both the Iraqi chain of command and ... with the Baswaris.

“I understand that Ridgback simply cannot be delivered in the required timeframe even if diverted from their original target in Afghanistan, and my point is simply to emphasise the urgency of procuring them as fast as possible. In the meantime, we can make up some of our Mastiff shortfall for MiTTs if we are prepared to replace some of those Mastiff on less vulnerable tasks (such as in Umm Qasr) with Vector, which we understand are readily available in the UK.”⁴⁰⁵

764. Ministers continued to take a close interest in the provision of protected mobility for deployed forces.

765. On 6 May, the Chiefs of Staff were told that Vector would be used from the UK training fleet to backfill vehicles used in lower threat areas to release Mastiff for use by the MiTTs.⁴⁰⁶ Options for the use of Ridgback in the longer term were being investigated.

766. On 22 May, a junior official advised Mr Browne that:

- The UK’s PPV requirement for “comprehensive MiTTing” was 60 vehicles. Mastiff was “the most appropriate vehicle” to fulfil the task, of which MND(SE) had 51 employed across a range of tasks and 43 could be re-allocated to MiTTing.
- The Chiefs of Staff had endorsed military advice that, in order to make the 43 vehicles available, Mastiff vehicles operating elsewhere in Iraq would be replaced with Vector, “at manageable risk to personnel on those tasks”.

⁴⁰⁴ Minutes, 29 April 2008, Chiefs of Staff meeting.

⁴⁰⁵ Minute White-Spunner to CJO, 2 May 2008, ‘GOC MND(SE) Weekly Letter – 1 May 2008’.

⁴⁰⁶ Minutes, 6 May 2008, Chiefs of Staff meeting.

- The shortfall of 17 vehicles would be met by Bulldog in the short term “to provide the best protection available”, although this could “have a negative effect on Baswaris and ISF consent”.⁴⁰⁷

767. The junior official’s advice recognised that re-allocating Mastiff vehicles to MiTTing would “inevitably incur greater risk elsewhere” but that PJHQ and GOC MND(SE) considered that “to be acceptable”. The use of Vector vehicles would be restricted to lower threat areas where the risk was “manageable” and would be subject to “a continuous MND(SE) intelligence-based threat assessment” based on Maj Gen White-Spunner’s recommendation.

768. The advice recognised that the decision to deploy Vector would reduce the number of vehicles in Afghanistan’s regeneration pool but that was seen as “manageable in the short term”.⁴⁰⁸ If the consent for using Bulldog vehicles in the MiTT role deteriorated “to an unacceptable level”, Mastiff vehicles planned for Afghanistan could be diverted to Iraq, albeit creating a delay of one to two months for Mastiff vehicles to reach Afghanistan. The impact of using Bulldog vehicles in a MiTT role would be assessed at the end of July.

769. Mr Browne was advised that industry could not produce “an adequately protected vehicle” in less than six to nine months. Ridgback vehicles were being procured for Afghanistan but the earliest those could be deployed was “early 2009” and the provisional timeline for completing MiTTing in Iraq was May 2009 (see Section 12.1). DCRS had advised that the Treasury was “most unlikely to fund a new vehicle or modifications to existing vehicles” given the timelines.

770. On presentation, the junior official warned that as Vector was “originally procured to meet a lesser threat” in Afghanistan, it had “considerably lower levels of ballistic protection than either Mastiff or Bulldog”. That potentially meant that “accusations could be levelled” that Vector was “providing unacceptably low levels of protection to UK forces”. A handling plan was being developed to address that.

771. On the same day, Mr Browne’s Private Secretary replied to an MOD official, stating that Mr Browne had discussed the note with HQ MND(SE) and was “not clear” that Maj Gen White-Spunner’s intent on the use of Vector was “indeed as set out”.⁴⁰⁹

⁴⁰⁷ Note DJC [junior official] to APS/SofS [MOD], 22 May 2008, ‘Iraq: MND(SE) Military Transition Team Concept – Provision of Protected Mobility’.

⁴⁰⁸ Email DJC-Sec-7 to SofS-PS, 22 May 2008, ‘FW: 20080521 – TELIC – MiTT PM plan MinSub v1 2 – SUKEO’. This email clarified that the number of Vector vehicles being damaged and destroyed in Op HERRICK had reduced and would continue to reduce as new PPVs were rolled out to Afghanistan and the “reliance on Vector in the higher threat areas” lessened.

⁴⁰⁹ Email PS/SofS [MOD] to DJC-Sec7, 22 May 2008, ‘RE: 20080521 – TELIC – MiTT PM plan MinSub v1 2 – SUKEO’.

772. Mr Browne asked that PJHQ check that point with Maj Gen White-Spunner and that “a robust narrative” be developed “ASAP” to explain the discrepancy between the reason Vector was originally procured and its planned deployment in Iraq.

773. On 23 May, an MOD official submitted revised advice to Mr Browne, reducing the figure of Mastiff vehicles that should be re-allocated from 43 to 39 and stating that Maj Gen White-Spunner was content.⁴¹⁰

774. Mr Browne agreed the advice, but reiterated the necessity to generate a narrative which explained the use of Vector in southern Iraq.⁴¹¹

775. Lt Gen White-Spunner explained to the Inquiry that the difficulty of using Mastiff vehicles for a MiTT role was:

“... for MiTT to really work well, it wants to always be slightly unobtrusive ... and we had large protective vehicles because of the dangers we had been facing ...”⁴¹²

776. Lt Gen White-Spunner commented that a vehicle which balanced protection needs with the desired military profile was not possible: “Industry just can’t do this, they are not in the showroom.” He added:

“So we had to use the Mastiff vehicles, which ... is an excellent vehicle ... it is just slightly large for going down the more delicate bits of the Hanaya.”

777. On 17 June, Corporal Sarah Bryant, Corporal Sean Reeve, Lance Corporal Richard Larkin and Paul Stout were killed by an IED while patrolling in Lashkar Gar in Afghanistan.⁴¹³ Their deaths prompted further questions in the media and in Parliament about Snatch vehicles.

778. During a House of Commons debate about defence procurement on 19 June, Mr Patrick Mercer asked Mr Bob Ainsworth, Minister of State for the Armed Forces from June 2007 to May 2009, when Snatch vehicles would be taken out of service.⁴¹⁴

779. Mr Ainsworth referred to the introduction of Ridgback but added:

“Whether we will be able to take away these small platforms without taking away a whole area of capability will need to be thought about very seriously. Snatch has suffered some considerable setbacks; we have lost lives in Snatch Land Rovers. However, I am being told by commanders on the ground that they still need Land

⁴¹⁰ Email SofS-APS1 [MOD] to SofS-Private Office [MOD], 23 May 2008, ‘FW: 20080521 – TELIC – MiTT PM plan MinSub v1 2 – SUKEO (13)’ attaching Note DJC [junior official] to APS/SofS [MOD], 22 May 2008, ‘Iraq: MND(SE) Military Transition Team Concept – Provision of Protected Mobility’.

⁴¹¹ Minute APS/SofS [MOD] to DJC SEC 7, 27 May 2008, ‘Iraq: MND(SE) Military Transition Team Concept – Provision of Protected Mobility’.

⁴¹² Public hearing, 7 January 2010, pages 47-48.

⁴¹³ GOV.UK, 19 June 2008, *Corporal Sarah Bryant, Corporal Sean Reeve, Lance Corporal Richard Larkin and Paul Stout killed in Afghanistan*.

⁴¹⁴ House of Commons, *Official Report*, 19 June 2008, columns 1125-1128.

Rover-based platforms ... and will do for the foreseeable future. Ridgback will not entirely do that job, because it will not be able to get into the narrow, compounded urban areas in Helmand province, however much we would like it to.”

780. Mr Ainsworth said that he was “aware of some of the opinions about Snatch” but that he had received military advice that Snatch vehicles were still necessary. Mr Ainsworth was also challenged by Mr Mike Penning, who argued that commanders could only use what vehicles they have available.

781. Mr Ainsworth said that commanders were provided “with a range of vehicles” that allowed them “to select the platform most suited to the immediate task in hand”. Protected mobility requirements were kept “under review” and that was why Mr Brown had announced the procurement of Ridgback.

782. On 25 June, Mr Browne called a meeting with senior military figures and Baroness Taylor “at short notice” to “discuss future plans for the protected vehicle fleet, particularly in Afghanistan”.⁴¹⁵

783. While the meeting had “in part been prompted” by the recent Snatch fatalities, Mr Browne “recognised that the issue ran wider” and there were vulnerabilities associated with other patrol vehicles such as Vector that “were stories waiting to happen”.

784. Mr Browne had:

“... made clear his intent: namely, to deliver as quickly as possible a balanced and sustainable protected vehicle capability in Afghanistan, with all patrol vehicles ... mine-protected, commensurate with their weight. This might infer [sic] the removal from theatre of Snatch, Vector, Pinzgauer and GS Land Rover.”

785. Air Chief Marshal Sir Jock Stirrup, who had become Chief of the Defence Staff in April 2006, said that they “needed to start” by understanding the operational requirement for lighter vehicles in Afghanistan and Iraq, and what the impact would be if PPVs with a lower weight and protection level than Ridgback were no longer used.

786. Sir Jock said that if a light PPV was “mission critical, whether to secure access, increase flexibility or avoid the corrosion of popular consent, then the second question was whether Snatch was the best vehicle available on the market to fulfil any of that requirement”. If it was, then they “could collectively stand behind its continued use; if not, it should be replaced”.

787. It was agreed at the meeting that “all vehicles had their vulnerabilities” but:

“ ... if we were able to demonstrate that we had replaced, or had clear plans to replace, all sub-optimal vehicles, then that would allow us to build a convincing

⁴¹⁵ Minute PS/SofS [MOD] to APS/Min(DES), 25 June 2008, ‘Protected Vehicles’.

narrative around our intent, which should also give confidence to deployed service men and women that vehicle vulnerabilities are being addressed.”

788. A discussion followed about the options for replacing the current fleet of light armoured and unarmoured vehicles “in full” and it was agreed that those should be pursued. The deployment of Ridgback into theatre was “Ministers’ first priority”.

789. Mr Browne “emphasised the need for a clear and coherent public narrative” about what had been achieved and what was being done “to enhance the robustness” of the PPV fleet. He asked for a Written Ministerial Statement to be produced before Parliament rose for the recess on 22 July.

790. A Written Ministerial Statement on protected mobility was not made until 29 October 2008.⁴¹⁶

791. Mr John Hutton, who had succeeded Mr Browne as Defence Secretary earlier in October, stated:

“We have already achieved a great deal in improving the protected mobility options available to commanders on operations. Mastiff is unquestionably a success story. For its role, Mastiff is delivering the very highest levels of protection available anywhere in the world. Where it can be used, and its size and weight mean it has its limitations, it is clearly the vehicle of choice. That is why the Prime Minister announced a further order of these vehicles last year ...

“It is not only through Mastiff that we are delivering a world class protected vehicle capability; we are also delivering Ridgback. Using the smaller Cougar 4x4 chassis, and innovative, cutting-edge UK armour technologies, we will be able to deliver protection levels close to that of Mastiff in a package that is able to better access urban areas, increasing the survivability of troops in these roles ...”

792. On Snatch Land Rovers, Mr Hutton said:

“Inevitably, any statement on protected mobility must address the role of the Snatch Land Rover, a vehicle which has received considerable criticism. First, to be absolutely clear, I can inform the House that – in addition to the regular reviews that are conducted into protected mobility – senior operational commanders were asked to specifically consider the requirement for the Snatch Land Rover and its importance to operations. The response was clear: commanders need a vehicle of the size, weight and profile of Snatch Land Rover, capable of transporting men, to fulfil their tasks in theatre. Further, the availability of such a vehicle is considered mission critical ...”

793. Mr Hutton said that that did not mean there was “no action” to be taken on Snatch. There was a programme in place to learn lessons from the development of Mastiff and

⁴¹⁶ House of Commons, *Official Report*, columns 28WS-30WS.

Ridgback and the Snatch vehicle would continue to be modified, although, as with any vehicle, it could never be made “invulnerable”.

794. The latest variant, the Snatch Vixen,⁴¹⁷ had been especially configured for Afghanistan, and the MOD had “already fielded a small number of these vehicles”.

795. On 7 November, Lt Gen Houghton advised Sir Jock Stirrup on “an urgent review of the impact of limiting the use of all variants of Snatch Land Rover”.⁴¹⁸ The advice suggested that Lt Gen Houghton had issued separate, earlier advice in July to Sir Jock following the meeting with Mr Browne on 25 June and the 7 November advice was because he had been asked again to consider the impact of limiting the use of all variants of Snatch in Iraq and Afghanistan.

796. Lt Gen Houghton wrote that the justification for retaining Snatch had not changed since his previous advice in July; Snatch vehicles remained “mission critical” in both theatres due to their profile, manoeuvrability and carrying capacity.

797. Lt Gen Houghton said that limiting the use of Snatch outside secure bases in Iraq would have a “significant impact” on operations by reducing patrols’ situational awareness and restricting movements.

798. The “interim solution” of Snatch Vixen in Afghanistan had “started to deliver”. DEC(GM) was “working towards a final solution” but there was no light PPV “on the market that could be delivered within a year”. The Ridgback and Mastiff programmes for Afghanistan had been delayed and were not now likely to be delivered until the beginning of 2009.

799. Lt Gen Houghton added:

“Given the wider political and media sensitivity, however, we should maintain our intent to deliver the planned SN2A [Snatch 2A variant currently in use] replacement as quickly as possible, increase the numbers of PM [Protected Mobility] vehicles in UORs and conduct rapid work on operational solutions to remove SN2A from outside secure bases as quickly as possible. SN3-Vixen would appear to be the fastest way of achieving this.”

800. Major General Andrew Salmon, GOC MND(SE) from August 2008 to March 2009, told the Inquiry that, when he arrived in Iraq, “security was getting better”.⁴¹⁹ The number of rocket attacks “was down to about four or five a month”, compared with over 200 a month before the Charge of the Knights (see Section 12.1). There were still IEDs set on roads but “the level of violence had much reduced”.

⁴¹⁷ Referred to in some MOD papers as Snatch 3-Vixen.

⁴¹⁸ Note CJO to PSO/CDS, 7 November 2008, ‘Limiting the Deployment of Snatch Outside Secure Bases’.

⁴¹⁹ Public hearing, 20 July 2010, page 6.

801. Maj Gen Salmon wrote in his post-tour report:

“The determination of the most appropriate mobility platform for any environment requires a delicate balance between speed, manoeuvrability, firepower and protection. Presentational constraints over the employment of Snatch were well understood and acknowledged. Nonetheless, while offering good protection, Mastiff generated other risks: heightened profile; regular collateral damage (with associated cost to local approval) while manoeuvring in tight confines; and an inability to keep up with ISF HMMVs [Iraqi Security Forces’ Humvees] in the City. This was set in the context of CG MNF-I’s (Gen Petraeus) determination that troops should ‘get out and walk’ – in order to influence the population directly. The solution was found in a command decision to strip MiTTs down to the bare minimum and travel with Iraqi counterparts in ISF in Iraqi vehicles. The ability to mentor improved immediately and markedly and the level of protection afforded by ISF paintwork arguably exceeds that of CF protective technology. It worked well.”⁴²⁰

802. Maj Gen Salmon said that that was a “defining decision” for building relationships but that “the UK political sensitivities over any trade off between protection and manoeuvre should not be underestimated”. He added: “Strategic risk aversion over casualties was a real planning consideration that routinely shaped tactical operations.”

FRES AS A DISTINCT REQUIREMENT

803. On 23 July, a note about FRES highlighted the capability gap that would remain until FRES was delivered:

“PPVs do have some utility ... but not in areas where they are likely to have to operate within the range of enemy medium or heavy forces. PPVs do not meet the protection, capacity, or tactical mobility requirements of FRES as a whole, although it is possible that they could meet part of the requirement in the FRES BCU [Basic Capability Utility] family ...”⁴²¹

804. The note added:

“Current operations show that we need to use a combination of armoured vehicles ... and PPVs ... to operate in different roles, in different areas, to meet different circumstances. However, PPVs are particularly important at the moment because, in many cases, we have to use them where we would use FRES if it were available. Therefore if FRES was in service now we would need to deploy fewer PPVs.”

805. In its review of defence equipment for 2008, the House of Commons Defence Committee outlined a number of concerns about the ongoing delays to the FRES

⁴²⁰ Report Salmon, 15 May 2009, ‘COMUKAMPHIBFOR Op TELIC 12/13 (HQ MND(SE)) Post Operational Report (POR)’.

⁴²¹ Minute DCI(A), 23 July 2007, ‘The Future Rapid Effect System (FRES) – Information Note’.

programme.⁴²² It asked the Government to set out how the acquisition of Mastiff vehicles for Iraq and Afghanistan had impacted on the FRES requirement.

806. In response, the MOD stated that there was “no impact on the FRES programme resulting from the procurement of Mastiff”.⁴²³ The department had “a coherent two track approach” to AFVs which made “a clear distinction between the urgent, short term need for Protected Patrol Vehicles, such as Mastiff, designed for peace support operations” and AFVs needed to “provide an effective FRES capability across the full spectrum of future operations”. The MOD stated that Vector and Mastiff were designed to address the risks faced by service personnel in the short term; FRES was always seen as a longer-term requirement.

807. Sir Peter Spencer told the Inquiry that there had been a difficulty in specifying a requirement for PPVs as the threat developed; and that “one of the major problems the Army had had for over a decade was deciding what it wanted its new fleet of armoured fighting vehicles to be”.⁴²⁴

808. When asked about the procurement strategy for PPVs, Sir Peter referred to the FRES programme: “... a hugely ambitious programme which was never going to be delivered in this decade ... There were very difficult requirements stated for mobility and protection and weight.”⁴²⁵

809. The Inquiry asked Sir Peter whether the issues with FRES had made it harder to deal with PPVs. He replied:

“... the difficulty became in the amounts of money which were available and if you were going to use money from the capital equipment programme to deal with the short term ... then that had a fratricidal effect on your ability to move the FRES programme forward.”⁴²⁶

810. Lt Gen Fulton told the Inquiry that FRES and the replacement for Snatch were “two completely different questions”.⁴²⁷ He said that “to put something in” to the Defence programme, “something ha[d] to come out”; the resources had to be balanced out. Lt Gen Fulton did not think that created a reluctance to give a Snatch replacement a high priority.

⁴²² Tenth Report of the House of Commons Defence Committee, Session 2007-08, Defence Equipment 2008, HC 295.

⁴²³ Seventh Special Report from the House of Commons Defence Committee, Session 2007-08, *Defence Equipment 2008: Government response to the Committee’s Tenth Report of Session 2007-08*, HC 555.

⁴²⁴ Public hearing, 26 July 2010, pages 28-29.

⁴²⁵ Public hearing, 26 July 2010, page 41.

⁴²⁶ Public hearing, 26 July 2010, pages 49-50.

⁴²⁷ Public hearing, 27 July 2010, pages 70-72.

811. Lt Gen Figgures told the Inquiry that “FRES had been used as a regulator for the defence programme. Money had actually been taken out of the FRES programme in order to attempt to balance the programme.”⁴²⁸

812. Mr Hutton told the Inquiry that, if it had gone ahead on the original timescale, some of the equipment from FRES would have been available for deployment in Iraq.⁴²⁹

813. In Mr Hutton’s view, the problem had been:

“We couldn’t settle on the specification. We changed our mind about certain aspects of how we wanted to go ahead with the procurement. We started, we stopped.”

814. ACM Stirrup told the Inquiry that the FRES programme was “overcomplicated and overcomplex”.⁴³⁰ He said that the “critical battleground” was the need to “interact with the population”. That required “smaller and lighter vehicles”; “commanders need a wide range of vehicles”. FRES “would not have solved the problems that we had been facing in Iraq and Afghanistan, with, perhaps, one exception, which is the Scout variant ... our top priority at the moment ... to replace the CVR(T)”.

815. Gen Jackson told the Inquiry:

“As the situation deteriorated in southern Iraq of course the vulnerabilities of the Snatch Land Rover became tragically more and more apparent, and we then enter a difficult and muddled story as to the replacement, or the addition of better protected vehicles into the deployed army’s inventory, and the whole FRES story comes into this as well.

“... there is a limit to the amount of metal you can stick on a vehicle ... and the ability of the opposition to up the kinetic energy that can be applied can go rather faster than our ability to withstand that. So the amount of metal on a vehicle is important but it is not the complete answer, and you would finish up with a vehicle which is far too large often to go down small streets in an urban area. So again the picture is not black and white, and there is not some sort of fence you can jump over and all of a sudden you have a vehicle which is immune to whatever your opponents may try to do.”⁴³¹

816. Gen Dannatt suggested to the Inquiry that FRES had been delayed by the MOD so that funding originally allocated in the Equipment Programme for the FRES in 2007-2009 could be used for other priorities.⁴³²

⁴²⁸ Public hearing, 27 July 2010, page 73.

⁴²⁹ Public hearing, 25 January 2010, pages 24-25.

⁴³⁰ Public hearing, 1 February 2010, pages 68-71.

⁴³¹ Public hearing, 28 July 2010, pages 75-76.

⁴³² Public hearing, 28 July 2010, pages 58-62.

817. Gen Dannatt referred the Inquiry to the ECAB meeting in January 2006⁴³³ where the Board was informed that there would be further delays to the FRES programme:

“What we decided to do was to persuade Lord Drayson, then the Defence Procurement Minister, that we had a major problem, and it was decided to lay on equipment demonstration on Salisbury Plain and get him to come and see it on the basis seeing is believing, and then come to Headquarters Land and discuss the issues. As Commander in Chief I was given the task to put that together.

“We took one of everything that we had and Lord Drayson saw what we had and saw what we didn’t have and quite clearly what we didn’t have was anything in that medium bracket ... on the one hand we had these good heavy equipments, on the other hand some good light equipments. In the middle we had nothing.

“In the car on the way back from Salisbury Plain to Headquarters Land he said to me, ‘I didn’t know the army had a problem. Since I have become Minister of Defence Procurement I have been focusing on jets and on aircraft carriers. I didn’t realise the army had a problem’. To his great credit he then realised we had a problem and began to put some leadership and energy into it.”⁴³⁴

818. Mr Brown told the Inquiry that FRES was the programme “that was interesting the military the most”, but his understanding was that “even if it had been carried out in full”, it would “not have given us the right vehicles ... for Iraq”.⁴³⁵

819. The Inquiry asked Lord Drayson about the concerns about FRES expressed by Generals Jackson and Dannatt, and the relationship between progress on FRES and concerns about Snatch.⁴³⁶ Lord Drayson replied:

“The FRES project had become delayed, partly because the experience on operations ... led to repeated changes to the specification, and partly because the user requirement had become much too complicated ...

“The project to improve/replace Snatch was always separate ... The Generals stressed the urgent need to replace the ageing fleet of Army Fighting Vehicles as a whole when voicing their concerns over delays to FRES ... Snatch was a Protected Patrol Vehicle rather than an AFV ... In terms of augmenting Protected Patrol Vehicles such as Snatch the focus in early 2006 for the Army was ... Vector which in March 2006 I was told was General Dannatt’s highest priority ...

“Progress on FRES and concerns about Snatch should not have been connected in theory ... In reality however, I believe the Army’s difficulty in deciding upon a

⁴³³ Gen Dannatt’s evidence during his public hearing was that this meeting was in 2005. Based on the papers provided, the Inquiry has concluded this must have been an error in his recollection.

⁴³⁴ Public hearing, 28 July 2010, pages 64-68.

⁴³⁵ Public hearing, 5 March 2010, page 117.

⁴³⁶ Statement, 15 December 2010, pages 3-4.

replacement to Snatch was in part caused by their concern over the likelihood of FRES budgets being cut to fund a Snatch replacement vehicle.

“The impression I gained was the delivery of FRES by 2012 was a higher priority for the Army than finding funding for Snatch from the core equipment budget. I was concerned that the Army were focusing on the Vector ... for Afghanistan and upgrading the FV430 (Bulldog) and that no requirement had been identified for a new medium weight protected patrol vehicle.

“The push to replace Snatch or to procure a new medium weight PPV so that commanders would not have to use Snatch came from Ministers, not the military ...”

820. General Sir Michael Walker, CDS from 2003 to 2006, told the Inquiry that there was no difficulty in securing funding for Iraq UORs but that the spending round in 2004 threatened longer-term “big ticket items”.⁴³⁷ He said that there was “a list of stuff” where decisions had to be made but he could not recall what was included.

821. Gen Walker told the Inquiry that the procurement process for the FRES programme had been “horrid” and a “sorry saga of debates and delays; delays because of the lack of money”:

“... it was not as advanced as many other projects, it seemed to me to get delayed and delayed and delayed, time after time, because the funding, and ... if we had gone with it originally, we might well have saved ourselves quite a lot of pain and agony and death by having a vehicle that we could have used in the appropriate circumstances in places like Afghanistan.”⁴³⁸

822. Lord Drayson was explicit that the decision to fund the Mastiff programme as a UOR had been an important factor in reaching agreement on the requirement for a medium weight PPV:

“There was concern that the FRES programme would be delayed or lose resources as a result of buying a new vehicle. Ministers ensured that the funding ... came from a new UOR funded separately by the Treasury thus ensuring that the purchase ... had no detrimental impact on the FRES project.”⁴³⁹

823. Lord Drayson wrote that there was resistance from within the MOD to reprioritisation of the core Equipment Programme to support current operations:

“... because the Services were concerned that their long term programmes would be cannibalised and lose funding to short term operational needs ... it was quite unusual for core equipment funding to be redirected to operational needs. This only happened when the military had a strong desire for it – for example with Vector ...”

⁴³⁷ Public hearing, 1 February 2010, pages 42-43.

⁴³⁸ Public hearing, 1 February 2010, pages 48-49.

⁴³⁹ Statement, 15 December 2010, pages 6-7.

CALL FOR A PUBLIC INQUIRY INTO THE USE OF SNATCH

824. On 7 November 2008, Hodge Jones & Allen solicitors wrote to Mr Hutton on behalf of Ms Susan Smith, requesting a public inquiry into the use of Snatch Land Rovers in the Iraq and Afghanistan conflicts.⁴⁴⁰ Ms Smith's son, Private Phillip Hewett, was killed on 16 July 2005 in an IED attack in al-Amara whilst travelling in a Snatch Land Rover.

825. Treasury Solicitors replied on 15 December, enclosing a letter from Mr Hutton to Ms Smith.⁴⁴¹ Mr Hutton's letter said that, "after thinking very carefully about what has been said on this issue ... a public inquiry would not be the right way to proceed". He would be issuing a Written Ministerial Statement the following day but had wanted to write to Ms Smith personally.

826. Mr Hutton explained that the reasons for not holding a public inquiry into the use of Snatch were:

- The clear advice from military commanders, unanimously endorsed by the Chiefs of Staff, was that Snatch vehicles were "essential to the success of operations in both Iraq and Afghanistan".
- Heavier vehicles such as Warrior or Mastiff could not replace Snatch because they could not "be used for all purposes" and were "simply unable to access" the necessary places to deliver the UK's objectives.
- Better armoured vehicles, which tended to be larger and heavier, were "viewed by the local population as aggressive and intimidating". That made it more difficult for the military to engage with local people and win their confidence. The larger vehicles also could cause "serious damage" to local infrastructure such as roads, buildings and drainage systems. Those factors could "inflare local opinion against UK troops" and increase the threat level overall.

827. Mr Hutton said that that meant "a critical requirement" for a light PPV such as Snatch remained. He referred to the "number of technical enhancements" to Snatch since its first deployment to Iraq in 2003. He stated that the introduction of its new variant, the Snatch Vixen, along with the procurement of additional Mastiff vehicles, would enable the UK "to continue reducing the scope of the Snatch 2A vehicle's role until it is used only within [UK] camps".

828. In his Written Ministerial Statement on 16 December, Mr Hutton referred to the "widespread public concern over the thirty-seven deaths of British servicemen and women in Iraq and Afghanistan as a result of injuries sustained while using Snatch Land Rovers".⁴⁴²

⁴⁴⁰ Letter Cockburn [Hodge Jones & Allen] to Hutton, 7 November 2008, 'Snatch Land Rovers'.

⁴⁴¹ Letter Kennedy [Treasury Solicitors] to Cockburn [Hodge Jones & Allen], 15 December 2008, 'Snatch Land Rovers' enclosing Letter Hutton to Smith, 15 December 2008, [untitled].

⁴⁴² House of Commons, *Official Report*, 16 December 2008, columns 103WS – 104WS.

829. Mr Hutton repeated the reasons he had provided to Ms Smith as to why he had decided not to hold a public inquiry into the matter. He said it was “also important to be clear” that it could not be assumed that the 37 servicemen and women would have survived if they had been in more heavily armoured vehicles. Any vehicle could be overmatched and armour was only one part of the tactics, techniques and procedures that were used to protect troops.

830. On 10 July 2009, Ms Smith won a right to a judicial review, on limited grounds, of the Government’s decision not to hold a Snatch Inquiry.⁴⁴³

831. A letter from the Treasury Solicitors to Ms Smith’s solicitors on 15 September stated that that had prompted a “fresh decision” by Mr Bob Ainsworth, who became the Defence Secretary in June 2009. He had again considered the question of whether an inquiry should be held and decided that an inquiry would be an inappropriate use of public resources given the extent to which the subject had already been examined.

Legal action taken by families over the use of Snatch Land Rovers

On 19 June 2013, the Supreme Court ruled that relatives of three soldiers killed in Iraq, and two others seriously injured, had a right to sue the Government for negligence and pursue damages under human rights legislation.⁴⁴⁴ In doing so, the Court rejected the MOD’s arguments that the principle of combat immunity applied; the MOD had a duty of care over soldiers regardless of whether they had left the British base in the line of duty.

The proceedings concerned three sets of claims, one of which was brought by Ms Smith (the mother of Private Phillip Hewett) and the relatives of Private Lee Ellis over the MOD’s alleged breach of Article 2, the Human Right to Life, in the preventative measures available to protect the lives of troops travelling in Snatch vehicles. Private Ellis’s relatives also brought a claim of negligence against the MOD.

The case against the Government for damages and negligence was still continuing at the time of the Iraq Inquiry’s publication.

The Iraq Inquiry has considered material provided by Hodge Jones & Allen solicitors and has taken account of that when putting questions to witnesses during the public hearings and when drafting its Report.

⁴⁴³ Letter Kennedy [Treasury Solicitors] to Cockburn [Hodge Jones & Allen], 15 September 2009, ‘Snatch Land Rovers, R (oao Susan Smith) v. Secretary of State for Defence’. Mr Justice Mitting in the High Court ruled that the right was limited in that the past use of Snatch could be investigated, but its present and future deployment was unimpeachable.

⁴⁴⁴ *Smith and Others (Appellants) v. The Ministry of Defence (Respondent); Ellis and another (FC) (Respondents) v. The Ministry of Defence (Appellant); Allbutt and Others (FC) (Respondents) v. The Ministry of Defence (Appellant)* [2013] UKSC 41.

SNATCH AFTER IRAQ

832. Ridgback entered service in June 2009 in Afghanistan. It was not deployed to Iraq.

833. On 6 March 2010, the BBC reported that Mr Brown visited troops in Afghanistan and said that 200 new patrol vehicles would arrive in late 2011 to replace the Snatch Land Rover.⁴⁴⁵

834. That new patrol vehicle was the Foxhound, which arrived in Afghanistan on 17 June 2012.⁴⁴⁶ The MOD's announcement about its arrival did not refer to the Snatch Land Rover, or any other PPVs.

835. The MOD told the Inquiry:

“The Foxhound is a Protected Patrol Vehicle. It underwent final testing in the Helmand desert before being deployed on operations. Foxhound was specifically designed and built in Britain to protect against the threats faced by troops in Afghanistan, but it is an agile and versatile vehicle which will be a mainstay in the Army for years to come. Being lighter and smaller than other protected vehicles, Foxhound brings a new capability to the Army and is ideal for soldiers operating in mentoring and partnering roles.”⁴⁴⁷

836. The Snatch 2 Land Rover remains in service with the British Army.⁴⁴⁸ The British Army's website states that it is “deployed for general patrolling in low threat areas” and is “being extensively replaced by Vector and Mastiff”.

The impact of Afghanistan on the equipment available in Iraq

837. In June 2004, the UK had made a public commitment to deploy HQ ARRC to Afghanistan in 2006, based on a recommendation from the Chiefs of Staff and Mr Hoon, and with Mr Straw's support. HQ ARRC was a NATO asset for which the UK was the lead nation and provided 60 percent of its staff. That decision is described in Section 9.2. By October, that decision had become an important factor in considering resources for Iraq.

838. In July 2005, the DOP agreed proposals for both the transfer of the four provinces in MND(SE) to Iraqi control and for the deployment of the UK Provincial Reconstruction Team then based in northern Afghanistan to Helmand province in the South, along with an infantry battlegroup and full helicopter support – around 2,500 personnel. That decision is described in Section 9.4.

839. On 26 January 2006, the UK announced that it would be deploying 3,300 troops to Helmand province.

⁴⁴⁵ *BBC News*, 6 March 2010, *Gordon Brown visits Afghan troops amid defence row*.

⁴⁴⁶ *GOV.UK*, 17 June 2012, *Foxhound arrives in Afghanistan*.

⁴⁴⁷ Letter Duke-Evans to Hammond, 2 February 2016, [untitled].

⁴⁴⁸ *British Army website*, [undated], *Equipment/Snatch 2 Land Rover*. Correct as of date of publication.

840. This Section describes the provision of ISTAR and support helicopters to Iraq leading up to, and after, the decision to deploy UK troops.

Existing capability gaps before 2006

ISTAR

841. Intelligence, Surveillance, Target Acquisition and Reconnaissance (ISTAR) is a key military capability that generates and delivers specific information and intelligence to decision-makers at all levels in support of the planning and conduct of operations.⁴⁴⁹

842. In 2008, the House of Commons Defence Committee defined three broad categories of ISTAR:

- **strategic** – including systems that provide early warning of ballistic missile threats to the UK and the Nimrod R1 system that provided Manned Airborne Surveillance (MAS);
- **operational** – systems that can operate from naval platforms or land and provide air and surface surveillance using a mix of sensors; and
- **tactical** – man-portable and vehicle-mounted systems that provide electronic surveillance for land forces.⁴⁵⁰

843. ISTAR is delivered through “two distinct but inter-related capability areas”:

- “**The collection side** – which aims to provide capabilities that can gather accurate and timely information across the environments and can detect, track and identify enemy, neutral and friendly entities within a defined area, day and night, and in all weathers.
- **The direction, processing and dissemination side** – which aims to provide capabilities that can direct collection effort and then process and disseminate derived information and intelligence to all levels in national and coalition operations.”

844. An Unmanned Aerial Vehicle (UAV) is an important means of collecting ISTAR information.

845. The *Strategic Defence Review* (SDR) in 1998 had emphasised the importance of ISTAR assets, “not only to maintain a qualitative edge in combat but to facilitate the often rapid decision-making needed in complex political circumstances”.⁴⁵¹

⁴⁴⁹ Thirteenth Report from the House of Commons Defence Committee, Session 2007-2008, *The contribution of Unmanned Aerial Vehicles to ISTAR capability*, HC 535, para 1.

⁴⁵⁰ Thirteenth Report from the House of Commons Defence Committee, Session 2007-2008, *The contribution of Unmanned Aerial Vehicles to ISTAR capability*, HC 535, paras 12-13.

⁴⁵¹ Ministry of Defence, *The Strategic Defence Review*, July 1998.

846. The SDR stated that a range of advanced systems were planned or already entering service, including the airborne ground surveillance radar, Astor, and a battlefield unmanned target acquisition vehicle, Phoenix.

847. *The Strategic Defence Review: A New Chapter* in 2002 reiterated that ISTAR was a key element of the MOD's network-centric capability.⁴⁵² It stated that the US had demonstrated in Afghanistan the effectiveness of such systems in providing persistent surveillance without putting aircrew lives at risk: "Our Watchkeeper project has the same purpose; and we intend to accelerate the programme."

848. The Watchkeeper programme was initiated to address the capability gap for a tactical UAV that could provide operational commanders with a persistent, all-weather ISTAR capability.

849. On 7 January 2004, Lt Gen Fulton told the House of Commons Defence Committee that Watchkeeper was "due in service in 2005-06".⁴⁵³

850. The Government's Response to the Committee's report on 8 June stated that the main investment decision was "due later in 2004", at which point a formal In Service Date (ISD) would be set.⁴⁵⁴

851. That date was provided in the National Audit Office (NAO) report on the MOD's Major Projects in November 2004.⁴⁵⁵ The target date for Watchkeeper's Main Gate approval was December 2004 and the internal planning assumptions for its entry into service was November 2006.

852. A minute from Lieutenant General Andrew Ridgway, Chief of Defence Intelligence, on 22 June 2004 indicated that Phoenix was the only UAV in service in 2003.⁴⁵⁶ It had been procured in 1988 against a requirement to support operations in north-west Europe, predominantly as a target acquisition system. The system was subsequently used in the Balkans and in Iraq.

853. Lt Gen Ridgway wrote that it had been described as "battle winning equipment" during the invasion and had successfully been deployed on wider surveillance roles in addition to providing target acquisition information. Phoenix had not, however, been designed "to operate in the extreme heat of Iraq".

⁴⁵² Ministry of Defence, *The Strategic Defence Review: A New Chapter*, July 2002.

⁴⁵³ Third Report from the House of Commons Defence Committee, Session 2003-04, *Lessons of Iraq*, HC 57-I, para 235.

⁴⁵⁴ First Special Report of the House of Commons Defence Committee, Session 2003-04, *Lessons of Iraq: Government Response to the Committee's Third Report of Session 2003-04*, HC 635, para 104.

⁴⁵⁵ National Audit Office, 10 November 2004, *Ministry of Defence: Major Projects Report 2004*.

⁴⁵⁶ Minute CDI to APS/SofS [MOD], 22 June 2004, 'ISTAR Provision to Op TELIC – UK UAV Operations'.

854. On 28 April 2003, MND(SE) produced a USUR for an “enhanced enduring ISTAR capability for the UK land component”.⁴⁵⁷ It explained that Phoenix had been supporting Phase III operations at “rates far greater than previously foreseen in sustainability planning guidance, and in temperatures exceeding the design specification”.

855. The USUR noted that experience in Bosnia and Kosovo had demonstrated that ISTAR systems that were “flexible, responsive, not manpower intensive, and with a low ground footprint” were key to maintaining the Commander’s situational awareness and protecting UK forces. In those areas, “with small AORs”, Phoenix had been used “to great effect”.

856. The USUR stated that 75 Phoenix UAVs had been deployed or moved into theatre since operations started. By 15 April 2003, only 29 of those were still “fit” for use in theatre. Seven had been lost to hostile action and 24 had crashed because of a fault in the Phoenix’s system.

857. There was no explanation of what had happened to the remaining 15 UAVs.

858. Without “corrective action”, the USUR stated that current attrition rates meant that there would be no Phoenix UAVs left in theatre by 6 May (without deploying War Maintenance Reserve (WMR) stock), or that stocks would reduce to zero by 10 June (if the WMR stock was fully deployed).

859. A package of measures were “in train” to fix the fault causing Phoenix crashes and to increase its availability in high temperatures. Neither set of measures would, however, increase its endurance or the range at which it could be used. While Phoenix would continue to be used in Iraq “by necessity”, there was an operational requirement for an ISTAR system to support the duration of Op TELIC “with the required levels of persistence, flexibility, responsiveness and in all climatic conditions, with the required resolution to be able to identify and monitor difficult and often fleeting targets”.

860. An initial operating capability was required “as soon as possible” with full operating capability “not later than mid October 2003”.

861. The covering minute, sent on behalf of Major General Graeme Lamb, GOC MND(SE), recorded:

“The GOC sees provision of an enhanced UAV capability as essential to mitigate reduced force structures in an extensive and complex AO [Area of Operations]. CJO [Lt Gen Reith] was briefed on this requirement during his visit to the Division on 26 April.”

⁴⁵⁷ Minute MND(SE) [junior officer] to PJHQ, April 2003, ‘USUR for an Enhanced UAV’ attaching Paper, MND(SE), 28 April 2003, ‘Urgent Statement of User Requirement for a UK Land Component Enhanced Enduring ISTAR Capability’.

862. An email exchange between PJHQ officials on 2 May stated that Major General Peter Wall, Deputy Chief of Joint Operations (Operations), had “now approved the progression of this” and the USUR should proceed as soon as possible.⁴⁵⁸

863. The UOR update to Lord Bach on 9 May highlighted the urgent requirement for “a longer-range, more persistent UAV platform” and such a UAV was “seen as an enduring requirement that would allow a reduction in force levels”.⁴⁵⁹

864. A footnote stated:

“To date Phoenix losses on Op TELIC have been 20 airframes lost in action and a further 16 damaged beyond local repair (with a further three reported missing in the last few days). This attrition rate leaves a capability gap of at least 36 air vehicles against medium scale operations until Phoenix OSD [Out of Service Date]. Phoenix is still being deployed therefore the attrition rate could rise.”

865. At Lord Bach’s UOR meeting on 12 May, it was reported that options being considered to meet the UAV requirement included “an off-the-shelf solution” and bringing forward the Watchkeeper programme.⁴⁶⁰

866. AM Stirrup’s UOR update to Lord Bach on 30 May included a progress report on the UAV UORs from the ISTAR Directorate of Equipment Capability (DEC(ISTAR)).⁴⁶¹

867. It stated that, prior to the USUR being articulated, “a number of possible solutions” had been identified that “could be delivered within six months, including advancing certain hardware elements of Watchkeeper, but stopping short of providing an early Watchkeeper capability”.

868. The DEC also explained that UOR action had previously been “put on hold” while an engine modification for Phoenix was pursued, to try and improve its performance in extreme temperatures.

869. The DEC proposed a “layered” system to meet the requirement:

- Nimrod Mk2 would be used to provide wide area surveillance;
- “other air-based assets (such as fast jet tactical reconnaissance) would provide medium/low level surveillance”; and
- a “small UAV system” would be procured to provide “low level ‘through the window’ surveillance”. That could be implemented, “at least in part, almost immediately”.

⁴⁵⁸ Email PJHQ [junior official] to PJHQ [junior official], 2 May 2003, ‘Requirement for an Enhanced UAV’.

⁴⁵⁹ Minute CM(M) to PS/Min(DP), 9 May 2003, ‘Iraq: Op TELIC Phase 4 UORs’.

⁴⁶⁰ Minute APS/Min(DP) to CM(M), 12 May 2003, ‘Iraq: Op TELIC – UORs’.

⁴⁶¹ Minute DCDS(EC) to PS/Min(DP), 30 May 2003, ‘Iraq: Op TELIC Phase 4 UORs’ attaching Paper DDEC (ISTAR) TS, 30 May 2003, ‘Update on Phoenix Capability UORs’.

870. The DEC's proposal would "relieve some of the pressure" on the Phoenix Out of Service Date (OSD) but there was a risk of a capability gap between the Phoenix OSD and the Watchkeeper ISD:

"An analysis of the availability of Phoenix for future operations (whatever they may be) when considered in light of the introduction of Watchkeeper, has indicated that there is a risk of a capability gap developing. We will not be able to quantify this fully until the repair situation on Phoenix is better understood. However, work is in hand to look at options for mitigating this risk, including re-opening the Phoenix production line ..."

871. AM Stirrup warned Lord Bach that the DEC's update must be "put in context", noting the "considerable success" of UAVs during combat operations and indicating that the capability gap had arisen because UK forces had entered a new phase in operations.

872. On 25 June, the House of Commons Defence Committee took evidence from Lord Bach, Sir Peter Spencer and Lt Gen Fulton on the progress of the MOD's Equipment Programme.⁴⁶²

873. Asked why the Watchkeeper programme could not be accelerated, Lord Bach said that "some elements" would be in service by "late 2005". Concern was expressed by the Committee that the MOD should not put its "head in the sand", delaying the introduction of Watchkeeper to the extent that "by the time it comes out, the concept has already moved on".

874. The Chairman finished the line of questioning by saying that the project should be watched closely "because the military requires it and requires it to be done pretty damned quickly".

875. In its subsequent report, the Committee stated that the Watchkeeper and FRES programmes both exemplified the MOD's efforts to "bring important new capabilities into service more quickly". They also highlighted that, in conflict with the desire to speed up progress, the MOD had maintained a cautious approach in both with a view to reducing project risks. That demonstrated that the MOD was still finding it difficult to balance "increased agility against decreased risk".

876. On 26 June, the DMB endorsed a paper from Mr Colin Balmer, MOD Finance Director, on investment priorities for 2004's Equipment Programme (STP/EP04).⁴⁶³ Network-enabled capability and deployable ISTAR were two areas of "vital ground" that Mr Balmer suggested that the DMB should protect.

⁴⁶² Eighth Report from the House of Commons Defence Committee, Session 2002-03, *Defence Procurement*, HC 694, para 18 and evidence session from 25 June 2003.

⁴⁶³ Paper Finance Director [MOD], 20 June 2003, 'Defence Strategic Audit and Guidance for STP/EP04'; Minutes, 26 June 2003, Chiefs of Staff meeting.

877. An annex to the paper stated that enhancement of Intelligence Surveillance Reconnaissance capability had emerged as “a priority Op TELIC lesson”.

878. On 1 September, MND(SE) produced a Forces and Resources Review to examine the resources required in MND(SE), for both short-term and enduring operations.⁴⁶⁴

879. The Review reiterated the requirement for greater surveillance capability. It stated:

“The evolving threat from terrorism in Basra City leads to the urgent requirement for airborne surveillance of urban areas. Force protection measures limit the ability to observe a situation from the ground, or to track vehicles/people along busy streets, or to observe the situation remotely. Airborne surveillance would clearly enhance both force protection and the ability to catch or kill terrorists ... A surveillance capability ... could be fitted to the existing allocation of helicopters on Op TELIC.”

880. On UAVs, the Review cited the USUR submitted to PJHQ in May. It added:

“The increasing significance of the international borders and the need for pylon line surveillance has re-emphasised the importance of this capability. In addition, counter-terrorist operations in urban areas and more focused operations against both border activity and organised crime indicate that HQ MND(SE) will confirm the value of redeploying Phoenix once the weather becomes sufficiently accommodating in the Autumn.”

881. The Review also identified a protected mobility requirement which is addressed earlier in this Section.

882. Major General Robin Brims, the Deputy Chief of Joint Operations, provided a written update to the Chiefs of Staff on the Forces and Resources Review on 2 September.⁴⁶⁵ He wrote that one of the “key elements” was the enduring requirement to “increase force protection, commence ICDC [Iraqi Civil Defence Corps] training and to improve the ISTAR capability in MND(SE)”.

883. Maj Gen Brims recommended the Chiefs agree that “DEC(ISTAR) should do all that is possible to accelerate the introduction of a new UAV, Desert Hawk, not currently believed to be available until Dec 03 at the very earliest”. Phoenix UAVs would be deployed in the interim when the weather conditions became “appropriate”.

884. On 4 September, Mr Hoon’s Private Office sent a letter to Mr Matthew Rycroft, Mr Blair’s Private Secretary for Foreign Affairs, informing him of the outcome of the Forces and Resources Review.⁴⁶⁶

⁴⁶⁴ Paper MND(SE) [junior officer], 1 September 2003, ‘HQ MND(SE) Forces and Resources Review’.

⁴⁶⁵ Minute SECCOS to PSO/CDS, 1 [sic] September 2003, ‘OP COS paper: Op TELIC – UK Force and Resources Review An Update’ attaching Minute Brims, 2 September 2003, ‘Op TELIC – UK Force and Resources Review – An Update’.

⁴⁶⁶ Letter Williams to Rycroft, 4 September 2003, ‘Iraq: UK Forces and Resources Review’.

885. Gen Jackson visited Iraq from 12 to 15 September.⁴⁶⁷ His report to General Sir Michael Walker, Chief of the Defence Staff (CDS), stated that the Coalition was finding it difficult to “obtain a cohesive picture” of the various threats it was tackling. He wrote that he believed it was “time to reprioritise some of our intelligence gathering assets”.

886. Gen Jackson recommended switching the focus of in-theatre intelligence gathering assets from weapons of mass destruction to counter-terrorism.

887. On 1 October, the DMB endorsed a paper from Mr Ian Andrews, MOD Second Permanent Under Secretary, that identified potential savings of £300m across the DLO and DPA.⁴⁶⁸ That is described earlier in this Section in the context of savings made against FRES.

888. ISTAR was also an area identified for savings and included:

- £4m to delay the practical experimentation of UAVs by six months, which would delay the “de-risking activity necessary to inform Watchkeeper and other ISTAR and network-enabled capability related programmes”; and
- delaying the Watchkeeper Assessment Phase, due to be concluded in April 2004, by six months. The interim operating capability would consequently be delayed by a year to 2007.

889. On 6 October, Mr Hoon’s Private Secretary wrote to No.10, confirming that Mr Hoon would be implementing £500m of savings across the Defence budget and where some of those savings would fall.⁴⁶⁹ He highlighted that the MOD would delay ISDs for “new equipments such as the Watchkeeper (a key SDR New Chapter capability)”.

890. Mr Hoon’s Private Secretary wrote:

“These measures would not directly impact on the operations in Iraq, but would begin to cut into the training and support needed for motivated Armed Forces capable of sustaining the operations there, especially if the situation on the ground escalated, or in responding to new crises.”

891. Maj Gen Lamb’s post-operation report on 30 January 2004 stated that, in October 2003, the Joint Helicopter Force (Iraq) (JHF-I) was “augmented by three Gazelle and two Puma for ISTAR operations”.⁴⁷⁰

⁴⁶⁷ Minute CGS to CDS, 17 September 2003, ‘CGS visit to Op TELIC 12-15 Sep 03’.

⁴⁶⁸ Minutes, 1 October 2003, Defence Management Board meeting; Paper 2nd PUS, 30 September 2003, ‘In-Year Management: AP03 update’.

⁴⁶⁹ Letter Davies to Heywood, 6 October 2003, ‘Ministry of Defence Budget’.

⁴⁷⁰ Report Lamb, 30 January 2004, ‘Post Operation Report – version 1 Operation TELIC 2/3’.

892. A later report stated that Gazelle had subsequently been withdrawn from theatre because it had “proved too vulnerable to ground attack”.⁴⁷¹

893. On 18 November, Mr David Williams, MOD Director of Capabilities, Resources and Scrutiny, wrote to Mr John Dodds, Head of the Defence, Diplomacy and Intelligence Team in the Treasury, seeking advice on how to take forward new force protection measures within the agreed UOR “ceiling”.⁴⁷² Mr Williams flagged a new requirement for £22m of UOR funding for area surveillance. Mr Williams’ request for the funding of electronic countermeasures is addressed earlier in this Section with regards to protected mobility.

894. Mr Williams described the need for air surveillance assets as “effectively a ‘force multiplier’ in that a greater effect could be achieved by cueing and focusing fewer ground assets than by maintaining large bodies of troops in static guarding roles”. The existing arrangement, whereby UK military personnel were guarding key sites within MND(SE), had prevented troops from being employed in more “proactive, deterrent or offensive security tasks” and raised more suspicion than would be the case with more remote surveillance, such as helicopters and UAVs.

895. Mr Williams wrote:

“The potential solution to the requirement is to seek area surveillance capabilities since our forces lack UK-dedicated, persistent (in terms of time/duration over the areas/targets we wish to watch) near real-time and long-range capabilities, suited to the differing requirements in urban and rural areas, that can produce pictures ...”

896. Mr Williams stated that, to date, the MOD had deployed a combination of assets in its inventory but only as an interim solution and this had not been effective for urban areas. In addition, the interim systems would suffer in spring when the weather became hotter and some aircraft would be required to return to Northern Ireland.

897. Mr Williams wrote that this was being addressed by:

- a surveillance solution based on a UAV that would cost approximately £10m for which three potential suppliers had been sent an Invitation To Tender;
- potentially using Lynx helicopters with a surveillance pod for the urban requirement; and
- a manned surveillance platform for the “pan-Iraq” requirement.

898. Further work was being done to develop business cases for the latter two options.

⁴⁷¹ Report DOC, 22 February 2005, ‘Operation TELIC Lessons Study Volume 2’.

⁴⁷² Letter Williams to Dodds, 18 November 2003, ‘Additional Operation TELIC UORs’.

899. The UK procured the Desert Hawk ‘mini UAV’ from the US Air Force in December 2003.⁴⁷³ Lt Gen Ridgway reported that the US had “successfully employed the system on operations in Iraq and Afghanistan”.

The impact of savings measures between 2004 and 2005 on ISTAR provision

On 26 February 2004, the Defence Management Board (DMB) agreed a large number of service enhancements and savings measures that should be offered as part of a Spending Review.⁴⁷⁴

The DMB considered a paper by Mr Trevor Woolley, MOD Finance Director, which detailed all the measures.⁴⁷⁵ It proposed cutting the budget of £33m for the practical experimentation of UAVs over the following two financial years, which would retain a team to conduct trials and inform future CONOPS development but:

“... there would be significantly reduced pull-through to programmes addressing capability gaps in the persistent deep ISTAR of land and close or complex terrain. This option is entirely dependent on the deferral of £4m from 03/04 ...”

That measure was one which the DMB felt needed further consideration because of the impact on other programmes.

On 26 January 2005, the DMB discussed proposals in a paper by Mr Woolley on the ‘Future Defence Programme’.⁴⁷⁶

On network-enabled capability and ISTAR, Mr Woolley wrote that it had been “necessary to assume significant savings” within the Equipment Programme, despite attempts to mitigate them “as far as possible”. Those savings would require “careful consideration” and included the decision to defer Watchkeeper by one year, “but with a planned limited interim capability to support deployments from 2006”.

The minutes from the DMB meeting recorded that the measure to defer Watchkeeper would incur additional short-term costs for supporting “older, less capable equipment” but those had been allowed for.⁴⁷⁷ The measure was approved.

900. On 30 January 2004, Mr Adam Ingram, Minister of State for the Armed Forces, was advised that a UAV capability gap remained.⁴⁷⁸ Phoenix was due to be withdrawn from theatre in April because it struggled to operate in the heat of the summer months.

901. To provide “a stand alone UK capability”, officials had investigated procuring either the US Predator UAV system or the Hermes 450 UAV system but both options had been ruled out because of “unacceptably high risk”. That risk was not explained.

⁴⁷³ Minute CDI to APS/SofS [MOD], 22 June 2004, ‘ISTAR Provision to Op TELIC – UK UAV Operations’.

⁴⁷⁴ Minutes, 26 February 2004, Defence Management Board meeting.

⁴⁷⁵ Paper Finance Director, [undated], ‘ST/EP04: Years 1 and 2’.

⁴⁷⁶ Paper Finance Director [MOD], [undated], ‘Future Defence Programme 05’.

⁴⁷⁷ Minutes, 26 January 2005, Defence Management Board meeting.

⁴⁷⁸ Minute AD Sec(Iraq) to PS/Min(AF), 30 January 2004, ‘Op TELIC Wide Area Surveillance – Preparations for a Joint UK-US Predator Unmanned Aerial Vehicle (UAV) Task Force’.

It was noted that pursuing the Hermes system could also potentially “disrupt” the Watchkeeper programme because it could involve the same contractor.

902. Mr Ingram was advised that a third option had emerged: the creation of a Joint Predator Task Force with the US, using US equipment but drawing on UK manpower to support an additional US Predator in the UK’s Area of Responsibility (AOR). It was viewed as “the most promising option” in terms of performance, cost and time.

903. As training on the Predator took at least 40 days, it had already been agreed that RAF personnel would begin the next available course starting on 2 February.

904. Mr Ingram received an update on what became the Combined Joint Predator UAV Task Force (CJPTF) on 30 April.⁴⁷⁹ An official wrote that a drawback of the proposal had been “the inability to provide a full capability until the turn of 2004/05”, largely because sufficient Predator ground stations were “not available until then”.

905. While the US expected, “depending on the circumstances”, to allocate increasing amounts of existing Predator time to the UK AOR as the UK’s participation in the CJPTF grew from June 2004, “there would be no immediate solution to the existing capability gap”.

906. The official wrote that it had “therefore been agreed” to provide an interim solution by fitting a datalink to five Nimrod MR2 equipped with the necessary sensors. The datalink equipment would be loaned by the US and would “enable the Nimrod to provide near real time imagery to ground stations in a manner very similar to Predator”.

907. That solution could not be sustained “beyond the turn of the year” because all five Nimrods required “major servicing” and the official accepted it was not a cost-effective solution to the capability gap.

908. On 22 June, Lt Gen Ridgway wrote to Mr Hoon, at his request, with advice on ISTAR capability in Iraq.⁴⁸⁰ He wrote:

“We currently have no aerial surveillance capability available in theatre – this is a significant capability gap.”

909. Lt Gen Ridgway asked Mr Hoon to note that:

- Phoenix had performed well but had been withdrawn for the summer months.
- Nimrod MR2 was providing “some” photographic capability.
- Desert Hawk, the mini UAV, was non-operational for technical reasons. That was being investigated and it was possible that Desert Hawk would become operational again later that year.

⁴⁷⁹ Minute DCRS4 to PS/Minister(AF), 30 April 2004, ‘Op TELIC Wide Area Surveillance – UK-US Combined Joint Predator Task Force (CJPTF)’.

⁴⁸⁰ Minute CDI to APS/SofS [MOD], 22 June 2004, ‘ISTAR Provision to Op TELIC – UK UAV Operations’.

- The CJPTF would “provide some capability” at the end of the year and in the meantime a number of Predators had been assigned to MND(SE). The use of Italian Predators within the CJPTF was being investigated.

910. Lt Gen Ridgway warned that, despite those initiatives, “this major capability gap” was likely to prevail until “end 04 with a particular shortfall over the summer months”.

911. In considering solutions, the provision of a new UK UAV system had “been discounted”. That included options provided by the Watchkeeper contractors and the loan of a number of Predator systems from the US because:

“Detailed work identified that current MOD policy for airworthiness and safety for UAV systems would not allow the use of a new system or the use of Predator under UK regulation in a timely and cost-effective manner.”

912. Lt Gen Ridgway wrote that the Watchkeeper programme was expected to proceed to Main Gate later that year, with “an element of capability to be available from 2006”.

913. Mr Hoon’s Private Office replied on 23 June that Mr Hoon had:

“... noted that we currently have no aerial surveillance capability in theatre, and the steps that are being taken to close this capability gap. He notes, however, that despite these initiatives the capability gap is likely to continue until the end of this year.”⁴⁸¹

914. On 13 July, Major General Andrew Stewart, GOC MND(SE) from December 2003 to July 2004, wrote in his post-operation report:

“Dedicated UK airborne ISTAR assets have been a pretty sorry tale with availability described as fragile at best. For operations of this nature a stand-off covert airborne system is critical to success, and something close to 24 hour coverage is demanded. For the UK only Nimrod MR2 offers a truly covert capability and it has been superb for endurance over wide land areas. More of this sort are needed.”⁴⁸²

915. Maj Gen Stewart added:

- “Phoenix has given outstanding service long into the heat of the summer but its overall utility became severely constrained beyond April.”
- “Desert Hawk has been a joke.”
- “Access to US ISTAR capabilities have, as expected, been subject to perceived far higher priorities outside the Division’s AO [Area of Operations] and have therefore been unreliable.”

⁴⁸¹ Minute PS/Secretary of State [MOD] to PS/CDI, 23 June 2004, ‘ISTAR Provision to Op TELIC – UK UAV Operations’.

⁴⁸² Report Stewart, 13 July 2004, ‘Post Operation Report Operation TELIC 3/4 – 28 December 2003 – 13 July 2004’.

- “The conclusion is that the UK needs an all-weather airborne UAV in sufficient numbers to guarantee availability in operations of this nature.”

916. In October, there was a suggestion that the Apache attack helicopter should be deployed to Iraq as an additional ISTAR asset but it was decided that the attack helicopter programme was not of sufficient maturity and there was no immediate operational requirement for such a measure.⁴⁸³

917. In his post-operation tour report on 4 December, Major General William Rollo, GOC MND(SE) from July to December 2004, wrote:

“There is a constant demand across the Division for airborne imagery. NIMROD MR2 does an excellent job, but it is in short supply due to a finite number of aircraft and insufficient flying hours. P4 [Puma] is available and in high demand, but is difficult to maintain and although there is a surge capacity to use two, it is constrained by lack of spares. Phoenix can only fly from November to April due to temperature restrictions. It is also restricted to rural areas. Predator is technically available, but only if the division has a mission of sufficiently high priority ... This means that there is a continual shortage of overhead ISTAR within the Division resulting in operations being planned around ISTAR availability, rather than ISTAR being available for operations. There is a requirement for more airborne reconnaissance platforms with greater endurance to allow for observation of pattern of life of both people and places and to assist asset tracking.”⁴⁸⁴

918. On 22 February 2005, the MOD’s Directorate of Operational Capability (DOC) produced its second volume of ‘Operation TELIC Lessons’, to cover the period from 1 August 2003 to 30 November 2004.⁴⁸⁵ The preface stated:

“Military activities within a continuum of operations have varied widely, but after an upsurge in the level of violence, the campaign has become a unique Counter-insurgency (COIN) operation – an evolution that fits no neat recent historical or doctrinal model.”

919. The report highlighted ISTAR as one of the five key lessons for the Chiefs of Staff to consider:

“Future ISTAR procurement strategies should recognise the UK’s limited capability to find and track targets, and obtain post-attack Battle Damage Indications from the air, particularly in urban environments and extreme climatic conditions. This lesson

⁴⁸³ Minute Harper to PJHQ ACOS J3, 20 October 2004, ‘Deployment of Attack Helicopter for ISTAR role’; Minute Fry to COSSEC, 1 February 2005, ‘Deployment of Attack Helicopter (AH)’; Report Rollo to PJHQ MA to CJO, 4 December 2004, ‘Post Operation Report Operation TELIC 4/5 – 14 July – 1 December 2004’; Minute DCDS(C) to COSSEC, 1 February 2005, ‘Deployment of Attack Helicopter (AH)’.

⁴⁸⁴ Report Rollo to PJHQ MA to CJO, 4 December 2004, ‘Post Operation Report Operation TELIC 4/5 – 14 July – 1 December 2004’.

⁴⁸⁵ Report DOC, 22 February 2005, ‘Operation TELIC Lessons Study Vol. 2’.

represents the most significant capability shortfall on Operation TELIC Phase IV and is likely to remain an enduring requirement, particularly for asymmetric warfare.”

920. The report stated:

“UK forces lack sufficient ISTAR capability to provide persistence and the ability to stream imagery in real time and cross-component, over a wide range of climatic conditions ... This capability shortfall has been highlighted on all recent UK operations ... Some rotary platforms have proved too vulnerable to ground attack, and whilst the covert characteristics of UAVs make them well suited to the ISTAR role, the Phoenix UAV can only operate for half the year in-theatre due to temperature restrictions.”

921. The report highlighted that use of US Predator and “several UORs” to increase manned airborne surveillance capabilities had helped to alleviate the capability gap.

922. The Chiefs of Staff discussed the DOC Report on 22 February.⁴⁸⁶

923. The minutes recorded that “connectivity was key to bridging the ISTAR capability gap and enhancing the overall operational agility”. Lt Gen Fry had advised that “a layered review” had already been undertaken to assess the overall ISTAR programme. ACM Bagnall undertook to arrange an ISTAR update for the Chiefs of Staff.

924. The ISTAR update was provided to the Chiefs of Staff on 22 March, with two presentations: one about the UK’s existing assets and one about the capability gap and ISTAR strategy to 2020.⁴⁸⁷

925. The minutes recorded:

“... it was emphasised that the ISTAR architecture that had been illustrated ... represented a significant step forward in connecting the many previously stove-piped collection assets into a coherent ISTAR plan. Much work was still required and three key investment decisions were identified:

- The balance of investment between ISTAR and other military capabilities.
- The apportionment of investment between collection, data management and dissemination of information.
- The degree of overlap required from different ISTAR assets in order to provide multi-source verification.”

926. Sir Kevin Tebbit “highlighted the importance of investment decisions in EP07 and emphasised that given the uncertainty surrounding the availability of resources in the future, the ISTAR architecture would need to be sufficiently robust to develop incrementally as resources became available”.

⁴⁸⁶ Minutes, 22 February 2005, Chiefs of Staff meeting.

⁴⁸⁷ Minutes, 22 March 2005, Chiefs of Staff meeting.

927. The Chiefs of Staff also placed emphasis on ensuring that the correct structures were in place to disseminate intelligence effectively to commanders on the ground.

928. The Chiefs of Staff agreed that a further ISTAR report would be produced in early 2006.

SUPPORT HELICOPTERS

929. During operations, the role of a support helicopter can involve transportation of personnel and supplies, surveillance or medical evacuation. That is different from the role of an attack helicopter which delivers fire support to troops on the ground. This Section focuses on support helicopters and how they complemented the land operation in Iraq.

930. The term “battlefield helicopter” can cover both types but in the material that follows it appears to refer largely to support helicopters.

931. The UK’s campaign in Iraq, following the invasion, was classified as a medium scale operation in terms of MOD planning assumptions. The MOD told the Inquiry that, in 2003 for a medium scale ground operation, the maximum number of helicopters would be:

- 21 heavy support helicopters;
- 41 medium support helicopters; and
- 44 light support helicopters.⁴⁸⁸

932. The MOD told the Inquiry that the UK’s support helicopter fleet in 2003 comprised a “forward fleet” of:

- 31 Chinook Mk2/2a;
- 18 Merlin Mk3;
- 33 Sea King Mk4; and
- 34 Puma Mk.⁴⁸⁹

933. Those aircraft were supported by Gazelle and Lynx light helicopters.

934. An MOD report published in July 2003 stated that 137 helicopters were deployed as part of the combat operations between 19 March 2003 and 15 April 2003.⁴⁹⁰ Those figures are broken down in Table 2.

⁴⁸⁸ Letter MOD to the Iraq Inquiry, 31 January 2011, ‘MOD Evidence – Equipment Issues’ attaching Report, September 2003, ‘Annex H – Maximum Scales of Effort’.

⁴⁸⁹ Paper [MOD], 1 March 2011, ‘Request for Evidence, Support Helicopters’.

⁴⁹⁰ Ministry of Defence, *Operations in Iraq: First Reflections*, July 2003.

Table 2: UK helicopters deployed during the invasion

Army	Royal Air Force	Royal Navy ⁴⁹¹
16 Gazelle	20 Chinook	20 Sea King
18 Lynx	7 Puma	5 Chinook
11 Chinook		13 Lynx
7 Puma		6 Gazelle
10 Sea King		4 Merlin

935. On 11 June 2003, Mr Hoon updated the House of Commons on the drawdown of forces.⁴⁹² He stated that “some 80 helicopters” had returned to the UK and that the Joint Helicopter Force (JHF-I) retained a “balanced rotary-wing presence, 18 helicopters comprising Chinook, Sea King, Puma and Gazelle”.

936. The DMB was advised on 26 June that the recuperation of helicopters deployed on Op TELIC could place rotary wing support to operations and training “at risk”.⁴⁹³ Measures for contracting out inspection and maintenance for those helicopters were being considered.

937. On 30 September, the DMB was told that the recuperation process would not be complete until FY 2006/07.⁴⁹⁴

938. On 29 January 2004, Mr Hoon requested a short note from each of the Single Service Chiefs on the impact of maintaining the current and forecast levels of military commitment.⁴⁹⁵

939. Gen Jackson replied on 3 February.⁴⁹⁶ He wrote that, on equipment:

“... in meeting essential short term operational demands we must take care not to prejudice our ability to meet longer term rebalancing goals ... Measures in the EP threaten our ability to meet our strategic objectives in the longer term ... Reductions in rotary aircraft are also a particular concern as they are such a vital force multiplier, allowing a modern army to generate the high tempo required for success.”

⁴⁹¹ The report suggested that some of the Royal Navy’s helicopters were deployed until May and August.

⁴⁹² House of Commons, *Official Report*, 11 June 2003, columns 51-52WS.

⁴⁹³ Paper Finance Director [MOD], 20 June 2003, ‘Defence Strategic Audit and Guidance for STP/EP04’; Minutes, 26 June 2003, Chiefs of Staff meeting.

⁴⁹⁴ Paper 2nd PUS, 30 September 2003, ‘In-Year Management: AP03 Update’.

⁴⁹⁵ Minute Zambellas to PS/SofS [MOD], 9 February 2004, ‘Operational Tempo’.

⁴⁹⁶ Minute CGS to PSO/CDS, 3 February 2004, ‘Operational Tempo’.

940. On 6 February, Air Chief Marshal Sir Jock Stirrup, the Chief of Air Staff, replied:

“The RAF can sustain its current commitments, but with the likely increased involvement in Afghanistan our air transport, support helicopters and possibly RAF Regiment forces will be seriously stretched.”⁴⁹⁷

941. The minutes of the DMB on 26 February 2004 agreed a large number of service enhancements and savings measures as part of the Spending Review.⁴⁹⁸

942. The DMB recognised that rotary capability “had been a constraint for some time”. Helicopters were “used everywhere, and were one of the key ingredients of lower intensity operations”. On that basis, several proposed measures affecting “key operational enablers (Puma, Gazelle, Sea King, Chinook) had already been relieved” but a number of remaining measures reduced DLO support capability.

943. The DMB considered a paper by Mr Woolley which detailed all the measures.⁴⁹⁹

944. Mr Woolley wrote: “The Army’s current and planned operational tempo exceeds Defence Planning Assumptions.” His paper had taken into account work from commitments and programmes staff, in conjunction with Front Line Commands and PJHQ, to assess the UK’s current and likely future military commitments over the following 30 months. That assessment was:

- Iraq would continue to be a medium scale operation until the end of March 2006 when it would downsize to a small scale operation.
- The Afghanistan commitment would remain small scale until January 2005 when it would increase to a “small(+) to medium scale(-)” until the end of January 2006. It would become a small scale operation from the end of January 2006.

945. Mr Woolley wrote that Land Command had previously taken a number of measures into its core programme to contain expenditure within control levels, including the reduction of rotary environmental training by 25 percent which had “impaired battlefield helicopter readiness and constrained operational flexibility in Northern Ireland”. There had been further reductions in rotary wing activity in Northern Ireland as part of a deliberate switch in operational focus to Iraq.

946. Mr Woolley wrote:

“Collectively, these measures have already started to erode the Army’s core competencies in war-fighting at formation level, and overall readiness levels. The cumulative effect of this will be to progressively degrade the effective delivery of force elements within the Land component.”

⁴⁹⁷ Minute CAS to PSO/CDS, 6 February 2004, ‘Operational Tempo’.

⁴⁹⁸ Minutes, 26 February 2004, Defence Management Board meeting.

⁴⁹⁹ Paper Finance Director, [undated], ‘ST/EP04: Years 1 and 2’.

947. The recommended savings measures included further reductions in rotary wing activity that would “restrict the support to Land collective training to 60 percent of the requirement, impacting directly on operations and tour intervals for pilots”. Mr Woolley added:

“This conflicts with an increased rotary wing requirement to support the likely uplift in operations in the Balkans and Afghanistan over the next two years.”

948. The MOD told the Inquiry that, until 2004, it had been planning to replace its Puma and Sea King fleets through the Support Amphibious Battlefield Helicopter (SABR) programme.⁵⁰⁰ The Initial Gate business case in late 2003 had suggested that “the most likely solution” was the procurement of 50 to 60 additional Chinook aircraft with the first six expected in 2012/13 and the full order by 2025.

949. The MOD told the Inquiry that, during the planning round in 2004, as part of a broad departmental affordability exercise, a £1.4bn saving was taken from the total helicopter programme.

950. The MOD abandoned the SABR programme and, following a revision of the wider helicopter procurement strategy, created the Future Rotorcraft Capability (FRC) programme.

951. The Inquiry asked the MOD whether the £1.4bn referred to in its statement was the result of the savings measures proposed in Mr Woolley’s paper. It replied:

“Not quite. The paper presented by [Mr] Trevor Woolley ... explored ways of removing costs from the first two years of the Defence Programme. Among the proposals it recommended were measures intended to save some £420m from helicopter acquisition and support. These savings were spread across the ten year equipment programme and the four year equipment support programme but ... were heavily weighted towards the years 2004/05 and 2005/06. Separate work, known as the Medium Term Workstrands, looked at ways to balance the defence programme against available resources in the years beyond 2005/06. The outcome of this work was presented to the Defence Board in April 2004. It included recommendations to reduce spending on helicopter acquisition and support by a further £1bn. The £1.4bn saving mentioned in our statement of 1 March 2011 therefore arose from two separate but closely related exercises.”⁵⁰¹

952. On 26 January 2005, the DMB discussed proposals on the ‘Future Defence Programme’ in a paper by Mr Woolley.⁵⁰² The background to that paper is addressed earlier in this Section, including that no specific provision had been made for the “extra equipment costs required to support the possible deployment of a UK brigade to Afghanistan alongside the ARRC HQ”.

⁵⁰⁰ Paper [MOD], 1 March 2011, ‘Request for Evidence, Support Helicopters’.

⁵⁰¹ Letter Duke-Evans to Hammond, 2 February 2016, [untitled].

⁵⁰² Paper Finance Director [MOD], [undated], ‘Future Defence Programme 05’.

953. For battlefield helicopters, Mr Woolley wrote that “planned activity levels over the next two years remain at or above the maximum concurrency assumed in provisional DPAs”. Commitments were only being met by compromising the Harmony Guidelines⁵⁰³ and using crews and key support staff at tour intervals of “1on/2off or less” instead of “1on/4 off”.

954. Mr Woolley concluded:

“Increasing significantly the size of rotorcraft fleet and training more crews are not realistic options, nor in the short term is reducing the level of operational commitment. The only viable strategy is to accept a reduced harmony ratio of 1on/2 off over the next two years, requiring careful management of key personnel. The Puma and Chinook fleets are currently under the greatest pressure.”

955. The £3.2bn across 10 years for investment in the FRC programme had also been affected, with £60m from the first eight years having been re-profiled. Mr Woolley wrote that “considerable effort” had gone into identifying the consequences of that decision for existing helicopter fleets and “the most significant risk” would be sustaining Puma and Lynx through to the introduction of their replacements. Additional funding had been allocated to Lynx to extend its time in service until its replacement was available, albeit at a reduced fleet size of 66 (from 82).

956. The DMB agreed that a measure to reduce Joint Helicopter Command (JHC) activity levels should be offset by measures to restore Chinook and Puma funding because “it was felt that these additional costs were an acceptable financial risk, given the significant operational benefits”.⁵⁰⁴

957. A proposed reduction in Gazelle activity was rejected, with compensating savings to be found elsewhere in the land budget. The activity reductions for other helicopters “although unwelcome, were acceptable”.

958. The MOD told the Inquiry that it withdrew its Chinook helicopters from Iraq in 2005 in order to prepare for operations in Afghanistan and replaced them with the Merlin helicopters.⁵⁰⁵ The MOD stated that was because Chinook helicopters were better suited to the challenging conditions found in Afghanistan.

959. In a statement to the Inquiry, ACM Torpy explained:

“... as confidence in Merlin grew it was possible to withdraw Chinook from Iraq to allow the force to recuperate from a prolonged period on operations. It also gave the force the opportunity to prepare for operations in Afghanistan, where the hot

⁵⁰³ Harmony Guidelines described the maximum time that Service Personnel should spend away from their families (known as Individual Separated Service) and the minimum time that they should have between operational deployments (known as tour intervals). Harmony Guidelines are addressed in detail in Section 16.1.

⁵⁰⁴ Minutes, 26 January 2005, Defence Management Board meeting.

⁵⁰⁵ Paper [MOD], 1 March 2011, ‘Request for Evidence, Support Helicopters’.

and high conditions and heavy lift requirements singled out Chinook as the obvious favourite to support operations in this demanding environment.”⁵⁰⁶

960. On 4 May 2005, Mr Hoon was briefed that the JHF-I comprised eight Sea Kings, four Merlins, and four Lynx.⁵⁰⁷

961. In Iraq, the developing threat in MND(SE) meant that ground movement had become restricted, increasing the demand for support helicopters to move personnel and supplement surveillance.

962. The impact on civilian personnel is addressed in Section 15.1.

963. On 5 July, General Sir Timothy Granville-Chapman, the Vice Chief of Defence Staff, asked General Sir Kevin O’Donoghue, the Chief of Defence Logistics, to assess the “logistics related factors” affecting flying hours and operating fleet size for support helicopters.⁵⁰⁸

964. On 27 July, the minutes from the Chiefs of Staff meeting stated:

“Following the recent attacks in Maysan, procedures have been modified to counter the threat ... The current cycle of attacks had ‘fixed’ CF [coalition forces] in the area and, as a result, progress on SSR had stagnated; PJHQ had therefore asked for an urgent review of UK SH [support helicopters] priorities, to see if further assets could be allocated to MND(SE). Given that SH were always in short supply, DCDS(C) [Lt Gen Fry] highlighted the need to ensure that current asset availability was maximised.”⁵⁰⁹

965. Air Vice-Marshal Kevin Leeson, Assistant Chief of the Defence Staff (Logistic Operations) (ACDS(Log Ops)) was asked to review the current availability of support helicopters within theatre.

966. On 8 September, MOD officials provided Gen O’Donoghue with an estimate of what increases in output were available from the existing support helicopter fleet.⁵¹⁰ The officials advised that, “given appropriate funding”, there was potential to increase both flying hours and the operating fleet size for all types of support helicopter, with the exception of Merlin.

967. The officials advised Gen O’Donoghue that several factors had to be taken into account, including that any increase in operational flying would require an increase in Deployable Spares Packs (DSPs), the lack of which had been a recognised issue recorded in the Land Equipment Capability Shortfall Register.

⁵⁰⁶ Statement, 14 June 2010, page 8.

⁵⁰⁷ Paper DJC AD Pol 1 to APS/SofS [MOD], 4 May 2005, ‘Iraq – UK Roulement and Force Level Review’.

⁵⁰⁸ Minute DCom JHC to CDL, 8 September 2005, ‘Improving the Availability of Support Helicopters’.

⁵⁰⁹ Minutes, 27 July 2005, Chiefs of Staff meeting.

⁵¹⁰ Minute DCom JHC to CDL, 8 September 2005, ‘Improving the Availability of Support Helicopters’.

968. The MOD officials wrote that “for some platforms deployability and sustainment on operations would be enhanced through the provision of sufficiently ranged, scaled and supported DSPs; for those platforms currently deployed on operations, CPF [Conflict Prevention Fund] claims mechanisms and Urgent Sustainability Requirements are already in place”.

969. Gen O’Donoghue wrote to Gen Granville-Chapman about those findings on 14 September to say that the MOD was “currently missing a clear statement of the operational requirement for SH – both readiness and sustainment”.⁵¹¹

970. Gen O’Donoghue wrote that a paper was being produced for a meeting on 7 October. It was “an extensive piece of work” which was expected to clarify the requirements. Gen O’ Donoghue wrote that he would “therefore concentrate this minute on the art of the possible and focus on what can be ‘sweated’ from our current fleet”.

971. There were three groups of factors which had to be addressed to deliver improved availability:

- “depth maintenance and support”, including the need to accelerate Repair and Overhaul (R&O) output and better utilisation of the sustainment fleet;
- “forward logistic factors” such as DSPs and maintenance manpower; and
- aircrew availability and requirement, which was “an issue for the FLCs [Front Line Commands]”.

972. On 12 September, the Private Office of Dr John Reid, the Defence Secretary, sought confirmation from Gen Walker whether, “in the event of a slower than expected drawdown of UK forces in Iraq”, the planning assumptions for deployment to Afghanistan would be achievable.⁵¹²

973. Gen Walker’s Office replied on 19 September.⁵¹³ The “short answer” was “yes” but with the warning that “such a situation would lead to some pain and grief”. In particular:

“The hoped for easement of pressure on our current ‘pinch points’, especially helicopter support ... would be delayed.”

974. On 19 September, two UK soldiers were involved in what became known as “the Jameat incident”; an incident where they were arrested and mistreated by Iraqi Police Service (IPS) personnel and only released after a second rescue operation was successful. That incident is covered in detail in Sections 9.4 and 12.1, along with its implications for security in Basra.

975. A paper considering those implications, produced jointly by the FCO, the MOD and DFID on 30 September, stated that UK police training teams would need “improved

⁵¹¹ Minute CDL to VCDS, 14 September 2005, ‘Improving the Availability of Support Helicopters’.

⁵¹² Minute APS/Secretary of State [MOD] to PSO/CDS, 12 September 2005, ‘Iraq/Afghanistan Commitments’.

⁵¹³ Minute PSO to APS2/SoS [MOD], 19 September 2005, ‘Iraq/Afghanistan Commitments’.

access to helicopters in order to move beyond Basra city” and that “greater use of existing theatre helicopters, if feasible, should assist this”.⁵¹⁴

976. An air bridge would be required for FCO, DFID and other government personnel to operate out of Basra from the British Embassy Office based at Basra Palace to Basra airport. The paper stated:

“We will need to allocate more resources, which may include military resources, to security. The next weeks, and possibly months, are likely to be rough. Attacks on us are becoming more sophisticated. We will need to protect our staff.”

977. On 14 October, Air Marshal Chris Nickols, Assistant Chief of the Defence Staff (Operations),⁵¹⁵ wrote to PJHQ, agreeing to provide additional Merlin helicopters.⁵¹⁶

978. AM Nickols also agreed an uplift of 180 Merlin hours per month for JHF-I until mid-December. He cited JHC’s declaration that the previously agreed support surge commitment had to end by 5 December for “fleet sustainability issues”. The longer-term requirements should be identified “as early as possible” through PJHQ’s Force Level Review.

979. AM Nickols wrote that, in the meantime, he was tasking the Director of the Directorate of Joint Capability⁵¹⁷ to lead a wider battlefield helicopter review to provide “a clear and early understanding of our options/impact should surge requirement endure”.⁵¹⁸

980. A note to Dr Reid on 17 October explained that the additional Merlin was found by reducing MOD support to capability demonstrations in the US.⁵¹⁹

981. Gen Jackson visited Iraq from 10 to 13 October.⁵²⁰ His account of the EFP threat is covered earlier in this Section. He also wrote that a number of issues had been raised by MND(SE), “all relating to our ability to sustain expeditionary operations”. He wrote:

“... our Support Helicopter Fleet is creaking badly. JHF-I [Joint Helicopter Force – Iraq] is struggling to meet its tasks even with rigorous prioritisation ... Serviceability,

⁵¹⁴ Letter Hayes to Quarrey, 30 September 2005, ‘Iraq: Basra’ attaching Paper FCO/MOD/DFID, 30 September 2005, ‘South-East Iraq: Impact of Security Incident in Basra’.

⁵¹⁵ It is unclear what date in October 2005 AM Nickols succeeded Maj Gen Houghton, the previous incumbent of this role. It seems that AM Nickols would have been in the post at this time.

⁵¹⁶ Minute ACDS(Ops) to PJHQ – DCJO(Ops), 14 October 2005, ‘Iraq: Additional Resources to Counter Increased IED threat in MND(SE)’.

⁵¹⁷ The MOD has confirmed that Commodore Peter Eberle was in this role until October 2005 but not the specific date. The MOD has not been able to identify the post holder between November 2005 and May 2006.

⁵¹⁸ Minute ACDS(Ops) to PJHQ – DCJO(Ops), 14 October 2005, ‘Iraq: Additional Resources to Counter Increased IED threat in MND(SE)’.

⁵¹⁹ Minute DJC [junior official] to PS/SofS [MOD], 17 October 2005, ‘Iraq: Additional Resources for MND(SE)’.

⁵²⁰ Report CGS to CDS, 18 October 2005, ‘CGS Visit to Iraq: 10-13 Oct 05’.

flying hours and crew numbers ... are all factors, but the overall picture is one of an SH [support helicopter] force ill-matched to support current operations.”

982. On 24 October, Maj Gen Wall sent Major General James Dutton, GOC MND(SE), the Terms of Reference for an aviation Force Level Review that had been directed by AM Torpy because of the heightened IED threat.⁵²¹ Its aims were to identify aviation requirements in MND(SE) between December 2005 and April 2006 and recommend how to meet them. It would also identify “broad resource requirements” between May and November 2006.

983. The planning assumptions for the Review included:

- “threat levels remain broadly constant at current levels”;
- “a mandate for Coalition presence will endure into 2006”; and
- “development of ISF [Iraqi Security Forces] capability will proceed to projected timelines”.

984. Following the Review, on 17 November Maj Gen Wall recommended to AM Nickols that:

- Only one of the two surge Merlin deployed in October 2005 (to support Security Sector Reform (SSR) in Maysan) be returned to the UK after the December elections, leaving a total of five in theatre. That should “reduce the risk of road movement” for certain tasks.
- The surge Sea King remain in theatre as an enduring requirement but a utility Sea King be withdrawn after the elections leaving five utility variants.
- Three [Helicopter Broadsword]⁵²² would also remain in theatre.⁵²³

985. The seventh Merlin had already been withdrawn following the completion of the troop rotation but it was likely that another short-term surge of helicopter capacity would be required for the following troop rotation in April 2006.

986. Maj Gen Wall wrote that “a significant proportion of aviation” was used for “administrative movements within theatre” and for “wider ISTAR tasking”. He stated that the Review had highlighted “a range of potential procedural, technical and tactical measures” to reduce the demand for helicopters but this was “subject to further work”.

⁵²¹ Minute DCJO(Ops) to GOC MND(SE), 24 October 2005, ‘Terms of Reference: Op TELIC Intermediate Force Level Review (FLR) into MND(SE) Avn Requirements’.

⁵²² A cipher has replaced the name of this helicopter for national security reasons. Broadsword was surveillance camera equipment that was fitted to various platforms in theatre and used throughout the course of Op TELIC.

⁵²³ Minute DCJO(Ops) to ACDS(Ops), 17 November 2005, ‘Op TELIC – Aviation Force Level Review (AFLR)’.

987. The steady state requirement for helicopters was therefore:

- five Merlin;
- five Sea King
- four Lynx; and
- three [Helicopter Broadsword].

988. Gen Walker visited Iraq from 22 to 24 November.⁵²⁴ His visit report recorded:

“... levels of consent from MNF presence were slowly declining throughout the AOR [Area of Operations]. When considering military activity in the AOR, broadly 60 percent of our effort was devoted to force protection and sustainment of the UK laydown, 30 percent to SSR [Security Sector Reform] and just 5 percent or so to UK COIN [counter-insurgency]. Notwithstanding the planned reduction in British infantry companies, the AOR geography and operational situation meant that there could not be a proportional reduction in enablers, particularly support helicopters and ISTAR ...”

989. On the JHF-I, Gen Walker wrote:

“... the weight of force protection and administrative tasking was such that the JHF-I was unable to achieve any significant stabilisation or security tasking; the position was exacerbated during the two months of the TELIC roulement when the JHF-I had no spare capacity; it was questionable whether this fixing of precious support helicopter (SH) capability made tactical, operational or logistical sense.”

990. In his Hauldown Report on 12 December, Maj Gen Dutton wrote to AM Torpy:

“Helicopters have always been important in this area, half the size of England and Wales, but the EFP threat has made them essential. I have been grateful for the readiness to support us with extra when required and we have reciprocated by readily agreeing to a reduction when the immediate crisis passed. However this should not disguise the national lack of helicopters to service the operations that we are now conducting. Massaging airframes and hours can only go so far: the simple fact is that we need more helicopters (and aircrew) urgently.”⁵²⁵

991. In his post-tour report on 18 January 2006, Maj Gen Dutton reiterated the point:

“The hours available to the aircraft in theatre are simply inadequate to reduce routine administrative ground movement in a period of heightened IED threat and to conduct helicopter-borne operations. The GOC has to personally authorise coach moves and the FP [force protection] measures required for even the short move between BAS [Basra Air Station] and SLB [Shaibah Logistics Base] requires several Coys [companies] to deploy to minimise the risk of a mass casualty attack ... This is exacerbated by an increasing number of aviation tasks in support

⁵²⁴ Minute PSO/CDS to PS/SofS [MOD], 25 November 2005, ‘CDS Visit to Iraq – 22-24 Nov 05’.

⁵²⁵ Report Dutton to CJO, 12 December 2005, ‘June to December 2005 – Hauldown Report’.

of civil organisations supporting the IZ [International Zone] election process and civil reconstruction such as the UN (who will only fly) and DFID. Having received a temporary increase in Merlin hours and an additional airframe ... this uplift was withdrawn following the aviation FLR (Force Level Review) in early Nov. To compound the problem of flying hours the Div seldom has sufficient aircraft serviceable to actually match the required tasklines due to problems with the ageing Sea King fleet.”⁵²⁶

The availability of ISTAR and support helicopters from 2006 onwards

992. In January 2006, Cabinet approved the decision to deploy to Helmand. Dr Reid announced that the UK was “preparing for a deployment to southern Afghanistan” which included a Provincial Reconstruction Team as “part of a larger, more than 3,300-strong British force providing the security framework”.⁵²⁷

993. The impact of that decision was summarised neatly by Gen Walker as:

“Militarily, the UK force structure is already stretched and, with two concurrent medium scale operations in prospect, will soon become exceptionally so in niche areas.”⁵²⁸

994. On 31 January, Lieutenant General Robert Fulton, Deputy Chief of Defence Staff (Equipment Capability) (DCDS(EC)), wrote to Gen Walker outlining the options for getting “better operational utilisation” from support helicopters.⁵²⁹ He stated:

- Work to increase the utilisation of existing support helicopters was already under way as part of a Chinook Operational Effectiveness Study. That represented the only short-term option to improve the availability of support helicopters within existing resources.
- “Utilisation of a simpler, cheaper aircraft”, such as the recovered Sea King Mk6, to meet non-operational tasking had some potential to alleviate pressure on the operationally-equipped fleet. Equipment Programme funding could be “made available to begin recovery of some of these old aircraft from 2009” but there would be some “significant” problems managing an expanded “two-speed” fleet and the additional running costs would be unaffordable under existing Short Term Plan (STP) plans.
- Recovered Sea King Mk6 aircraft could prove to be a worthwhile “gap-filler” until new helicopters were procured to replace the ageing Puma fleet that had an Out of Service Date (OSD) of 2010.

⁵²⁶ Report HQ MND(SE), 18 January 2006, ‘Progress Report – Operation TELIC’.

⁵²⁷ House of Commons *Official Report*, 26 January 2006, columns 1529-1533.

⁵²⁸ Letter Walker to Richards, 24 January 2006, [untitled].

⁵²⁹ Report DCDS(EC) to PSO/CDS, 31 January 2006, ‘The Utilisation of Operationally Equipped Support Helicopters’.

995. Lt Gen Fulton advised Gen Walker that the view of “Customer Two”, the Front Line Commands, was that the problems in managing a larger number of recovered Sea King would “probably outweigh any advantage”. They thought the best way to “leverage better performance” was to continue seeking to “fly the existing aircraft harder by improving servicing, processes and spares delivery”.

996. Customer Two was keen to explore the potential merits of “running on either Puma or Sea King” to achieve the Equipment Programme “stagger required to introduce, in affordable tranches, a future new helicopter”.

997. In his post-operation tour report on 18 January 2006, Maj Gen Dutton wrote:

“The importance of ISTAR platforms within this theatre cannot be overstated.”⁵³⁰

998. Maj Gen Dutton referred to helicopters fitted with Broadsword capability. He stated that [Helicopter Broadsword] was good but suffered availability limitations as with all aircraft in theatre. Nimrod was also good but orientated towards [UK theatre forces]⁵³¹ and therefore not dedicated to MND(SE). He highlighted the need to maintain and possibly increase ISTAR coverage as the UK moved towards Operational Overwatch.⁵³²

999. Lieutenant General Nicholas Houghton succeeded AM Torpy as CJO in March 2006. On 3 March, he wrote to Gen Walker with the results of a Force Level Review.⁵³³

1000. The aviation support to MND(SE) was provided by: five Merlin, five Sea King, three [Helicopter Broadsword] and four Lynx. Lt Gen Houghton wrote that there was a requirement for Merlin and Lynx to remain throughout Operational Overwatch but changes to tasking lines and servicing routines enabled a reduction of two Sea King as an “efficiency measure”. He highlighted the possibility of further helicopter reductions following the anticipated transition to Provincial Iraqi Control in Maysan, Muthanna and Basra provinces.

1001. On ISTAR, Lt Gen Houghton stated that “Full Motion Video” (FMV) capability was provided by Nimrod (Iraq-wide), [Helicopter Broadsword] (MND(SE)-wide) and Phoenix (locally).

1002. Phoenix would again be withdrawn for the summer months and would not be replaced with any UAV as Desert Hawk had proved “unsuitable”. There remained a shortfall in persistent Intelligence, Surveillance and Reconnaissance (ISR).

⁵³⁰ Report HQ MND(SE), 18 January 2006, ‘Progress Report – Operation TELIC’.

⁵³¹ A cipher has been used here for national security reasons.

⁵³² Operational Overwatch was a phase of transition where the UK would operate from a reduced number of MNF bases to reduce profile while providing reinforcement to Iraqi forces. That is addressed in Section 9.4.

⁵³³ Minute CJO to PSO/CDS, 3 March 2006, ‘Op TELIC Force Level Review – Feb 06’.

1003. On 8 March, the Chiefs of Staff discussed and endorsed the Force Level Review.⁵³⁴ The minutes recorded that one of the points highlighted by Lt Gen Houghton was that, despite the withdrawal of two helicopters, helicopter flying hours would be “sustained by the more efficient use of other assets”.

1004. The Chiefs of Staff noted that “the withdrawal of Phoenix would leave an ISTAR deficit” and MND(SE) had “already been tasked to review its ISTAR requirements”. Possible “mitigation was by the availability of unused Nimrod MR2 hours and the possibility of negotiating US Predator tasking”. Gen Jackson would explore the possibility of using Islander aircraft from Northern Ireland to provide Manned Aerial Surveillance.

1005. On the same day, Dr Reid was informed that “minor adjustments” were being made to the number of support helicopters “through increased efficiency”.⁵³⁵

THE DOC’S THIRD REPORT, 4 APRIL 2006

1006. On 4 April, the DOC published its third report of Op TELIC lessons to cover the period from 1 December 2004 to 28 February 2006.⁵³⁶

1007. The report contained a section on “National Issues” described as “issues that warrant MOD’s attention due to the impact on operational capability”. Such issues affected “not only Iraq but may have a wider significance for other operations, including Afghanistan”. Those issues included: counter IED capability (as addressed earlier in this Section with regard to protected mobility), ISTAR, helicopters, air transport and force protection engineering.

1008. On ISTAR, the DOC stated that within Iraq there remained “a serious gap in current ISTAR capability – particularly in urban areas”. That was “a regular DOC observation that has been highlighted on all recent operations”.

1009. The report cited “a specific problem with surveillance generally and with UAVs specifically”, referring to the “identified gap” between the Phoenix OSD and Watchkeeper ISD of two years. That situation “had changed again” and the Watchkeeper ISD had slipped to “Not to Extend (NTE) beyond January 2011”.

1010. The MOD Investment Approvals Board (IAB) had directed that the gap should be viewed in two parts: theatre-specific in Afghanistan from 2006 to 2008, and the generic contingent war-fighting tactical UAV capability from 2007 to 2010. There was the additional, shorter-term problem that Phoenix could only operate in winter, and Desert Hawk was incompatible with electronic countermeasures. The Combined Joint Predator UAV Task Force (CJPTF) provided “limited coverage of MND(SE)”.

⁵³⁴ Minutes, 8 March 2006, Chiefs of Staff meeting.

⁵³⁵ Minute DJC [junior official] to PS/SofS [MOD], 8 March 2006, ‘Iraq: Force Level Review (FLR) for May 2006 Roulement’.

⁵³⁶ Report DOC, 4 April 2006, ‘Operation TELIC Lessons Study Volume 3’.

1011. The DOC recommended:

“... we should reconsider addressing the ISTAR capability requirements, particularly in addressing surveillance generally and UAVs specifically.”

1012. On battlefield helicopters, the report stated that their capacity to support operations had “become parlous at times during 2005”.

1013. The DOC added:

“The requirement for an air bridge between Baghdad International Airport and the International Zone because of the increases – and sustained – threat on Route Irish, and the requirement to provide enhanced IED ‘top-cover’ have together compounded the situation. The matter is compounded further by shortcomings in the contracted servicing of mission critical equipment ... JHF(I) has struggled to meet its tasks even with rigorous prioritisation. There are several factors that exacerbate the problem but it is apparent that the UK’s BH [battlefield helicopter] force is stretched to meet the requirement of the current operation.”

1014. The DOC quoted Maj Gen Dutton’s assertion from his Hauldown Report that more helicopters were urgently needed in theatre and added that, with the “significant deployment to Afghanistan”, that situation was “predicted to worsen throughout 2006”. That highlighted “the serious overall shortcomings in the UK’s battlefield helicopter capacity”.

1015. The DOC report stated: “There is an urgent requirement to assess and improve our BH capacity as an operational priority in the short and medium term.”

Force Protection Engineering (FPE)

The Directorate of Operational Capability (DOC) report on 4 April 2006 stated that FPE should be viewed in relation to investment in protected mobility and counter IED. It highlighted data from PJHQ that indicated that 24 percent of all attacks had been against camps and other static locations, resulting in 44 percent of all wounded in action.

The DOC explained that, to that date, FPE expertise had resided largely in Northern Ireland. Technical designs and construction standards had then been provided to other theatres (including Iraq) for implementation. Additional FPE Research and Development (R&D) was funded by the Equipment Capability Customer but the two strands were “not co-ordinated”.

There was “an enduring need to provide security forces (and other government departments when required) with secure and protected operating bases from which they can effectively control the ground and interface with the indigenous population”. The need for an “appropriately resourced FPE capability (for the Land environment)” had been endorsed by the Executive Committee of the Army Board.

The DOC recommended: “Short term action is required to fill the funding gap for FPE development and in the longer term, policy must be developed to ensure that FPE is brought into core business post Northern Ireland ‘Normalisation.’”

1016. The Chiefs of Staff discussed the DOC Report on 4 April 2006.⁵³⁷ The lessons about counter IED, ISTAR and air transport capability were repeated in the minutes.

1017. The Chiefs discussed ISTAR further, the minutes recording that if the report's identification of a serious ISTAR capability gap was "true", it would need "to be addressed, possibly through the UOR process, but perhaps more realistically by reviewing and adjusting as necessary the overall surveillance plan".

1018. The minutes stated that not only was ISTAR critical for operations in Afghanistan, but "a lack of surveillance capability had constrained operations in MND(SE) and would be critical for maintaining situational awareness in MND(SE) during strategic overwatch". In the meantime, the US was "being pressed to provide the UK with a proportional share of their Predator surveillance output, given that the UK contributed a significant amount" of the operating costs.

1019. In discussion the Chiefs of Staff agreed that:

"... appropriate priority and resources were being given to the development of national Counter Improvised Explosive Device capability ... including the possible use of the UOR process, the criticality of gaps in the UK's surveillance plan for both Iraq and Afghanistan ... required further analysis, and CDS [Gen Walker] asked VCDS [Gen Granville-Chapman] to scope the issue."

1020. As "a first step", Gen Granville-Chapman wrote to Lt Gen Houghton and Lt Gen Fulton on 7 April.⁵³⁸ He requested Lt Gen Houghton's ISTAR assessment for Iraq and Afghanistan, including:

- "What is the requirement now, what are the shortfalls, how *critical* are they, and what is being done to ameliorate them?"
- Given the shift to Operational Overwatch in Iraq and the UK's enduring commitment in Afghanistan, what was the "projected requirement likely to be" and might it even increase when there were fewer boots on the ground? What plans were in place to address these?
- "How coalition/alliance assets may realistically be able to assist."

1021. Looking at how gaps could be filled, Gen Granville-Chapman suggested Lt Gen Houghton should consider "the full range of potential solutions", including Merlin Mk1F and attack helicopters.

1022. Gen Granville-Chapman wrote that ISTAR had also been raised during a meeting about Afghanistan on 4 April and Gen Walker had "accepted that any new substantial request for UOR funding in relation to Predator B should not be pursued for the moment".

⁵³⁷ Minutes, 4 April 2006, Chief of Staff meeting.

⁵³⁸ Minute VCDS to CJO, 7 April 2006, 'Quantifying ISTAR Shortfalls on Current Operations'.

1023. Given that discussion, Gen Granville-Chapman asked Lt Gen Fulton to consider what could realistically be delivered “to address known and projected shortfalls in the timescales we are talking about”.

1024. Gen Granville-Chapman sent a copy of the DOC report to Mr Ingram on 21 April, noting that the Chiefs of Staff’s discussion of the report was based “almost exclusively around the issue of re-addressing our operational ISTAR capabilities”.⁵³⁹

1025. Gen Granville-Chapman wrote that it would have implications in both Afghanistan and Iraq and that “resolution of this issue always came back to operational priorities within a limited Departmental budget”. Despite that, ISTAR remained an “*enduring*” lesson that had been raised in all three DOC reports.

1026. On 10 May, Air Commodore Nick Gordon, Director Directorate of Equipment Capability (ISTAR), advised Gen Granville-Chapman on the possibility of using Predator B to address shortfalls in UK ISTAR capability.⁵⁴⁰

1027. Air Cdre Gordon stated that from “a standing start” it would take 24 months before a Predator B could be fielded in theatre. In 2005, the DEC ISTAR team had investigated procuring a demonstrator for trial in Afghanistan but, at a cost of around £60m, it was deemed unaffordable within the available equipment funding. He also advised that “alternative approaches” to procurement and platform operation could reduce cost and time boundaries.

1028. Lt Gen Houghton produced his assessment of ISTAR shortfalls on operations on 18 May.⁵⁴¹ He explained that FMV was “probably the most widely sought” ISR capability in Iraq and Afghanistan.

1029. For both theatres, Lt Gen Houghton explained that the UK operated within a coalition management process that afforded the UK “relatively low priority” for the allocation of ISTAR assets. The agreement to provide MND(SE) with “12 hours of daily Predator Feed” had been a “recurrent topic of bilateral discussion over the past few months” but it was unlikely that there would be any significant change to the UK’s apportionment. Any allocation of US Predator should be regarded as “a bonus” and, if the UK concluded it was needed, it should aspire to acquire its own.

1030. Lt Gen Houghton stated that MND(SE) had sought to offset the lack of US Predator support by generating other FMV feeds. The FMV requirements were satisfied in part with theatre-level manned platforms but MND(SE) could not fully exploit that capability due to a lack of ground terminals to download the data.

⁵³⁹ Note VCDS to MA/Min(AF), 21 April 2006, ‘DOC Operational Lessons Report – Operation TELIC Volume 3’.

⁵⁴⁰ Minute DEC ISTAR to MA/VCDS, 10 May 2006, ‘Predator B’.

⁵⁴¹ Minute CJO to VCDS, 18 May 2006, ‘Quantifying ISTAR Shortfalls on Current Operations’.

1031. FMV coverage therefore remained “the most significant ISR gap in MND(SE)”. In “general terms”, the UK was “50 percent” short of the requirement across both theatres.

1032. Addressing Gen Granville-Chapman’s specific questions on attack helicopters and Merlin Mk1, Lt Gen Houghton stated that attack helicopters would have “some utility as an ISTAR platform” but could not distribute imagery to other users. The Merlin Mk1 would be a capable platform, with some modifications, but “these debates” needed closure in the context of “a comprehensive analysis of our aviation capability gaps”.

1033. In the short term, Lt Gen Houghton would pursue an extension of Nimrod MR2 support for Afghanistan and support the procurement or loan of terminals from the US to receive FMV feeds in theatre. His staff would continue to “press for greater access to Predator coverage” and he believed “we should look again at bridging the gap between Phoenix OSD and Watchkeeper ISD, potentially with an extension of the former”.

1034. Lt Gen Houghton stated that the identification of ISTAR requirements and critical shortfalls for the medium term had proved “more problematic”. It was clear that the UK was “only beginning to develop a full understanding of the national ISTAR requirements for transition in both theatres” and the ways in which they could be met. Lt Gen Houghton wrote:

“I am led to the judgement that the complexity of a Coalition and national ISTAR architecture requires a dedicated MOD led ISTAR review to fully examine emerging requirements ... Such a review should draw together a pan-agency solution to address our current shortfalls and define our long term goal for the provision of a coherent Defence-wide ISTAR capability.”

The Lynx helicopter crash, 6 May 2006

On 6 May, a Lynx helicopter crashed in Basra, killing all five personnel⁵⁴² on board.⁵⁴³

At the Chiefs of Staff meeting on 10 May, it was noted that “the FCO had suspended flights by its personnel whilst the cause of the helicopter crash was investigated but military flights continued subject to the revision of tactics, techniques and procedures”.⁵⁴⁴

The Board of Inquiry into the crash concluded that the helicopter had been shot down by a surface-to-air missile (using a Man Portable Air Defence System – MANPAD), fired from the ground.⁵⁴⁵

⁵⁴² Wing Commander John Coxen, Lieutenant Commander Darren Chapman, Captain David Dobson, Flight Lieutenant Sarah-Jayne Mulvihill and Marine Paul Collins.

⁵⁴³ GOV.UK, 6 May 2006, *Five personnel in Basra helicopter crash named*.

⁵⁴⁴ Minutes, 10 May 2006, Chiefs of Staff meeting.

⁵⁴⁵ House of Commons, *Official Report*, 27 April 2007, column 29WS.

Brigadier James Everard, Commander 20 Armoured Brigade, explained the effect this had:

“The successful attack on the Lynx ... resulted in the cessation of all daytime ... movement over Basra City. Critically, the Brigade was therefore unable to conduct enduring surveillance ops during daylight hours without Nimrod MR2 – an asset shared with both [UK theatre forces] and Op HERRICK.”⁵⁴⁶

1035. Lt Gen Houghton visited Iraq from 13 to 15 June. He reported:

“... I do have some concerns as I look ahead over the balance of the year ... If we are to match the wider campaign desire for a decisive six months we need to balance ourselves accordingly.”⁵⁴⁷

1036. The elements of that balancing included protected mobility and ISTAR. He wrote:

“Resolve the issue of ISTAR. A plan that depends upon intelligence-led precision detention operations is neutered if we do not have the dedicated ISTAR (Full Motion Video) for pattern of life studies, target development and operational queuing.”

RE-ALIGNING ASSETS AND UNDERSTANDING THE SHORTFALLS

1037. On 17 May, the JHC provided Lord Drayson with advice on the numbers of helicopters deployed on operations.⁵⁴⁸ The advice listed the helicopter numbers available to Op TELIC as:

- four Lynx AH7 from a JHC total fleet of 95;
- eight Sea King Mk 4 from a JHC total fleet of 37; and
- seven Merlin Mk3 from a JHC total fleet of 22.

1038. The House of Commons Defence Committee visited Iraq from 4 to 8 June.⁵⁴⁹ The MOD’s record of the visit stated:

“The Committee was interested to know whether the UK had sufficient air capability, and in particular whether it was felt that MOD had prioritised funding and capabilities appropriately, for example was there sufficient helicopter numbers to meet the requirement in Iraq and Afghanistan ...”

⁵⁴⁶ Report Everard to PJHQ – J3, 15 December 2006, ‘HQ 20 Armd Bde Op TELIC 8 Post Operational Tour Report’.

⁵⁴⁷ Minute Houghton to PSO/CDS, 16 June 2006, ‘Visit to Iraq 13 – 15 Jun 06’.

⁵⁴⁸ Minute JHC [junior officer] to APS/Min(DP), 17 May 2006, ‘Current Rotorcraft Fleet and Deployment – Joint Helicopter Command (JHC)’.

⁵⁴⁹ Minute DJC-Sec1 to HCDC Liaison Officer, 15 June 2006, ‘Visit Report: House of Commons Defence Committee (HCDC) Visit to Iraq 4-8 June 2006’.

1039. On 12 June, Lt Gen Houghton wrote to Gen Granville-Chapman summarising the operational requirement for battlefield helicopters in Iraq and Afghanistan.⁵⁵⁰ While there was an endorsed requirement for an uplift in support to Afghanistan, on Iraq he wrote:

“At present there is no endorsed requirement for an increase in BH [battlefield helicopters] support to Op TELIC, but operations have been constrained at times by a lack of available BH support. This is partly related to the limited performance and reliability of the Sea King Mk4 when compared with larger and more modern BH. Any potential benefits from transition in Op TELIC may be fully absorbed by emerging requirements to support Operational Overwatch and OGDs [Other Government Departments].”

1040. Lt Gen Houghton added that the withdrawal of Italian forces in Iraq “could present an additional requirement for battlefield helicopter lift and ISTAR in Dhi Qar Province”. Further work was being done to define that.

1041. Lt Gen Houghton concluded:

“With no reductions on the horizon in Op TELIC and escalating requirements in Op HERRICK, our national aviation requirements now need departmental scrutiny to determine the concurrent requirement to resource both theatres and define how our national aviation resources should be realigned.”

1042. Air Chief Marshal Sir Joseph Stirrup became CDS in April 2006. A record of ACM Stirrup’s “O Group” meeting on 16 June stated in relation to Iraq:

“The UK required its own persistent surveillance capability if it was to deliver mission success. CDS’ clear preference was for an ‘off the shelf’ solution which could be delivered quickly. VCDS [Gen Granville-Chapman] had work in hand addressing this shortfall which was due to report in mid Jul.”⁵⁵¹

1043. On 21 June, Gen Jackson wrote to General Sir Richard Dannatt, Commander in Chief Land Command, stating:

“It is probably worth re-emphasising the lack of ‘flying hours’ for our operational helicopter fleets is an issue that is gaining momentum up here in the Main Building. In my view the current problems are merely symptomatic of the broader lack of investment in our ‘lift’ capability. However – and this is my concern – people up here seem fixed solely on providing a palliative for the current symptoms, rather than really tackling the Defence-wide balance of investment decisions that need to be taken if we are to have forces appropriately structured for what they are *actually*

⁵⁵⁰ Minute Houghton to MA/VCDS, 12 June 2006, ‘Quantifying Battlefield Helicopter (BH) Requirements on Operations’.

⁵⁵¹ Note SECCOS to VCDS, 19 June 2006, Record of Actions & Decisions from CDS O Group – 16 June 2006’.

being asked to do (expeditionary Land based operations) rather than what they *might* have to do (force on force operations across all three environments).⁵⁵²

1044. On 29 June, Air Commodore Brian Bates, Director Directorate of Joint Capability, produced two papers for Gen Granville-Chapman; one on rotary wing operational shortfalls and one on ISTAR operational shortfalls.

1045. The paper on rotary wing shortfalls stated:

“The Department’s BH [battlefield helicopter] capability is a finite resource that is required to support a number of concurrent Military Tasks overseas and a variety of Standing Home commitments. Currently the BH force is heavily committed on operations and is recognised as a Defence pinch point ...”

“A range of factors have contributed to the current pressures on the BH force; not least, a legacy of underinvestment in BH sustainability and the fact that a significant proportion of BH fleets are operating in excess of DPAs [Defence Planning Assumptions]. The enduring nature of today’s operations, allied to a presumed need for BH during any drawdown or overwatch period, suggests that this situation is unlikely to change in the medium term. Other complicating factors include: ... the increased IED threat that had led to a tendency to revert to the use of helicopters as the default option for protection where other means, such as properly protected road moves, may be possible; and, a paucity of ISTAR assets, leading to an increased demand on BH platforms.”⁵⁵³

1046. The paper went on to summarise the operational requirements in each theatre. For Operation TELIC it stated:

“Five Merlin ..., three Sea King ..., four Lynx ..., and 3 [Helicopter] (Broadsword [ISTAR]) are currently deployed on Op TELIC. The CABHWG [Capability Area Battlefield Helicopter Working Group], drawing on PJHQ-led AFLRs [Aviation Force Level Reviews], has established that current support is sufficient for the task. This was subsequently confirmed by CJO, although circumstances that could necessitate an increase in BH have been identified. The early stages of transition to Operational Overwatch (OOW) may free up some lift but this is likely to be absorbed by emerging tasks in support of OOW forces, OGDs and the need to maintain situational awareness ...”

1047. The ISTAR paper stated that the key shortfall in FMV was “likely to increase rather than diminish” with the move to Operational Overwatch and the evolving concept of operations in Afghanistan.⁵⁵⁴ Without additional resources, the opportunities to make substantial improvements to the delivery of ISTAR on operations were limited to “process enhancements” or securing greater access to coalition assets.

⁵⁵² Letter Jackson to Dannatt, 21 June 2006, [untitled].

⁵⁵³ Minute DJtCap to MA/VCDS, 29 June 2006, ‘Rotary Wing Operational Shortfalls’.

⁵⁵⁴ Minute DJtCap to MA/VCDS, 29 June 2006, ‘ISTAR Operational Shortfalls’.

1048. The paper continued:

“ISTAR issues are often inextricably linked to a multitude of other lines of development or capabilities, which may, in turn, also be pinchpoints and subject to considerable pressure; helicopters are a prime example. Equally, the solution may not be equipment based. Rather it might be process or enabler specific. For example, access to existing information, bandwidth or capability through exploitation of frequency, downlink or a particular National/Coalition product or database.”

1049. The options for mitigating short-term shortfalls were broken down into five areas, recognising that getting ISTAR right required more than a suite of dedicated ISTAR assets, but that it relied upon “all aspects of the network-enabled capability”:

- Improving processes for collecting, storing and processing intelligence.
- Improving access to coalition capability such as the CJPTF. Lt Gen Houghton had been tasked separately with improving apportionment, co-ordination and liaison with US and other MNF forces.
- Re-apportionment of national assets including: the deployment of Northern Ireland based Islanders to Iraq or Afghanistan; increasing the number of Defender aircraft; increasing the number of Nimrod MR2, although those were unlikely to become available before November 2006; UOR action to bring Merlin Mk1 up to “theatre-entry standard”; and redeploying Phoenix to Iraq after the summer – an option that would have “painful implications” for a UAV regiment in Afghanistan.
- Extant and emerging UORs: a USUR had been submitted and endorsed by PJHQ for the provision of a “long range, long loiter, real time FMV surveillance system” in May. That was similar to the USUR produced in April 2003 that led to the CJPTF. Further action was awaiting the outcome of Lt Gen Houghton’s work on getting greater access to coalition capability. Other UORs were in train to address the lack of ground terminals able to downlink ISTAR data.
- New capabilities: options included fitting additional Defender aircraft with the necessary sensors and downlink capability; further increasing the number of ground ISTAR terminals; using commercially owned UAV systems such as the US had done with Scan Eagle which could deliver capability quickly (“within about nine months”) but did raise liability issues; advancing commercial off-the-shelf UAVs such as Predator B under the DABINETT programme or leasing Hermes 450/Hermes 180 air vehicles. There was no potential to bring forward elements of the Watchkeeper programme.

1050. Future equipment programmes would deliver improved ISTAR effect within the next few years, but none before November 2006.

1051. The MOD told the Inquiry that Phoenix was withdrawn from theatre in June 2006 and, although it had been suggested that it might be redeployed that September, it did not re-enter service.⁵⁵⁵

1052. In July, Gen Dannatt wrote to Gen Jackson about “four major concerns” he had as “the Force provider”.⁵⁵⁶ His “first and overriding concern” was protected mobility which is addressed earlier in this Section. Two of those other concerns related to ISTAR and battlefield helicopters.

1053. Gen Dannatt wrote that he shared Gen Granville-Chapman’s concern about ISTAR support for land operations in Iraq and Afghanistan. He stated that there was “an urgent need for a full estimate process to ascertain the requirement” and judged that “such an estimate would identify the need for an easily deployable UAV capable of operating beyond the line of sight, under the control of the tactical ground commander, and responsive to his information requirements”.

1054. Gen Dannatt saw this “as complementary to the more immediate re-allocation of current resources and longer-term Equipment Programme solutions. Such a capability was always within the original vision for the Watchkeeper programme; the need is now acute.”

1055. Gen Dannatt acknowledged that the paper on battlefield helicopters would be considered by the Chiefs of Staff that week but wrote that he “would be remiss if I failed to stress the importance of resolving this issue as a matter of urgency”. He stated:

“Operational experience continues to drive home the inextricable linkages between ISTAR, protected mobility and BH. When the two former capabilities are under stress ... we invariably place a higher call on the latter, a call that we find increasingly difficult to meet, given the limited resources at our disposal. The issue is one of flying hours as well as the provision of sufficient numbers of aircraft and their spares. The key and developing role of AH [attack helicopters] on operations in Afghanistan, coupled with significant shortfalls in support funding, brings this into even sharper focus.”

1056. Gen Dannatt wrote that action was urgently needed to continue operations and “minimise casualties to our soldiers”. He stated: “Process must not be allowed to stand in the way.”

1057. On 4 July, the Chiefs of Staff discussed the papers on rotary wing and ISTAR operational shortfalls.⁵⁵⁷ AM Nickols emphasised that both were “immature and had been produced to a tight timescale to allow COS to take a view on what action was required now”.

⁵⁵⁵ Letter Duke-Evans to Hammond, 4 February 2016, [untitled].

⁵⁵⁶ Letter Dannatt to Jackson, July 2006, ‘The Level of Operational Risk on Current Operations’.

⁵⁵⁷ Minutes, 4 July 2006, Chiefs of Staff meeting.

1058. The minutes of the meeting recorded:

“In the short term, pressure on Rotary Wing (RW) assets in Afghanistan and Iraq could only be alleviated by releasing assets from other tasks, or by extracting more from the assets in theatre. The situation was complicated by differences between helicopters in lift and Defensive Aids Suites (DAS) ... In addition the paper recognised that any increase in helicopter flying hours would be limited by the availability of spares, crew hours and harmony guidelines ...”

1059. In discussion, ACM Stirrup stressed that the Chiefs of Staff “needed to focus on the problem they faced between now and the end of the year. The UK was fighting a war in two theatres which demanded urgent innovative work to deliver capability quickly, rather than waiting for a 100 percent (or even 80 percent) solution over a longer timeframe.”

1060. Amongst the measures agreed by the Chiefs of Staff were taking greater risk on other operations to release assets for use in Iraq and Afghanistan and taking “further action with our Allies” to ensure that their helicopter assets remained in theatre, specifically the US and Italians.

1061. The Chiefs of Staff also agreed that additional resources were to be identified in the next planning round to deliver an improved rotary wing capability. That would include:

- the “fix to field” requirement for the eight Chinook Mk3s (see Box, ‘The eight modified Chinooks’);
- the provision of Defensive Aids Suites across the deployable helicopter fleet so that it was “adaptable to the changing threat”;
- support helicopter lift over the next five years; and
- support helicopter and attack helicopter sustainability over the next five years.

1062. On ISTAR the Chiefs agreed:

- Merlin Mk1 should replace Nimrod in Oman, freeing Nimrod to “ameliorate ISTAR shortfalls elsewhere”;
- Predator B “represented the most coherent ISTAR capability for the UK’s needs” and should be procured “as soon as possible” for use in Afghanistan, but without prejudice to the Watchkeeper programme; and
- a PJHQ-led ISTAR Task Team should identify theatre-specific ISTAR requirements and how the UK might better utilise the entire coalition theatre ISTAR process. Air Marshal Stuart Peach, Chief of Defence Intelligence, would lead that work with a view to informing the EP/STP07 by 1 October 2006.

1063. ACM Stirrup asked Gen Granville-Chapman to produce an action plan to deliver the measures agreed on rotary wing and ISTAR “as a matter of urgency” by 7 July.

1064. Gen Granville-Chapman produced those plans on 7 July.⁵⁵⁸ His covering minute stated:

- a. Nothing is to get in the way of achieving the timetables shown, whatever the hours – we are at war in two theatres and lives depend on the capabilities being delivered on time. If seemingly insuperable issues arise I am to be informed immediately.
- b. Planning *aficionados* will spot that we are departing from the programme in some areas – intentionally. Less than perfect solutions are sometimes required to attend to immediate needs, albeit at the expense of other projects.
- c. In the slightly longer term context of EP07 we shall need to make adjustments to reflect the current scene, notably in the RW (DAS for far more of the fleet) and ISTAR realms – DCDS(EC) [Lt Gen Fulton] will handle this and will issue guidance by the end of this month.”

1065. The plan to address helicopter shortfalls included releasing assets by “rationalising aviation support” to counter-terrorism operations in the UK and releasing helicopters from other theatres, both of which were planned to be complete by the end of July 2006. Equipping all battlefield helicopters to “theatre-entry standard” was listed as a 2007 Equipment Programme measure.

1066. The plan to address ISTAR shortfalls included:

- fully replacing Nimrod MR2 with Merlin Mk1 in Oman by the end of September;
- delivering Predator B to Afghanistan by 1 May 2007 (noting the potential loss of other projects within the Equipment Programme);
- assessing the requirement for a short-range tactical UAV by the end of July and exploring options to meet any confirmed requirement by 15 September 2006;
- reviewing the output of CJPTF by 31 July;
- deploying Oakbank⁵⁵⁹ to Iraq by 15 August;
- expediting delivery of 26 ground terminals to receive coalition FMV feed, 18 of which were to go to Iraq, between July 2006 and March 2007 depending on the time needed to obtain an export licence; and
- capturing the national requirements via an ISTAR Task Team by 31 August. It would cover Iraq and Afghanistan but also take account of other commitments – an 80 percent solution would suffice.

⁵⁵⁸ Minute Granville-Chapman to CDL, 7 July 2006, ‘Rotary wing and ISTAR Shortfalls’ attaching Paper VCDS, 7 July 2006, ‘Action Plan to Address Rotary Wing Operational Shortfalls’ and Paper VCDS, 7 July 2006, ‘Action Plan to Address ISTAR Operational Shortfalls’.

⁵⁵⁹ Oakbank is a CCTV camera system for static locations.

1067. Gen Granville-Chapman visited Iraq and Afghanistan between 9 and 13 July.⁵⁶⁰ In Iraq, he reported that ISTAR and helicopters remained “the key focus” for equipment.

1068. In July 2006, in his post-operation tour report, Maj Gen Cooper wrote that, in relation to the UK’s understanding of militia groupings:

“The paucity of specialist ISTAR capability is also a concern. In order to prosecute routine operations more effectively and specific strike operations accurately we need better or additional UAV capability, full-motion video [and] geo-location equipment ... capabilities are available on the market and would be real value for money.”⁵⁶¹

1069. Major General Richard Shirreff, the new GOC MND(SE), wrote in his first report on 21 July about two recent “significant operational successes”.⁵⁶² He stated:

“... we have been lucky not to take more casualties ... The message is that we cannot rely on luck and that the critical shortage of key enablers exposes our soldiers to significant risk. Despite the good work done by the Nimrod MR2 and the two [Helicopter] Broadsword, we are woefully short of airborne surveillance capability. We are unable to strike with precision from the air, which we emphatically need to do, without attack helicopters or a similar capability.”

1070. Forwarding the report to No. 10, Mr Browne’s Private Office wrote that it raised:

“... a number of issues that have subsequently been discussed in the Defence Secretary’s weekly Ministerial. Work is in progress to consider these issues and further advice will be provided should any significant changes in approach be required.”⁵⁶³

1071. On 26 July, the Chiefs of Staff “noted the immediate requirement for national ISTAR assets that would enable the successful prosecution of detention operations within MND(SE)”.⁵⁶⁴

MR BROWNE’S CONCERN

1072. In August, Gen Granville-Chapman and Maj Gen Rollo briefed Mr Browne on the UK’s helicopter force.⁵⁶⁵

1073. On 11 August, Mr Browne’s Private Office wrote that he remained concerned that the UK had “a shortfall that needs to be addressed” and requested a “formal assessment” of how some of the options discussed at the meeting could increase capability over the next 12 months.⁵⁶⁶

⁵⁶⁰ Minute Granville-Chapman to Stirrup, 14 July 2006, ‘VCDS Visit to Iraq and Afghanistan 9-13 Jul 06’.

⁵⁶¹ Report HQ MND(SE), 21 July 2006, ‘Progress Report – Operation TELIC’.

⁵⁶² Report Shirreff, 21 July 2006, ‘GOC MND(SE) – Southern Iraq – 21 July 2006’.

⁵⁶³ Note PS/SofS [MOD] to Phillipson, 26 July 2006, ‘Iraq: Update’.

⁵⁶⁴ Minutes, 26 July 2006, Chiefs of Staff meeting.

⁵⁶⁵ Minute McNeil to MA/VCDS, 11 August 2006, ‘Shortfall in Helicopters Capability’.

⁵⁶⁶ Minute McNeil to MA/VCDS, 11 August 2006, ‘Shortfall in Helicopters Capability’.

1074. Gen Granville-Chapman responded on 7 September.⁵⁶⁷ He wrote that it was worth recognising that the UK was operating above concurrency levels “(which did not envisage two medium scale enduring operations over extended LOCs [Lines of Communication] and did not plan for a helicopter fleet to match)”. He also stated that the MOD had “postponed rectifying the acknowledged 15-20 percent helicopter shortfall until at least 2010” when it had taken £1.5bn of savings against the Future Rotorcraft Capability (FRC) programme in 2004.

1075. Gen Granville-Chapman wrote that Lt Gen Houghton’s “current battlefield helicopter requirements in Iraq and Afghanistan” were being met by the deployment of additional aircraft and the resourcing of additional flying hours in both theatres. That increased level of activity was, “on the face of it, sustainable” and the requirement had been confirmed by the recent Force Level Review.

1076. In Iraq, there was little potential for reducing the “aviation bill” in the short term.

1077. The nature of both campaigns required a “critical theatre entry standard” to be imposed, principally the fitting of DAS and long-range secure communications. That meant, even with UORs to date, 65 percent of the battlefield helicopter fleet was “not deployable”. Planned UORs would reduce that figure to 40 percent.

1078. Gen Granville-Chapman stated that flying hours were limited by the availability of trained crews as much as airframes. The demand was being met by “redistributing airframes and sweating the assets to the maximum degree” but, he warned:

“There is not likely to be any let-up in BH tempo for at least the next five years which leaves us with virtually no capacity to meet increased or new demands and a real ‘harmony’ problem for our BH people.”

1079. Four options to add capability were considered:

- Leasing – an option with “limited mileage” because the resolution of indemnity and financing issues, coupled with delivery timescales meant that significant new deployable capability would take at least a year but more likely three. Leased civilian helicopters in the UK could be used for training but would not generate competent crews for operations.
- Contracting – using contractor aircraft flown by civilians was an option but the aircraft were not “DAS’d to our standards”.
- Further developments to the existing fleet – Puma was scheduled to go out of service in 2010 and Sea King Mk4 in 2012. To keep both models going beyond those dates would cost £155m. Options were being considered to make some Merlin Mk1s “dual capable as BH” and to make other aircraft into “a basic SH”.

⁵⁶⁷ Minute VCDS to SofS, 7 September 2006, ‘Helicopter Capability’.

- Advancing the FRC programme – an additional £225m “in the early FRC years” would enable the earlier procurement of Chinook helicopters to meet the heavy lift requirement. An extra £650m across the Equipment Programme period would allow the medium support helicopter purchase “(type not yet known)” to be brought forward by five years to 2012 and “obviating the need to extend the ageing Puma and Sea King fleets”.

1080. Gen Granville-Chapman wrote:

“All of these options are being tested now ... In October DCDS(EC) [Lt Gen Fulton] will chair a series of Joint Capabilities Boards to decide which of the options I have described should be pursued and when. But there are real affordability problems in the early EP [Equipment Plan] years and the levels of contractual commitment means that it will not be easy to shift significant investment away from other capabilities and into helicopters in this round. I suggest we return to this issue in late October when we shall know better the worth of options.”

1081. Mr Browne circled both references to October in Gen Granville-Chapman’s note and wrote: “No: it should happen tomorrow!”⁵⁶⁸

1082. On 11 September, Mr Browne’s Private Secretary wrote to Gen Granville-Chapman requesting an “urgent” meeting to discuss his advice.⁵⁶⁹ Mr Browne was:

“... concerned to ensure that officials are giving appropriate priority to measures to improve helicopter availability and have considered, and exhausted, every possibility, including those which they believe Ministers would find unpalatable.”

1083. The areas Mr Browne particularly wanted to explore included:

- the proposal to convert maritime Merlin helicopters to a battlefield support role;
- “a radical rethink” on the eight grounded Chinook Mk3 aircraft that were not considered airworthy (see Box below, ‘The eight modified Chinooks’); and
- leasing and contracting further aircraft.

1084. Mr Browne and Lord Drayson met Gen Granville-Chapman on 14 September.⁵⁷⁰

1085. On 15 September, Gen Granville-Chapman wrote that Mr Browne was “keen to explore a number of options for short term relief” for crews in theatre. Those included “what sum of money” would yield “*significant* improvement in aircraft availability in the next six months” in relation to Chinook, whether additional Merlin Mk3 could

⁵⁶⁸ Manuscript comment Browne on Minute VCDS to SofS, 7 September 2006, ‘Helicopter Capability’.

⁵⁶⁹ Minute Forber to MA/VCDS, 11 September 2006, ‘Helicopter Capability’.

⁵⁷⁰ Minute Granville-Chapman to ACDS(Ops) and ACDS(Log Ops), 15 September 2006, ‘Helicopter Capability’.

be bought from other countries, and the programme intended to make the eight Chinook Mk3 airworthy.

The eight modified Chinooks

In 1995, the MOD ordered 14 Chinook Mk2a helicopters from Boeing: six were retained as Mk2 but eight were modified as Mk3 to meet a longstanding requirement for special operations.⁵⁷¹ Those eight helicopters cost £259m and were delivered to the MOD in December 2001.

Although Boeing had met its contractual obligations, the avionics software fell short of UK military airworthiness standards and the helicopters were left in storage while solutions were considered.

In 2004, the Public Accounts Committee described it as “one of the worst examples of equipment procurement” that it had seen.

Following increases in troop numbers to Afghanistan, the MOD started looking for ways to increase its helicopter capacity. As a result, in March 2007, Mr Browne took the decision to “revert” the Chinooks back to the Mk2 standard to make them available for use in operations as quickly as possible.

In March 2009, the Public Accounts Committee described that decision as having been made in haste in “a matter of days”.⁵⁷² The MOD did not consult Boeing about the risks, costs and timescales which ultimately led to a 70 percent increase in the cost of the project. The final cost for the helicopters on entering service would be £422m, or £52.5m each.

The first successful test flight of one of the modified Chinooks was completed in July 2009.⁵⁷³

1086. On 10 October, Gen Granville-Chapman wrote to AM Nickols with actions from a meeting with Mr Browne and Lord Drayson the previous day.⁵⁷⁴ The focus of the meeting was helicopter availability in Afghanistan, following a recent visit from Lord Drayson. Iraq was not mentioned in the minute but Gen Granville-Chapman concluded:

“There is a wider capability point emerging about the extent to which capability requirements are being anticipated in theatre and the right levers are being pulled. I shall be tasking CJO separately.”

1087. That point is addressed in a note from Lt Gen Houghton on 27 October and is also addressed earlier in this Section with the consideration of how capability gaps were articulated.

⁵⁷¹ National Audit Office, *Chinook Helicopters*, 4 June 2008, HC 512.

⁵⁷² Eighth Report from the Public Accounts Committee, Session 2008-09, *Ministry of Defence: Chinook Mk 3*, HC 247, recommendation 2 and paras 7 and 9.

⁵⁷³ *Boeing*, 7 July 2009, *Modified Boeing Chinook Mk3 Successfully Completes 1st Test Flight*.

⁵⁷⁴ Minute Granville-Chapman to ACDS(Ops), 10 October 2006, ‘Helicopter Availability’.

1088. On 11 October, Gen Granville-Chapman produced an update on helicopter and ISTAR shortfalls.⁵⁷⁵ The updates that involved Iraq were:

- Four additional Nimrod MR2 would be deployed in “Iraq/Afghanistan” from 1 November 2006 to 30 April 2007.
- A business case for a mini-UAV was being developed to provide surveillance capability at “company/battlegroup level” by June 2007. In parallel, MND(SE) was running trials on Raven, a US system, to inform the choice.
- MND(SE) had produced a USUR for a tactical UAV. DEC ISTAR had already received proposals from engagement with industry and was in the process of selecting the most appropriate option. The initial operating capability depended on the system selected but was “likely to be around by June 2007”.
- The installation of a “layered and networked surveillance” capability at fixed sites was moving forward.

1089. Further meetings and discussions took place in October with a clear focus on increasing helicopter availability, primarily in Afghanistan.⁵⁷⁶ The only action discussed in relation to Iraq was the possibility of using two of the six Danish Merlin that the UK was intending to purchase to replace Sea King, with a view to modifying and redeploying those Sea Kings to Afghanistan.⁵⁷⁷

1090. On 24 October, Mr Jonathan Lyle, Director Air and Weapons Systems, wrote to Lord Drayson advising that acquiring six Danish Merlin aircraft would increase the fleet of Merlin support helicopters to a total of 28 aircraft, “enabling an enduring deployment of 7 Merlin and an uplift of 40 percent on those currently deployed to Op TELIC”.⁵⁷⁸ That would provide a “more robust and enduring capability than, for example, modifying Merlin Mk1 aircraft”.

1091. Mr Lyle wrote:

“Merlin is a success on Op TELIC and is the aircraft of choice for Iraq. To minimise the logistic footprint within JHF(I), the JHC favour an all Merlin force in Op TELIC. Subject to addressing the ISTAR requirement, such a deployment would release Sea King to ... Afghanistan ...”

⁵⁷⁵ Minute Granville-Chapman to CDL, 11 October 2006, ‘Progress on Rotary Wing (RW) and ISTAR Shortfalls’ attaching Paper VCDS, 11 October 2006, ‘Action Plan to Address RW Operational Shortfalls – Progress as at 5 Oct 06’; Paper VCDS, 11 October 2006, ‘Action Plan to Address ISTAR Operational Shortfalls – Progress as at 5 Oct 06’; and Paper VCDS, 11 October 2006, ‘Current Status of ISTAR Capability and Progress Post Action Plan’.

⁵⁷⁶ Minute VCDS to CDL, 11 October 2006, ‘Progress on Rotary Wing (RW) and ISTAR Shortfalls’; Minute English to PS/Min(AF), 19 October 2006, ‘Helicopter’; Minute ACDS(Ops) to MA/VCDS, 23 October 2006, ‘Helicopter Capability’.

⁵⁷⁷ Minute ACDS(Ops) to MA/VCDS, 23 October 2006, ‘Helicopter Capability’.

⁵⁷⁸ Minute Lyle to APS/Min(DP), 24 October 2006, ‘Helicopter Acquisition’.

1092. Mr Lyle mentioned that options for replacing the Sea King being used for Manned Airborne Surveillance in Iraq were also being considered.

1093. On 26 October, Lord Drayson and Mr Ingram wrote to Mr Browne with a joint proposal on how to increase helicopter availability.⁵⁷⁹ Their minute highlighted that the issue had arisen on “the assumption that there was a shortfall of lift capability in Afghanistan” but there had been “very few occasions when tasks could not be supported”, and theatre had not requested additional assets.

1094. Despite that, the Ministers said that the UK was “currently breaking crew harmony guidelines”, and the current level of operations was unlikely to be sustainable in the medium term so even if forces were not increased in Afghanistan, “action taken now will improve the current situation”.

1095. The measures proposed by the Ministers included:

- increasing Chinook flying hours in Afghanistan;
- procuring new blades for Sea King Mk4s to enable them to fly in Afghanistan conditions;
- procuring six Danish Merlin to backfill the Sea Kings deployed in Iraq and Afghanistan; and
- “leasing/buying” eight US Chinooks for Afghanistan.

1096. Mr Browne approved the increase in Chinook flying hours on 10 November, agreeing that the most likely requirement was for Afghanistan and for heavy lift in particular.⁵⁸⁰

1097. Mr Browne wrote that more information was needed on the other proposals to clarify how they would meet the capability gap in the short and medium term. Discussions on the Danish Merlins should “slow down” until it was clear what the requirement was and how it would be funded.

1098. On 15 December, Brigadier James Everard, Commander 20 Armoured Brigade, wrote in his post-operation tour report:

“With the exception of Merlin conducting IRT [Incident Response Team] operations, aviation was not available between 1200-1800 hours during this period. The availability of the avn [aviation] fleet especially SK [Sea King] was poor, largely due to age, and often affected operations meaning that the no-fly contingency plan had frequently to be activated.”⁵⁸¹

⁵⁷⁹ Minute APS/Min(AF) and APS1/Min(DP) to APS1/SofS [MOD], 26 October 2006, ‘Helicopters’.

⁵⁸⁰ Minute APS/SofS [MOD] to APS/Min(AF) and APS1/Min(DP), 10 November 2006, ‘Helicopters’.

⁵⁸¹ Report Everard to PJHQ – J3, 15 December 2006, ‘HQ 20 Armd Bde Op TELIC 8 Post Operational Tour Report’.

1099. Lord Drayson told the Inquiry that he had asked Mr Browne to authorise him “to explore whether helicopters could be found quickly and to worry about how they would be funded after we had identified a possible solution”.⁵⁸²

1100. Lord Drayson wrote:

“I held a series of meetings with the military to try to reach agreement on the requirement and then I pursued a number of paths to try and obtain additional helicopters as quickly as possible. This included the decision to revert the Chinook Mk3s to Mk2s following my review of the project, asking the Pentagon and other allies if they had spare Chinooks we could lease or purchase and negotiating to take over the contract for new Merlins built for Denmark ...”

1101. Addressing the effectiveness of the MOD’s response, Lord Drayson added:

“The Department’s response was mixed. Great efforts were made to provide enhanced flying hours through the provision of trained crews, rotor-blade improvements, improved defensive aid suites etc but it was difficult to get the Department to agree on which type of helicopters were needed. The Joint Helicopter Command suffered from not being ‘owned’ and therefore championed by any particular service.”

1102. Officials in the Private Offices of Mr Ingram and Lord Drayson wrote to Lieutenant General Andrew Figgures, DCDS(EC), on 19 December 2006 to thank him for his work investigating the helicopter requirement.⁵⁸³ The minute concluded:

“Separately, the Ministers remain concerned regarding the lack of robustness of the Support Helicopter fleet given the UK’s current operational commitments. They would be grateful if you could ensure that options to make the fleet more robust, such as the acquisition of the Danish Merlins, are considered in the EP/STP 07 discussions.”

1103. On 31 January 2007, Mr Blair met Air Chief Marshal Glenn Torpy, Chief of the Air Staff.⁵⁸⁴ A record of the meeting from No.10 to Mr Browne’s Private Secretary stated that ACM Torpy had said:

“The air transport force was ... under real pressure, with an aging airfleet, and new A400 that would only come on stream in 2010/11. There was also a shortage of helicopters. Sir Glenn noted the poor procurement processes and software problems for the Chinook Mark 3. More was needed on intelligence and surveillance. The Predator UAVs would be a major innovation.”

⁵⁸² Statement, 15 December 2010, page 8.

⁵⁸³ Minute APS/Min(DP) and APS/Min(AF) to MA/DCDS(EC), 19 December 2006, ‘Helicopters’.

⁵⁸⁴ Letter from No.10 to MOD, 31 January 2007, ‘Prime Minister’s Meeting with the Chief of the Air Staff 31 January’.

THE INCREASING THREAT OF INDIRECT FIRE ATTACKS

1104. The deterioration of security in Iraq from August 2003 is referred to earlier in this Section and in Section 9.2. In addition to the introduction of IEDs, there were also indirect fire (IDF) attacks on Coalition Forces, using mortars, man-portable surface-to-air missiles and small arms fire.

1105. The solution was considered to be a combination of hardening structures and improving surveillance.

1106. Concerns about the safety of civilian personnel as the IDF risk increased are detailed in Section 15.1.

1107. In his post-tour report, Major General Andrew Stewart, GOC MND(SE) from December 2003 to July 2004, stated:

“We have been extremely fortunate that we have not suffered casualties in bases from indirect fire. Attacks against them are sure to increase. Hardening, in some form or other, has to take place.”⁵⁸⁵

1108. The MOD provided accommodation to personnel in theatre according to one of three types, depending on the capability required:

- Tier 1 tented structures;
- Tier 2 cabin structures; and
- Tier 3 hard structures made from concrete, steel and masonry.⁵⁸⁶

1109. On 14 March 2005, Air Marshal Glenn Torpy, CJO, advised General Sir Michael Walker, CDS, that CITADEL, a hardened form of accommodation, should not be introduced to Iraq and that the risk of IDF should be managed through a combination of continued enhancement of accommodation compartmentalisation and force protection Tactics, Techniques and Procedures (TTPs).⁵⁸⁷

1110. AM Torpy explained that, since June 2003, UK camps in Iraq had suffered attacks from mortars and rocket IDF. The attacks tended to occur without warning and between “1200 and 0300 hrs local”. They had led to 43 UK casualties but no fatalities.

1111. AM Torpy continued that, following an increase in threat to UK camps, force protection trials had been initiated to analyse the effectiveness of compartmentalisation and to test the design for CITADEL.

⁵⁸⁵ Report Stewart, 13 July 2004, ‘Post Operation Report Operation TELIC 3/4 – 28 December 2003 – 13 July 2004’.

⁵⁸⁶ National Audit Office, *Support to High Intensity Operations*, 14 May 2009, HC 508.

⁵⁸⁷ Minute CJO to PSO/CDS, 14 March 2005, ‘Force Protection of UK Camps in Iraq’.

1112. There were four “bands” of physical protection that could be added incrementally to camps to counter the IDF threat:

- Compartmentalisation – found in “most camps” in Iraq and undergoing “enhancement work”. Its effectiveness was partially restricted by the layout of camps but overall offered 10 to 80 percent lower casualty rates.
- Ballistic refuge shelter – for personnel to occupy when a warning of attack was given and used as accommodation during the height of the August 2004 attacks. It was assessed that the shelters were “of little value” in the current improved security situation.
- Hardened temporary accommodation – provided permanently occupied, purpose-built but improvised sleeping accommodation with air conditioning and lighting. CITADEL was an example. Providing CITADEL for all UK troops in Iraq would cost £35m, would take “in excess of 12 months” to complete and would require significant amounts of logistical and construction assets. The quality and comfort of CITADEL would be “significantly lower than that currently occupied” and the investment in the first two bands of accommodation would be wasted.
- Purpose-built protected building – not considered appropriate for use in Iraq because of “cost, time to build and permanence”.

1113. AM Torpy wrote that it was “possible to mitigate against the likelihood and significance” of IDF attacks “through a package of mutually supporting TTPs and engineering force protection measures”. He stated that events had shown that the level of attacks would “oscillate”. Compartmentalisation was “suitable” protection “in light of the risk across Iraq” but those measures should be “constantly reviewed” in relation to changes in or development of the threat.

1114. Gen Walker introduced AM Torpy’s paper at the Chiefs of Staff meeting on 23 March.⁵⁸⁸ The Chiefs were invited to consider the recommendation not to introduce CITADEL “in view of the risk to our forces and the degree of additional protection that might be afforded by CITADELs; the length of time that UK forces will remain in Iraq; the cost of procuring and setting up CITADELs; the message that might be sent by building CITADELs this far into the campaign; and the consequences of an AIF [anti-Iraqi forces] attack similar to that which the US have experienced”.

1115. The Chiefs of Staff noted that:

“ ... in view of the potential to draw down to SS [“steady state”] by mid-05, providing CITADELs would mean fortifying our camps just as troops were ready to leave Iraq; only if the campaign were to be drawn out would this investment be worthwhile. It was also considered that fortifying camps at this stage would send the wrong message to all parties and run counter to any announcements on drawdown. The unanimous view was that compartmentalisation and active force protection

⁵⁸⁸ Minutes, 23 March 2005, Chiefs of Staff meeting.

measures would provide a significant reduction in the risk to UK forces but that the provision of CITADELs would not be of great benefit at this stage of the campaign.”

1116. Gen Walker directed AM Torpy to prepare a Ministerial note on the force protection of UK camps with “a clear explanation of both compartmentalisation and the CITADEL concept” and with the statistical analysis from the trials.

1117. On 30 March, a PJHQ official sent a slightly revised copy of AM Torpy’s paper to Mr Hoon, asking him to note the Chiefs of Staff’s decision.⁵⁸⁹

1118. The official advised Mr Hoon that the improved level of protection afforded by CITADEL had been weighed against:

- “the relatively low frequency of and threat from indirect fire attacks”;
- the hazards inherent in implementing CITADEL, such as the large number of predictable road movements to transport materials to each UK camp;
- the “perceived diminution in the quality of life that would result from insisting that our troops adopt a CITADEL solution”;
- the investment in existing accommodation; and
- the “fact that protection is only provided [...] one third of the day”.

1119. On presentation, the official advised Mr Hoon that there was “a risk that, in the event of a sudden and unexpected upturn in violence”, the MOD “could be accused of not having done ‘everything possible’ to ensure the safety of our personnel”. The official wrote that “no measures” could offer “an absolute guarantee of safety” and that force protection consisted of TTPs as well as physical measures:

“In this case, as with most aspects of operations, we have to make a judgement on what is sensible and practicable.”

1120. Mr Hoon endorsed the minute the following day.⁵⁹⁰ He asked for press lines to be prepared to defend the MOD’s position “against the accusation that this decision was taken on cost grounds rather than balanced and pragmatic advice”.

1121. The issue of hardening accommodation arose again in September 2006 after a gradual increase in the number of IDF attacks.

1122. General Sir Richard Dannatt, CGS, visited Iraq from 26 to 28 September 2006.⁵⁹¹ In his visit report to Air Chief Marshal Sir Jock Stirrup, CDS, he wrote that difficulties

⁵⁸⁹ Minute PJHQ [junior official] to PS/SofS [MOD], 30 March 2005, ‘Iraq: Force Protection at UK Camps’.

⁵⁹⁰ Minute APS/SofS [MOD] to PJHQ [junior official], 31 March 2005, ‘Iraq: Force protection at UK Camps’.

⁵⁹¹ Minute Dannatt to Stirrup, 2 October 2006, ‘CGS’ Visit to Iraq: 26-28 Sep 06’.

with the Iraq Ministry of Interior would benefit from greater UK assistance but that was determined by the physical security risk to civilian staff. He wrote:

“Given that the indirect fire threat seems to pose the greatest risk ... our Counter Indirect Fire (C-IDF) measures assume even greater importance. Hardening accommodation is ... one important aspect ... but by no means a panacea. What is more important is to deter or defeat those who would prosecute these attacks rather than rely on mitigating the consequences. And to do this we need greatly improved ISTAR.

“This is hardly new. We have known about the paucity of UK ISTAR in both operational theatres for some time now and I welcome the steps we have made with Predator. But this is far from being the complete answer. We need an integrated and layered approach, which provides dedicated manned and unmanned surveillance capability at battlegroup, brigade and divisional level. It is imperative, therefore, that we do not let the Project Watchkeeper ISD slip further to the right and we should investigate the possibility of an interim contracted solution to cover the next four years. Rotary wing MAS [Manned Airborne Surveillance] is equally important and we should ensure Project Stockwell⁵⁹² remains adequately funded. I urge early decision and action in this area.”

1123. The record of actions from ACM Stirrup’s “O” Group meeting on 3 October stated:

“While ‘Tier 1 Enhanced’ was an acceptable level of immediate Force Protection, every effort needed to be made to establish hardened bases in those areas of Basra where our presence was likely for the medium term, and to minimise manning commensurate with the tasks in hand.”⁵⁹³

1124. On 10 October, a PJHQ official advised Mr Browne, at his request, on the implications for force protection if troops were moved to Basra Air Station (BAS).⁵⁹⁴

1125. Operational analysis had indicated that there was a “negligible difference in the threat posed to a larger base”. A single base would allow a concentration of anti-IDF resources and reduce the need for vulnerable road moves that currently placed a drain on other valuable assets, “particularly aviation”.

1126. The official explained that there was a combination of Tier 1, Tier 2 and Tier 3 at BAS, all of which were vulnerable to overhead attack. Trials of an overhead system that “may partially mitigate against shrapnel” from an overhead blast continued but in the “immediate term” it was “most important to contain the lateral threat from IDF”.

⁵⁹² Project Stockwell aimed to deliver a deployable, robust and versatile rotary wing Manned Airborne Surveillance. It later became the Rotary Wing MAS Project.

⁵⁹³ Note SECCOS, 5 October 2006, ‘Record of Actions and Decisions from CDS O Group – 3 Oct 06’.

⁵⁹⁴ Minute PJHQ [junior official] to APS/SofS [MOD], 10 October 2006, ‘Iraq: Force Protection’.

1127. According to the official, this was achieved through a programme of “compartmentalisation” which was under way and should be in place within seven weeks for all personnel at BAS or Shaibah Logistics Base (SLB). It was estimated that that would reduce the overall threat by 60 percent.

1128. It would cost “approximately \$130m” to replace all tented accommodation with containerised accommodation throughout MND(SE) and it would take “about 12 months” to complete. That would also have implications for the timeframe within which the UK could withdraw from SLB. The official advised that it was “arguable whether it would result in net reduction in risk to our people (though it might overcome some presentational issues)”.

1129. The official stated:

“In the longer term, anticipating an increasingly serious IDF threat and recognising quality of life, we are also examining the options for providing Tier 2 or Tier 3 accommodation for the enduring proportion of the force (beyond 2008). Initial work indicates that hardened accommodation for a reduced force would cost some \$60m to implement.”

1130. The official wrote that there was a need “to keep the threat posed to date by IDF attacks in perspective to the wider challenges faced by MND(SE)”. There had been two UK personnel⁵⁹⁵ and one US State Department employee killed by IDF, all since 1 August 2006, compared with 25 fatalities by direct fire and 27 by IEDs. IEDs were still considered “to be the greatest challenge”. The official advised that, despite that, “recent experience” had suggested IDF attacks were “becoming more accurate”.

1131. The official concluded that the incremental force protection plan in hand would:

“... ameliorate but not eliminate the risk. More could be done, but would mean delay and significant additional cost. There is a case to be made for hardened accommodation for our longer term residual presence, and work is in hand to define this.”

1132. A manuscript comment on the paper indicated that Mr Browne noted the advice provided by PJHQ.⁵⁹⁶

1133. The MOD told the Inquiry that in October 2006 US National Guard attack helicopters were deployed to Basra for an extended period to provide a deterrent to the increasing levels of IDF being experienced.⁵⁹⁷

1134. On 29 November, Lieutenant General Nicholas Houghton, CJO, briefed the Chiefs of Staff on “continued efforts” to counter the IDF threat in Basra.⁵⁹⁸ The level of

⁵⁹⁵ Corporal Matthew Cornish and Lance Corporal Dennis Brady.

⁵⁹⁶ Manuscript comment Browne on Minute PJHQ [junior official] to APS/SofS [MOD], 10 October 2006, ‘Iraq: Force Protection’.

⁵⁹⁷ Paper [MOD], 20 January 2011, ‘Iraq Inquiry: Request for Evidence’.

⁵⁹⁸ Minutes, 29 November 2006, Chiefs of Staff meeting.

IDF in Basra amounted to “harassing fire” by theatre standards but it had “assumed strategic significance following the events at Abu Naji⁵⁹⁹ and the civilian drawdown from Basra Palace”.

1135. Lt Gen Houghton reported that accommodation now had “lateral” protection in place but that overhead ballistic protection would not be complete until the end of June 2007 because of “a capacity issue”.

1136. The ongoing efforts to counter IDF included:

- increased patrolling;
- ISTAR and the use of attack helicopters;
- the surging of [UK theatre forces]; and
- the potential use of a US “Sense and Warn” system.

1137. In discussion the Chiefs of Staff noted:

“The long term corrosive effect of IDF on coalition operations in Basra, and the difficulty in quantifying the potential impact of counter IDF measures in the near to medium term; the critical impact of the threat on the future civilian force posture in the city; and the potential opportunity afforded by planned force withdrawals from Basra ... to leverage local deals to reduce the IDF threat.”

1138. Lt Gen Houghton was tasked with investigating options to improve the procurement timelines for fixed force protection in theatre.

1139. Gen Granville-Chapman visited Iraq and Afghanistan from 27 November to 2 December 2006.⁶⁰⁰ One of the points about Iraq highlighted in his visit report was:

“The indirect fire threat needs urgent attention, not only to save life, but also because it is probably a pre-condition for PIC [Provincial Iraqi Control] and an essential information operations issue if the opposition is not to claim it has bombed us out of Basra ... Action is in hand.”

1140. Separately, General Sir Redmond Watt, Commander in Chief Land, visited Iraq and the Al Udeid air base in Qatar from 27 to 28 November.⁶⁰¹

1141. In Qatar, Air Commodore Clive Bairsto, Air Officer Commanding 83 Expeditionary Air Group, told Gen Watt that he had “made the case” for more manned airborne surveillance, particularly in Iraq where current and planned UAV deployments were “more limited than Afghanistan”.

⁵⁹⁹ UK forces handed over Camp Abu Naji in Maysan province to the Iraqi Security Forces in August 2006 (see Section 12.1). Before August, the camp had come under regular rocket attacks from insurgents.

⁶⁰⁰ Minute VCDS to CDS, 4 December 2006, ‘VCDS’s Visit to Afghanistan and Iraq 27 Nov – 2 Dec 06’.

⁶⁰¹ Letter CINC LAND to CGS, 6 December 2006, ‘Visit to Al Udeid and Basrah – 27-28 November 2006’.

1142. In Iraq, Gen Watt met Maj Gen Shirreff and reported:

“Richard also commented that some are making too much of the indirect fire attacks in Basra, which skews perceptions in Whitehall. We should encourage other government departments to see these attacks for what they are – harassing fire – and get on with redevelopment ...”

1143. Gen Watt also remained “concerned about the paucity of ISTAR assets”:

“Everywhere I went I was briefed that a lack of ISTAR asset availability was constraining operations. As we move towards PIC and over-watch the problem will become more acute.”

1144. On 14 December, a PJHQ official advised Mr Browne that three 105mm Light Guns⁶⁰² would be deployed to Basra from early January 2007 at Maj Gen Shirreff’s request.⁶⁰³ That was in response to “a heightened and sustained IDF threat against Multi-National Force bases in Basra City” which had resulted in the temporary withdrawal of FCO and DFID personnel from Basra Palace.

1145. The Light Guns would significantly enhance Maj Gen Shirreff’s options in “the ongoing counter-IDF operation, augmenting the support already available such as helicopter and fast air capabilities”.

1146. The movements associated with the move to BAS would “temporarily increase MND(SE)’s vulnerability to insurgent attack”. The official wrote: “Of critical concern are the IDF threat, and the perceptions thereof of both the Iraqi people, and the MNF chain of command.”

1147. The official wrote that although the deployment of the guns was an enduring requirement, there were no immediate resource implications.

1148. Further advice from PJHQ on 20 December stated that Counter Rocket Artillery and Mortar (C-RAM) “Sense and Warn” systems loaned from the US would deploy to the BAS Contingency Operating Base (COB) in “late January/early February”.⁶⁰⁴ Again, that was following a request made by Maj Gen Shirreff.

1149. The system “comprises a network of radars working together to provide early warning of IDF”. The DEC was investigating options to provide a UK C-RAM system that could combine UK assets and UORs.

⁶⁰² The 105mm Light Gun is a tactically portable, highly versatile, accurate gun that fires explosives, illumination and smoke rounds. It can be moved by road or air.

⁶⁰³ Minute DJC [junior official] to PS/SofS [MOD], 14 December 2006, ‘Iraq: Deployment of 105mm Light Guns’.

⁶⁰⁴ Minute PJHQ J9 Pol/Ops 5, 20 December 2006, ‘Op TELIC: Deployment of the US Counter Rocket Artillery and Mortar (C-RAM) Sense and Warn System to MND(SE)’.

1150. On the same day, a USUR for an “active interdict capability” was generated from theatre, which was endorsed by PJHQ on 29 December.⁶⁰⁵

1151. On 15 December, Brig Everard wrote in his post-operation tour report that “the IDF threat to base locations remained substantial throughout the tour”.⁶⁰⁶

1152. Brig Everard also wrote:

“Despite considerable effort we failed to win the Counter-Indirect Fire (C-IDF) battle, with strategic implications as OGD [other government departments] reduced their footprint.”

1153. On 19 January 2007, Maj Gen Shirreff wrote in his post-operation tour report:

“... we have missed the boat on the ISTAR front. I commented in my first weekly letter six months ago: ‘it beggars belief, that after 3 years here, the British Army possesses no tactical UAV capable of flying in the heat of the summer.’ I was told no more staff effort could be put into resolving the problem, but despite this it will be sometime before anything is in service in theatre. Contrast this grindingly slow and ponderous response to the Americans’ generous support with Raven or the Australians who have shown the agility and forethought to lease 6 Scan Eagles from Boeing, together with 3 ground stations ... It took a couple of weeks to clear the decision, two weeks to train the soldiers and Boeing technicians have deployed to maintain the systems. As a result, contrast what we know about events in As Samawah with what we do not know about al-Amarah. As for strike operations, more than anything else, this battle is about day and night long loiter capability ... tracking the target – for days if necessary ... then striking to detain him. This has been a critical factor in the successful battle against AQI [Al Qaida in Iraq] and until we have the same capability we will continue to strike relatively blind against militant JAM.

“If our procurement system were capable of similar agility we would have UAVs on station tracking targets now.”⁶⁰⁷

1154. On IDF, Maj Gen Shirreff wrote that attacks in Basra had “increased throughout the year, approximately doubling every 2 to 3 months”. He added later in the report that protection against IDF had “become a primary concern”.

1155. Lt Gen Richard Shirreff told the Inquiry that he thought the ability to see and identify indirect fire threats and strike them quickly was “the critical problem” that UK forces faced in Iraq.⁶⁰⁸ He said that that required “a series of capabilities which we simply didn’t have”.

⁶⁰⁵ Minute Smith to PS/Min(AF), 16 February 2007, ‘Iraq: Countering Indirect Fire Attacks’.

⁶⁰⁶ Report Everard to PJHQ – J3, 15 December 2006, ‘HQ 20 Armd Bde Op TELIC 8 Post Operational Tour Report’.

⁶⁰⁷ Report Shirreff to PSO/CDS, 19 January 2007, ‘Post Operational Report – Operation TELIC’.

⁶⁰⁸ Public hearing, 11 January 2010, pages 35-36.

1156. Lt Gen Shirreff said that the Americans had those capabilities, as did the UK, but the UK did not have them in MND(SE).

1157. On 8 February, Lt Gen Houghton provided ACM Stirrup with an Op TELIC force protection assessment.⁶⁰⁹

1158. Lt Gen Houghton asked ACM Stirrup to note that there was a “presentational difficulty” around the move to the COB because it only provided Tiers 1 and 2 level protection, but that the risk should be viewed “in the context of the aggregate threat”. That threat included IDF, surface-to-air missiles, IEDs, direct fire and the ability of the enemy to gain information about UK vulnerabilities. The move to BAS would lead to a “safer overall force posture” because UK forces would “become less exposed to the most effective means of attack”, IEDs, and would allow a concentration of resources to ameliorate risk.

1159. Lt Gen Houghton wrote that the “most likely” way insurgents would disrupt operations from the COB was through IDF. The frequency of attacks was increasing and the likelihood of a successful attack had “increased to an estimated 95 percent probability within the next three months”.

1160. Lt Gen Houghton suggested that the most effective ways of reducing the potential scale of a successful IDF attack was through physical compartmentalisation of communal areas, and procedures to limit the number of people in “any given area”. Existing construction work would conclude in June, but “only a move to suitable protected structures” would offer “a notably higher level of protection”.

1161. The priority was for Tier 3 infrastructure in communal areas:

“... we have decided in principle to provide hardened dining facilities (estimated at \$14m and 20 months to complete) and to begin expansion of our Tier 3 footprint (current estimate additional \$60-70m and an additional 10 months) ... We should now form a judgement on the cost/benefit of proceeding with a more extensive Tier 3 build in the context of our enduring Overwatch posture.”

1162. The use of C-RAM promised (subject to proof of capability trials) to provide “a significant enhancement” to force protection, although there would be some integration issues to overcome.

1163. Lt Gen Houghton continued:

“We are not fully confident the requirement for increased persistency of ISTAR coverage around the COB and over Basra City can be achieved. The UOR programme to deliver TUAV [Tactical UAV] is on track to deliver an ISD of July 2007, although the funded provision may not fully meet our original statement of requirement ...”

⁶⁰⁹ Minute CJO to PSO/CDS, 8 February 2007, ‘OP TELIC – Force Protection (FP) Assessment’.

1164. The programme to deliver the Scan Eagle UAV (see Box, ‘An interim solution – Scan Eagle’) by April was “progressing well” and it was intended to expand ISTAR capability “through further TUAV or Scan Eagle support which may involve UOR action”. Lt Gen Houghton wrote that it made “no operational sense to be parsimonious in the provision of ISTAR” when it was such an important element of force protection.

1165. Lt Gen Houghton concluded:

“We cannot guarantee absolute FP [force protection] integrity or the complete mitigation of the array of dynamic threats that face us. The enemy only requires one lucky day. It is our judgement however that *reposturing* at the COB will allow us to further exploit the technical advantages of improvements to ISTAR and infrastructure as well as the opportunities of centralised location and the layered FP that the Op ZENITH⁶¹⁰ force posture allows us ... “

An interim UAV solution – Scan Eagle

On 17 January 2007, Vice Admiral Charles Style, DCDS(C), briefed the Chiefs of Staff on his impressions from a recent visit to Iraq, including that the “critical lack” of tactical UAVs in MND(SE) “could have a significant effect over the forthcoming period”.⁶¹¹

On 12 March, VAdm Style gave Lord Drayson an update on attempts to address the tactical UAV capability gap as part of advice to the Minister ahead of his visit to Iraq.⁶¹²

Following discussions with the Australian Department of Defence, a solution had been agreed whereby the UK would lease Scan Eagle from the Australian Defence Force. It would be available from April 2007 to 30 June 2007 at a cost of £4.12m and the option to extend the contract beyond June remained open.

Leasing additional UAV capability through Scan Eagle had been identified as “the only option” that would deliver ahead of the initial operating capability of Hermes 450 and avoid the delays associated with other options.

A minute to Lord Drayson on 19 April confirmed that the Scan Eagle initial operating capability was achieved on 15 April 2007 and PJHQ had endorsed the requirement to extend the contract until November 2007.⁶¹³ Lord Drayson was advised:

“The original requirement ... to provide Operational and Formation level airborne ISTAR capability for MND(SE) remains extant and is not met or replaced by this proposal. In order to meet pressing requirements and cover operations during the intervening period, PJHQ have endorsed an MND(SE) addendum to the original USUR [Urgent Statement of User Requirement] which seeks to fill the capability gap between now and Jun 07 with sub-optimal but available capability.”

⁶¹⁰ The operation to reduce UK forces on the ground in a combat role and return them to bases, the number of which would progressively reduce.

⁶¹¹ Minutes, 17 January 2007, Chiefs of Staff meeting.

⁶¹² Minute MA/DCDS(EC) to APS1/Min(DES), 12 March 2007, ‘Update on Issues Following Minister’s Visit to Iraq’.

⁶¹³ Minute EC ISTAR to PS/Minister(DES), 19 April 2007, ‘Provision of an Operational and Formation Level Airborne ISTAR Capability to Op TELIC’.

1166. On 16 February, Mr Stephen Smith, Deputy Command Secretary at PJHQ, sought Mr Ingram’s approval to deploy additional weapons on counter-IDF operations, in addition to the Light Guns and C-RAM systems.⁶¹⁴ He wrote that IDF was responsible for “inflicting the second highest number of casualties against the UK after IEDs” and the threat was likely to increase when UK forces re-postured to the COB.

1167. Physical protection measures were “approaching their practical limit” until a Tier 3 solution was delivered and Maj Gen Shirreff had reported that IDF was “having a detrimental psychological effect on our troops”.

1168. Mr Ingram replied on 19 February, agreeing that the extra weapons could be deployed.⁶¹⁵

1169. In a Force Level Review on 26 February, Lt Gen Houghton advised that there was “scope to re-task” up to two Sea King helicopters to other operations by mid-June because of “MND(SE) force dispositions and Merlin SH capacity”.⁶¹⁶

1170. Lt Gen Houghton suggested that the four remaining Sea King helicopters would be dedicated to ISTAR, but it might be possible to withdraw some of them with the arrival of other UAVs anticipated later in the year, including Hermes 450 in mid-June.

1171. Lt Gen Houghton wrote that “the very best case ISD” for the UK C-RAM capability to protect the COB was 31 May and it seemed “highly likely” to slip. He added: “The battle procedure to deliver this is ongoing and the system will require up to 100 personnel to support it.”

1172. On 7 March, Mr Browne sent “a personal memo” to Mr Ingram and Lord Drayson about IDF.⁶¹⁷ He wrote:

“IDF is an issue we have all been aware of, and striving to address, for some months now.”

1173. Mr Browne noted that “significant improvements” had been made but “also, with real concern, the new estimate of the likelihood of a successful indirect fire attack” and its consequences:

“IDF must be one of our very highest priorities. I am not convinced that our current plans are ambitious or decisive enough.”

⁶¹⁴ Minute Smith to PS/Min(AF), 16 February 2007, ‘Iraq: Countering Indirect Fire Attacks’.

⁶¹⁵ Minute Johnson to PS/Minister(AF), 19 February 2007, ‘Iraq: Countering Indirect Fire Attacks’.

⁶¹⁶ Minute Houghton to Chiefs of Staff, 26 February 2007, ‘Op TELIC 10/11 Force Level Review – Feb 07’.

⁶¹⁷ Minute SofS [MOD] to Min(AF), 7 March 2007, ‘Iraq – Force Protection Risks – Indirect Fire, Personal Memo from SofS’.

1174. Mr Browne acknowledged that, for more to be done, “people need some guidance within which to work, particularly in relation to timescales and force levels”. He suggested agreement on the following assumptions:

- current plans for force levels and posture will hold for the next six months;
- for the period 6-12 months from now we will be at 4,500 in COB only;
- for the period 12-24 months from now we will be at 3,000 in COB only.”

1175. Mr Browne wrote:

“I would welcome rapid agreement from all parties on this. Once agreed I am content we programme on this basis, including finance, accepting that it is a planning assumption for the purposes of this exercise alone.”

1176. Mr Browne questioned whether hardened accommodation for communal areas could be delivered earlier than the estimated timescale of 16-20 months and whether shorter-term improvements could be made in the interim: “3-6 months, preferably sooner”. Options for different timings and costs should be provided quickly, “disregarding bureaucracy and standard assumptions about financial constraints”.

1177. Mr Browne wrote that the Phalanx capability⁶¹⁸ was “a major step in the right direction” and that they should do “everything in our power, including Ministerial intervention with the US” to meet the May timescale. He asked whether that should be pursued for Basra Palace as well as the COB.

1178. Lord Drayson visited Iraq on 8 March and discussed various equipment issues in theatre, including force protection.⁶¹⁹ His report is detailed earlier in this Section with regard to how the UOR process worked in Iraq and protected mobility.

1179. Lord Drayson was informed by 19 Light Brigade that Merlin was performing well, “although it was not yet hot”. The Lynx helicopters were unable to fly in the summer heat in Iraq and the top cover role they provided for convoys could be filled with a UAV.

1180. The visit report stated that, after visiting Basra Rural South Brigade:

“It was made very clear that the IDF was having a significant impact on the morale of forces based at the COB ... The element of chance in where IDF landed significantly increased stress level, and two people had already been sent home as a result.”

1181. Lord Drayson had been told that there was no off-the-shelf design for hardened accommodation that could be applied and that there were challenges to building in Iraq. If “process impediments” were removed, then the first hardened buildings could “probably be in place in around 10 months”. The US presently took 7-8 months to build hardened accommodation.

⁶¹⁸ A type of C-RAM system.

⁶¹⁹ Minute APS/MIN(DES) to PSSC/SofS [MOD], 26 March 2007, ‘Minister(DES) Visit to Iraq’.

1182. In the meantime, theatre was about to subdivide dining areas, which would reduce the threat of a mass casualty event, and the US Sense and Warn system was “seen as a real positive” for the warning time it provided.

1183. Lord Drayson had been told how FMV surveillance was “crucial to situational awareness and counter IDF operations” but the UK was reliant on US assets. The US had recently withdrawn Apache helicopters from Basra as they had not “been used kinetically”.

1184. Lord Drayson’s report stated:

“Overall there was a clear perception in theatre that UK MOD was not taking account of the rate of change. UORs too often sought to deliver a perfect capability, but in doing so delivered so late the requirement had changed or theatre were without any capability for too long. It was suggested that if there were greater dialogue between theatre and the ECC/ABW [Equipment Capability Customer/Abbey Wood⁶²⁰] on individual UORs then trades ... could be made. The example quoted was of UAVs. Hermes was seen as a Rolls Royce solution to a requirement that would now be met (in a bridging capacity) by Scan Eagle, and might better have been met sooner in that way. Equally deployment of the Desert Hawk UAV was being delayed by the UK approach to airworthiness,⁶²¹ and the Raven system might have been bought more quickly. It was felt that more visits from DECAs and IPTs would help ...”

1185. Lord Drayson met the Commander of JHF-I and the aircrew:

“This was a sobering meeting with the aircrew clearly very busy ... and with a number of concerns about their equipment and the levels of support.”

1186. Some of the concerns raised were:

- Sea King was fundamentally an old aircraft and the lift capability it provided declined in the summer.
- With Lynx and Merlin, there was a problem of spares supply and the DSPs for Merlin were still unfunded.

1187. The report ended:

“Lord Drayson would be grateful for advice from DCDS(EC) on what can be done to improve communication between UK and theatre, and for him and CDM to reinforce the urgency that everyone should attach to delivering UORs.”

⁶²⁰ Abbey Wood is the location of the Defence Procurement and Support Agency (DE&S).

⁶²¹ References to Desert Hawk from 2007 onwards refer to Desert Hawk 3 – a different model to that deployed in January 2004. Desert Hawk 3 was eventually withdrawn for technical problems.

Upgrading battlefield helicopters to “theatre entry standard”

Following his visit to Iraq in March 2007, Lord Drayson sought advice on why a proposal to equip more helicopters to “Theatre Entry Standard” had been deferred.⁶²²

An MOD official reported on 12 March that the Defence Management Board (DMB) had reserved decisions on a package of savings and enhancements until after the Comprehensive Spending Review was settled. The package included the option “to equip more battlefield helicopters with theatre entry equipment” at a cost of £260m over 10 years.

Further advice sent to Lord Drayson on 16 March explained that the proposal was to upgrade 10 Chinook, 3 Apache, 11 Lynx, 8 Merlin and 17 Sea King.⁶²³ The increase in capability was estimated to take between six and 24 months to deliver.

Following the DMB’s January decision, the proposal had not been developed further.

The Inquiry has seen no further references about taking the proposal forward.

1188. On 22 March, Lt Gen Houghton wrote to Lord Drayson requesting approval to adopt an “unusual contracting mechanism” quickly to deliver Tier 3 hardened structures at BAS.⁶²⁴ That involved using a “single, trusted Prime Contractor and using proven nominated sub-contractors for discrete, complex elements of the work”; the contract would not go through a tendering process.

1189. The timescale for delivery was still 18 months but Lt Gen Houghton thought this was “a pessimistic figure” that could be reduced to 12 months once a detailed design had been agreed. There were no existing proven designs for structures that provided the level of protection sought, so design work was “breaking new ground”. That also made it unwise to shorten the design and trials period, but time would be saved by adopting the single tender process.

1190. Costs were estimated at US\$28m for hardening dining facilities and US\$145m for hardening “accommodation etc” for 4,500 personnel.

1191. A note from Lord Drayson’s Private Office on 26 April formally approved the contracting mechanism proposed by Lt Gen Houghton, but suggested that Lord Drayson had agreed it informally before that date.⁶²⁵

⁶²² Minute MA/DCDS(EC) to APS1/MinDE&S, 12 March 2007, ‘Update on Issues Following Minister’s Visit to Iraq’.

⁶²³ Minute DCDS(EC) to APS1/MinDE&S, 16 March 2007, ‘Further Update on Issues Following Minister’s Visit to Iraq’.

⁶²⁴ Minute CJO to PS/Min(DE&S), 22 March 2007, ‘Hardened Accommodation at Basrah COB’.

⁶²⁵ Minute APS/Minister(DES) to MA/CJO, 26 April 2007, ‘Hardened Accommodation at Basrah COB’.

1192. On 29 March 2007, Mr Browne wrote to Mr Timms to outline UOR funding requirements for financial year 2007/08.⁶²⁶ That included:

- an additional £15m plus for ECM (see earlier in this Section);
- £50m for a C-RAM system; and
- £87m plus for intelligence and surveillance capabilities for both Iraq and Afghanistan, including ISTAR enhancements.

1193. That request was sent amidst the discussions between the Treasury and the MOD on the sustainability of the UOR process, which is addressed earlier in this Section in the context of protected mobility, and in detail in Section 13.1.

1194. On 24 April, Lt Gen Houghton briefed the Chiefs of Staff that the security situation in MND(SE) had been “dominated” by an IDF attack against Basra Palace.⁶²⁷ Work continued on IDF protection and Phalanx was scheduled to be in place at the COB by 31 May.

1195. In discussion, the Chiefs noted:

“The critical need for measures to mitigate the IDF threat, both against people and equipment remained an issue of strategic importance. The risk to helicopters on the ground in particular was of concern, and while rear basing (where possible) could minimise the risk, the better option was to ensure that effective physical protection measures were in place. **CJO was to conduct a rapid investigation into the provision of additional physical protection for helicopters at the COB.**”

1196. The Chiefs of Staff also noted that the C-RAM capability had been off-line during the IDF attack, undergoing repairs after an earlier attack. The introduction of Phalanx could not be advanced. It was agreed that Scan Eagle cover should be extended until Hermes was operational in theatre.

1197. On 11 May, Dr Sarah Beaver, Command Secretary at PJHQ, updated Lord Drayson on the procurement process for hardened accommodation at BAS.⁶²⁸ She asked Lord Drayson to approve the first tranche of building work and to write to Mr Timms seeking the Treasury’s agreement in principle that funding for the project could be met from the Reserve.

1198. The proposals received from the contractor quoted “some £95m” for the work, excluding VAT. The build would be done in three tranches: the first providing dining and welfare facilities for 4,500 personnel and the later two providing sleeping accommodation for up to 2,000, a hospital and gym facilities.

⁶²⁶ Letter Browne to Timms, 29 March 2007, [untitled].

⁶²⁷ Minutes, 24 April 2007, Chiefs of Staff meeting.

⁶²⁸ Minute Beaver to PS/Min(DES), 11 May 2007, ‘Iraq – Force Protection – Hardened Accommodation at Basra COB’.

1199. The first tranche could be delivered between 31 May and 31 August 2008 and would cost £40m. The date for overall completion of the project was estimated as “by December 2009”. Achieving those timescales was dependent on “long lead items” for the first tranche at a cost of £14m. That expenditure would be at risk on the core Defence budget unless the Treasury approved a call on the Reserve.

1200. Mr Browne wrote to Mr Timms on 21 May.⁶²⁹ He stated that the MOD was proceeding with the £14m purchase of long lead items but would not commit further without Treasury agreement to fund from the Reserve. He added that the MOD would “negotiate a contract with suitable break clauses to allow us to reduce the project should circumstances allow and keep the overall requirement under review”.

1201. Mr Timms replied on 30 May.⁶³⁰ He agreed that the £14m could be taken from the Reserve but added:

“In considering further funding, the business case for the project will need to demonstrate the continued requirement for the build once current UORs that seek to address the same indirect fire issue ... are deployed and operational in the COB. In addition, we will need to be convinced that the long construction time for the project is coherent with the UK strategic timeline for maintaining troops in Iraq, and the concept of operations for troops in the COB after withdrawal from Basra City.

“... We should treat this initial funding as a net additional cost of operations, but it is explicitly **not** a UOR, and should not be classified as such, given that it is investment in infrastructure and not equipment ...”

1202. A Land Command paper produced on 31 August 2010 stated that, between June and September 2007, the three months before Basra Palace was handed over in September 2007 (see Section 9.6), it received over 1,000 rounds of IDF.⁶³¹

1203. On 5 June, Lt Gen Houghton briefed the Chiefs of Staff that the next six to eight weeks would see the introduction of a number of additional C-IDF capabilities:

- UK C-RAM at BAS would reach full operating capability by 10 June.
- The US had agreed to loan five AH64 attack helicopters for an initial period of 30 days starting on 10 June.
- Counter-battery fire would be enhanced by the arrival of capability in mid-June.⁶³²

⁶²⁹ Letter Browne to Timms, 21 May 2007, ‘Urgent operational requirement: Hardened accommodation in Iraq’.

⁶³⁰ Letter Timms to Browne, 30 May 2007, ‘Hardened Accommodation in Iraq’.

⁶³¹ Report Land Command, 31 August 2010, ‘Operations in Iraq: An Analysis from a Land Perspective’.

⁶³² Minutes, 5 June 2007, Chiefs of Staff meeting.

1204. Lt Gen Houghton was asked to provide the Chiefs of Staff with an analysis of the effectiveness of the counter-IDF measures one month after the UK C-RAM became fully operational.

1205. On 12 June, Lord Drayson was advised that initial operating capability for Hermes 450 would be achieved in Iraq on 25 June.⁶³³ Additionally, 45 ground terminals had been delivered to theatres in Iraq and Afghanistan to enable FMV viewing.

1206. An annex on ISTAR UORs stated that initial operating capability for Desert Hawk 3 had been achieved in Iraq on 6 June.

1207. On 9 July, an official confirmed that the Hermes 450 had reached initial operating capability.⁶³⁴

1208. On 10 July, Lt Gen Houghton briefed the Chiefs of Staff that, between April and July 2007, there had been a “marked increase” in attacks to the COB with over 200 IDF attacks in a three-month period.⁶³⁵

1209. In his post-operation tour report, Major General Jonathan Shaw, GOC MND(SE) from January to August 2007, described the fielding of UAVs as delivering a “step change in capability” although he warned that MND(SE) still required Corps level assistance.⁶³⁶ He continued:

“... the imperative is now to integrate effectively our new UK UAVs to reduce this dependency.”

1210. On 4 September, the Chiefs of Staff were briefed that the US attack helicopter had returned to Baghdad but was “available if required”.⁶³⁷

1211. Major General Graham Binns, GOC MND(SE) from August 2007 to February 2008, told the Inquiry:

“By late 2007, we had a very sophisticated method of protecting ourselves against rocket attack, which was the predominant form of attack.”⁶³⁸

1212. When asked about the threat of IDF, Maj Gen Binns said it had “reduced significantly” because of the improvement in surveillance:

“Our ability to engage those who were firing rockets at us from the air improved to such an extent that we forced them back into the town and the further away they are, the more inaccurate they are. So the whole threat of indirect fire reduced.

⁶³³ Minute DEC ISTAR to PS/Min(DES), 12 June 2007, ‘ISTAR UORs’.

⁶³⁴ Email MOD [junior official] to APS/Minister(DES), 9 July 2007, ‘Hermes 450’.

⁶³⁵ Minutes, 10 July 2007, Chiefs of Staff meeting.

⁶³⁶ HQ MND(SE) report, 14 August 2007, ‘Post Operation Tour Report Shawforce Jan – Aug 07’.

⁶³⁷ Minutes, 4 September 2007, Chiefs of Staff meeting.

⁶³⁸ Public hearing, 15 January 2010, page 33-34.

It was still an irritant, but the number of casualties sustained by indirect fire reduced dramatically from August onwards.”

1213. In September, the DOC undertook an “extensive review and analysis” of the UK’s force protection capability in order to “expose risk, provide assurance and present strategic recommendations” to the Chiefs of Staff.⁶³⁹

1214. The review is addressed earlier in this Section with regards to protected mobility but specific points were also made about countering the IDF threat.

1215. The DOC wrote that units should have access to force protection equipment prior to pre-deployment training if possible to ensure that all personnel were adequately trained in force protection procedures and equipment (particularly UOR equipment) before arriving in theatre. The “recent Treasury decision to permit UOR procured equipment to include an allocation for training” was already having an effect but it was noteworthy that “several Commands were not aware of this significant development”.

1216. On accommodation, the DOC stated that the current Tier system was “based on permanence (rather than the provision of FP)” and the nature of contemporary operations suggested that that approach might be “sub-optimal” for force protection:

“Recent experience has indicated that the decision to move from tents to more resilient steel/concrete structures tends to be delayed by the understandable desire to limit the deployed footprint, but this should be balanced against the nature of the threat and type of operation (as well as other criteria such as FPE [Force Protection Engineering] effort, cost and the logistic burden).”

1217. Considering the IDF threat, the DOC wrote that “the most effective way of reducing the potential scale of a successful IDF attack is through a mix of good ISTAR, physical compartmentalisation and infrastructure protection together with active measures such as dominating the likely firing area through regular patrols and C-RAM-type systems”.

1218. The DOC recommended: “ISTAR capability should continue to be developed to provide a consistent 24/7 stream of fused intelligence to force protection decision makers.”

1219. The DOC noted that investigations into the US Sense and Warn system were under way. The Phalanx system had been deployed into theatre in May 2007 and, after “initial teething problems”, its performance was improving. The likelihood of IDF being a significant threat to deployed forces in current and future operations suggested that a C-RAM capability needed to be taken into the core Equipment Programme as an enduring requirement. C-RAM measures should be included in the design phase of building a deployed base.

⁶³⁹ Report DOC, September 2007, ‘Directorate of Operational Capability Protection of the Deployed Force Operational Audit Report 1/07’.

CONSIDERING WHETHER TO DEPLOY REAPER TO IRAQ

1220. ACM Stirrup visited Iraq from 13 to 16 May 2007.⁶⁴⁰ Considering the IDF threat, the report of his visit stated:

“CDS believed an armed UAV would provide the ideal platform to deliver a precision, time sensitive response whilst minimising the risks of collateral damage.”

1221. Lt Gen Figgures was tasked to investigate how an armed UAV might be acquired.

1222. On 25 May, Lt Gen Figgures advised ACM Stirrup that there were three options for providing a weaponised UAV in Iraq:

- extending the Reaper programme (a UK version of Predator B) to purchase extra airframes for Iraq (the funding at this time was for three airframes all to be delivered to Afghanistan);
- asserting pressure on the US to apportion a greater proportion of Predator A hours to MND(SE); or
- investigating the possibility of weaponising Hermes 450.⁶⁴¹

1223. On 12 June, Air Cdre Gordon advised Lord Drayson that the option to purchase a further nine Reaper as part of the 2007 Equipment Programme had been delayed until the outcome of the Comprehensive Spending Review was known.⁶⁴²

1224. The Inquiry asked ACM Stirrup if there were decisions he wished had been taken differently during his time as DCDS(EC).⁶⁴³ He replied that one of the difficulties had been that pressures on the defence programme and equipment plan had meant that money was taken out of areas that needed increased investment.

1225. ACM Stirrup told the Inquiry that, up until 2002, funding in ISTAR had increased by 15 percent but some of that was removed in subsequent years through savings measures. He added:

“I also felt that we were far too slow to improve our capabilities in persistent surveillance, particularly through unmanned vehicles, and when I became CDS, one of the first things I did was to stop the arguing about whether we should purchase Reaper from the United States and tell people to go and buy it, and it is now in operation as a consequence.”

⁶⁴⁰ Minute PSO/CDS to PSSC/SofS [MOD], 17 May 2007, ‘CDS Visit to Iraq 13-16 May 07’.

⁶⁴¹ Minute DCDS(EC) to PSO/CDS, 25 May 2007, ‘CDS Visit to Iraq 13-16 May 07 – Equipment Issues’.

⁶⁴² Minute DEC ISTAR to PS/Min(DES), 12 June 2007, ‘ISTAR UORs’.

⁶⁴³ Public hearing, 1 February 2010 page 64.

1226. On 12 December, a USUR for an “armed long loiter, long range capability” was raised by MND(SE).⁶⁴⁴ It stated that existing measures to protect against IDF and IEDs were reactive:

“MND(SE) therefore needs a pro-active SENSE capability that will also INTERCEPT IED and IDF attacks before they can launch their attack. Rapid and decisive disruption of IED and IDF teams will also be a potential deterrent.”

1227. The USUR stated that between January and October 2007:

- IED attacks had caused 21 deaths and 81 casualties.
- IDF attacks had caused five deaths and 127 casualties. The rate of attacks had abated since September but the sustained level of attacks by insurgents in the first part of the year indicated “their capability and capacity to sustain high rates of fire when the intent exists”.

1228. The operational requirement was:

“... to observe insurgents and their weapon systems (IDF/IED) across the AO [Area of Operations] over long durations and long range, which is integrated with a rapid, precision capability to engage targets once identified.”

1229. The solution proposed by MND(SE) was an armed Predator B UAV.

1230. The Inquiry asked the MOD to confirm that the Predator B (Reaper) was never deployed to Iraq. The MOD stated that it was “available to the UK as a Coalition asset” but was never deployed to Iraq.⁶⁴⁵

THE DRAWDOWN OF UK FORCES

1231. From July 2007, the further hardening of accommodation was complicated by uncertainty surrounding the UK’s position in Iraq. Mr Gordon Brown, the Prime Minister, announced plans for the military drawdown in Basra in October.

1232. On 29 July 2007, Mr Browne wrote to Mr Andy Burnham, Chief Secretary to the Treasury, requesting an additional £32m from the Reserve for hardened accommodation.⁶⁴⁶

1233. Mr Browne explained that the estimated total cost of the work at Basra Air Station would be £186m and work would be complete by March 2011. Due to “uncertainties on future force levels”, it was proposed to approve the structures in “up to six tranches”.

⁶⁴⁴ Minute MND(SE) EC [junior officer] to PJHQ – DACOS J3 EC, 12 December 2007, ‘Operation TELIC – Urgent Statement of User Requirement (USUR) for an Armed Long Loiter, Long Range Capability’.

⁶⁴⁵ Letter Duke-Evans to Hammond, 4 February 2016, [untitled].

⁶⁴⁶ Letter Browne to Burnham, 29 July 2007, ‘Tier 3 Hardened Accommodation at the Basra Contingent Operating Base’.

1234. Mr James Quinault, Head of the Defence, Diplomacy and Intelligence spending team in the Treasury, advised Mr Burnham to “hold off” replying until September, pending decisions about the scale and duration of the UK’s commitment in Basra.⁶⁴⁷

1235. Mr Burnham replied on 11 September 2007.⁶⁴⁸ He recognised that the case for hardening accommodation was “compelling” if UK troops were to remain at Basra Air Station for a prolonged period, but that “the scale of additional resources committed to the project” should be agreed once there was greater clarity on the UK’s posture in Basra, expected at the end of that month. He concluded:

“It is clearly desirable that you continue to take the decisions necessary to ensure that suitable accommodation can be provided as soon as possible should UK troops remain in theatre for the foreseeable future. I understand that you are currently taking such decisions at risk of around £10m to your own budget. I think this is prudent and you should be reassured that, in the event of a decision for an early withdrawal, these sunk costs will be admissible against the Reserve.”

Moving JHF-I to Kuwait

On 5 October 2007, a PJHQ official sought Mr Browne’s agreement for the UK to establish a logistic support facility in Kuwait.⁶⁴⁹ It would include the relocation of JHF-I. The minute stated:

“The proximity of Camp Buehring to Basra (around 30 minutes flying time) allows us to de-risk the force protection of our helicopters without affecting their ability to undertake their operational tasking. A forward helicopter detachment will however remain in the COB as the Incident Response Team (IRT).”

Mr Browne agreed on 9 October.⁶⁵⁰

1236. On 2 October, Major General James Dutton, DCJO(Ops), briefed the Chiefs of Staff that the Tier 1 and Tier 2 builds at Basra Air Station were complete and the full Tier 3 programme would be finished in December 2009.⁶⁵¹ The “Enhanced Personal Bunkers project, an intermediate Tier1/2 solution” had commenced on 17 September and was known as Stonehenge.

1237. On 7 December, Mr Ian Gibson, Deputy Command Secretary at PJHQ, recommended that Mr Browne write to Mr Burnham requesting a further £65m from

⁶⁴⁷ Minute Quinault to Burnham, 21 August 2007, ‘Hardened Accommodation for UK Troops in Basra’.

⁶⁴⁸ Letter Burnham to Browne, 11 September 2007, ‘Hardened Accommodation in Basra’.

⁶⁴⁹ Minute PJHQ [junior official] to PS/Secretary of State [MOD], 5 October 2007, ‘Op TELIC: Logistic Support Facility in Kuwait’.

⁶⁵⁰ Minute APS/Secretary of State [MOD] to PJHQ J9 Hd Pol/Ops 1, 9 October 2007, ‘Op TELIC: Logistics Support Facility in Kuwait’.

⁶⁵¹ Minutes, 2 October 2007, Chiefs of Staff meeting.

the Reserve for Tranche 2 of the hardened accommodation programme.⁶⁵² Tranche 2 comprised a hardened medical facility and three hardened accommodation blocks, housing a total of 900 personnel.

1238. Mr Gibson wrote that force level planning for spring 2008 suggested there would be 2,830 UK military personnel, along with supporting civilians, contractors and other “multi-national military elements”, bringing the total number of personnel at Basra Air Station to 5,321. A further 745 UK military personnel would be based at the Kuwait support facility.

1239. To avoid “a situation where we failed to provide protection for personnel should UK forces remain at the COB longer than we might originally have anticipated”, PJHQ’s work assumed an “enduring military force of around 2,500”.

1240. Mr Gibson recommended that Mr Browne should also seek £30m of the £32m currently carried at risk for the first tranche and the subject of Mr Browne and Mr Burnham’s correspondence in September. The £2m “delta” reflected Treasury uncertainty that an element of the dining facility protection was required.

1241. Officials in Mr Browne’s Private Office replied on 12 December, stating that Mr Browne agreed with Mr Gibson’s proposal and had written to Mr Burnham accordingly.⁶⁵³

1242. The reply also highlighted that Sir Bill Jeffrey had written to Mr Browne on 11 December confirming his view that to proceed with Tranche 2 was “justifiable” but the position should be considered in the New Year, with the MOD ready to “scale the plans down” if it seemed “right to do so”.

1243. On 18 December, Mr Burnham agreed to fund both elements of the request but wrote:

“We will, however, want to think together about the balance of investment decisions to be taken on this project before I can commit to further funding ... We will need to be convinced that the long construction time ... is coherent with the UK strategic timeline for troop levels in Iraq, and the total numbers of people ... that will be based at the COB and require protection.”⁶⁵⁴

⁶⁵² Minute Gibson to PS/SofS [MOD], 7 December 2007, ‘Tier 3 – Update Submission for Secretary of State’.

⁶⁵³ Minute APS/Secretary of State [MOD] to DCS(RES) PJHQ, 12 December 2007, ‘Tier 3 – Update Submission for Secretary of State’.

⁶⁵⁴ Letter Burnham to Browne, 18 December 2007, [untitled].

1244. Mr Bob Ainsworth, the Minister of State for the Armed Forces, visited Iraq from 17 to 21 December 2007.⁶⁵⁵ The visit report stated:

“The Minister saw for himself the effect of Operation Stonehenge – the hardening of personal bed spaces. This, like C-RAM, appeared initially to have been greeted with mixed feelings but was now generally considered to be a positive development, both in terms of protection and morale.”

1245. On 15 January 2008, Lt Gen Houghton told the Chiefs of Staff that Project Stonehenge had “progressed well” and would be complete by February.⁶⁵⁶ The third tranche of the Tier 3 hardening project was progressing and 2,100 hardened bunks would be complete by 2009, although the final decision point on this for Ministers was 20 March 2008.

1246. On 20 March, Mr Gibson advised Mr Browne to place Tranche 3 of the hardened accommodation programme on hold because of uncertainty about the UK’s future presence in Iraq.⁶⁵⁷ That tranche would have brought 1,500 further hardened bed spaces, bringing the total to 2,400. He noted that the IDF threat had recently increased and provided an analysis of the options, finally stating:

“This is a fine call, involving judgements about force levels over a year away. It represents a significant change in emphasis in our approach to this project: in essence, rather than continuing with Tier 3 until it is proven no longer to be required, we would be deciding only to proceed with Tranche 3 once it has been demonstrated that it was required, and in doing so for the first time accepting that we will not provide Tier 3 accommodation for all at the COB as quickly as possible.”

1247. Officials in Mr Browne’s Private Office replied on 27 March.⁶⁵⁸ Following discussion with ACM Stirrup and Sir Bill Jeffrey, Mr Browne had noted:

- The ongoing work on future options for the UK’s long-term presence in southern Iraq was unlikely to conclude before the summer.
- There were options “under consideration” which would render Tranche 3 “unnecessary”.

1248. Mr Browne agreed that the Tranche 3 programme should be placed on hold until the likely UK presence in 2009 was clearer.

⁶⁵⁵ Minute PS/Minister(AF) to APS 4/Secretary of State, 10 January 2008, ‘Minister(AF)’s Visit to Iraq, 17-21 December’.

⁶⁵⁶ Minutes, 15 January 2008, Chiefs of Staff meeting.

⁶⁵⁷ Minute Gibson to PS/SofS [MOD], 20 March 2008, ‘Tier 3 – Update Submission’.

⁶⁵⁸ Minute APS/Secretary of State [MOD] to Gibson, 27 March 2008, ‘Tier 3 – Update Submission’.

1249. On 30 May, Mr Gibson advised Mr Browne that the MOD should “cease to plan on the basis that Tier 3 Tranche 3 will be required and take the steps necessary to reconfigure Tranches 1 and 2” to get best value for money from the project.⁶⁵⁹

1250. That was because the focus on training and mentoring of Iraqi Security Forces meant there was “greater confidence” that the UK would have completed the bulk of its mission in Iraq by early 2009. Against that background, it seemed unlikely to Mr Gibson that the UK would need or wish to retain a large base at Basra Air Station.

1251. While Ministerial decisions on the timing and pace of any drawdown in 2009 were yet to be agreed, approval for Tranche 3 would be needed “now” if it were to be delivered by “October-December 2009” (at the earliest). If a bid for funding was not made before the summer, the project would not be delivered until 2010.

1252. With “very limited time”, it was possible to adjust Tranches 1 and 2 into “a more coherent package, perhaps consisting of two feeding halls, the hospital plus five accommodation blocks, sufficient for a force of around 1,500”. Mr Gibson advised that that was “the most pragmatic, best value for money approach without taking excessive additional risk over and above the other options currently available to us”.

1253. On 26 July, Brigadier Julian Free, Commander of 4 Mechanised Brigade, assessed that the completion of enhanced individual overhead protection had “markedly increased the force protection afforded to troops on the COB” but warned that the risk of a mass casualty event still remained.⁶⁶⁰ He implied that was because not all of the communal buildings had been hardened.

1254. On 17 October, a PJHQ official advised Mr Browne that the final structure of first tranche would be complete and operational by 20 October.⁶⁶¹ The other structures had come into use on 14 July, 14 August and 24 September.

1255. The second tranche was “to start coming on line in March-April 2009” but, given the plans for transition, it was unlikely that the UK would “derive significant benefit from these facilities”.

1256. The US had expressed an interest in taking over structures from the first two tranches as part of their plans to move to Basra Air Station in 2009. It was estimated that £4.9m could be saved from stopping the Tranche 2 programme “now” but PJHQ judged, subject to Ministerial and Treasury approval, “it would make sense to complete the structures as part of a wider arrangement with the US regarding the transfer of responsibility in MND(SE)”. That would still result in a £3.5m saving.

⁶⁵⁹ Minute Gibson to PS/Secretary of State [MOD], 30 May 2008, ‘The Tier 3 Programme at Basra COB’.

⁶⁶⁰ Report Free, 26 July 2008, ‘Op TELIC 11: HQ 4 Mechanized Brigade Post Operational Report’.

⁶⁶¹ Minute PJHQ [junior official] to PS/SofS [MOD], 17 October 2008, ‘Iraq: Update on the Protected Structures Programme (Tier 3)’.

1257. While hardened accommodation would no longer be provided to 900 personnel from March to April 2009 as planned, forces would be living in the existing accommodation until drawdown. Personal overhead protection was “now fitted to every military, MOD civilian and OGD civilian’s sleeping bay” and the level of IDF remained “much reduced from previous levels”.

1258. On 18 November, Ms Cheryl Plumridge, Command Secretary at PJHQ, sent an update on the hardened accommodation programme to Mr John Hutton, the Defence Secretary.⁶⁶² The advice sought to re-address the issues raised in the 17 October minute, which had been withdrawn following questions from Mr Hutton’s Private Office.

1259. Ms Plumridge explained that the planned adjustments to Tranche 2, to create a medical facility and accommodation blocks, had been put on hold following discussions with the US who, for its own purposes, preferred the structures to be left empty.

1260. The UK would need an agreement with the Iraqi Government to reflect the transfer of any structures to the US instead of to Iraq, assuming standard terms were agreed in the Status of Forces Agreement (see Section 9.7).

1261. Ms Plumridge wrote: “Balance of risk has been at the heart of the Tier 3 project as it has developed and Ministers have previously accepted increased risk in this area.” She highlighted the cancellation of Tranche 3 and stated the revised plan would now only provide Tier 3 protection for the feeding halls.

1262. It was “extremely hard to predict the impact of not having Tier 3 accommodation” and instead relying on Stonehenge. Ms Plumridge laid out the different factors that could lead to a mass casualty event occurring and stated:

“To put this into context, as at today’s date, 45 days have passed since the last indirect fire attack on the COB – so we are currently a long way from the worst-case position.”

1263. Ms Plumridge proposed that PJHQ officials would seek Treasury approval for the structures to be treated as a gift to the US, in line with the arguments set out in the 17 October minute.

1264. Mr Hutton approved Ms Plumridge’s proposal on 25 November.⁶⁶³

THE REMAINING LEVELS OF HELICOPTER AND ISTAR SUPPORT IN MND(SE)

1265. On 6 December 2007, Mr Browne wrote to Mr Brown with an update on “helicopter issues”.⁶⁶⁴ He stated that there would always be demands for more

⁶⁶² Minute Plumridge to APS/SofS [MOD], 18 November 2008, ‘Iraq: Update on the Protected Structures Programme (Tier 3)’.

⁶⁶³ Manuscript comment Hutton on Minute Plumridge to APS/SofS [MOD], 18 November 2008, ‘Iraq: Update on the Protected Structures Programme (Tier 3)’.

⁶⁶⁴ Letter Browne to Brown, 6 December 2007, ‘Update for the Prime Minister on Helicopter Issues’.

helicopters on operations given “the scale and intensity of our current operational commitments”.

1266. One of the principles underpinning the MOD’s approach to helicopters was “to rationalise our helicopters by theatre”. Mr Browne added:

“While we are clear about the imperative to provide increased support to operations in the short term, we are also concerned not to sacrifice the future sustainability of the helicopter fleet for the immediate needs of today.”

1267. Mr Browne wrote that helicopter support to operations in Iraq was “generally assessed as satisfactory” and therefore additional capability for Afghanistan was the priority.

1268. The update noted that there were five Merlin and six Lynx in Basra and there were seven helicopters in Baghdad. The Sea King fleet had been withdrawn earlier than planned because of the reduction in troop levels and the helicopters were being switched to Afghanistan, four having already been deployed.

1269. The requirement for the six Danish Merlins procured to enable the release of the Sea King fleet from Iraq had “fallen away along with our reduction in force levels there” so the possibility of deploying them to Afghanistan was under consideration.

1270. Mr Browne explained:

“It may seem counter-intuitive that, despite the fact we have so many more helicopters in our inventory, we are able to deploy a relatively small number on operations. We are limited by the need to keep our burden on our airframes, crews and ground support staff at a sustainable level over time. As a rule of thumb, it takes three or four additional helicopters to enable the deployment of a single helicopter on operations with the remaining aircraft used for training and to enable us to rotate our deployed helicopters in and out of maintenance and to carry out essential modification programmes.”

1271. Mr Browne concluded:

“To borrow a line from David Cameron, there is no ‘magic pot’ of money into which we can dip in order to buy all the helicopters we might like to. We do not have access to the Treasury Reserve for the procurement of such enduring capabilities, and helicopters must compete with other pressing requirements within our hard-pressed equipment programme. Equally neither are there any helicopters currently readily available on the market which would be an obvious aspiration for us; most order books are full, and the procurement of a new helicopter type would be both costly and time-consuming.

“That said, I can give you an assurance that, while we continue to make the most of what we have got ... This is not an area where we can afford complacency.

We shall continue to seek out opportunities to improve and enhance our deployed helicopter fleets ... but I believe that we are on the right path towards an enduring and sustainable capability which will allow us to fulfil our key tasks, delivering upon our important commitments in Iraq and Afghanistan.”

1272. A report of Mr Ainsworth’s visit to Iraq in December 2007 stated:

“Concerns were raised with regard to ISTAR provision, which had decreased over recent months, but which would become increasingly important in the overwatch posture; there had been successes – such as Hermes 450 – but the withdrawal of capabilities such as the Danish ... helicopter and Scan Eagle were significant losses.”⁶⁶⁵

1273. Mr Ainsworth was briefed by key personnel involved in manning and operating the C-RAM system:

“He was reassured to hear that its success rate in interdicting IDF rounds continued to improve although he noted that there was still some way to go. He was particularly struck by the extent to which the general perception of C-RAM’s capability had turned around since his last visit, with personnel at all levels praising its hugely positive impact on morale.”

1274. On 9 January 2008, a junior officer in MND(SE) produced a review of ISTAR capability within MND(SE) for PJHQ.⁶⁶⁶ He explained that the move to Provincial Iraqi Control (PIC) in the UK’s AOR had:

“... necessitated a wholesale review of ISTAR capability to support the MND(SE) mission. This has occurred at a time when there is a noticeable reduction in the ISTAR assets and capabilities provided by organic and MNC-I/Theatre platforms. This is now affecting MND(SE)’s ability to prosecute operations against irreconcilable Shia extremists and will constrain MND(SE) in delivering its missions and tasks ...”

1275. The officer made a number of recommendations including bringing forward the Astor and Raptor programmes, introducing an aircraft such as Defender to enable low-level support to ground forces and the introduction of a weaponised UAV capability.

1276. The officer stated that MND(SE) could find no record of “a formal ISTAR Estimate” having been conducted and “rather an iterative approach” had been adopted, “resulting in a fragmented approach to ISTAR” that had led to capability gaps.

1277. Considering the FMV capability, the officer explained that there were “a number of Corps assets” but MND(SE) was having “less success in securing these” and two assets

⁶⁶⁵ Minute PS/Min(AF) to APS/SofS [MOD], 10 January 2008, ‘Minister(AF)’s Visit to Iraq 17-21 December’.

⁶⁶⁶ Minute COS MND(SE) to ACOS J2 PJHQ, 9 January 2008, ‘Review of ISTAR Capability Within MND(SE)’.

would be withdrawn by March 2008. He described the only assets that could be “tasked with a degree of certainty”:

- Hermes 450 which suffered from technical and spares issues. It was recommended that its maintenance contract was re-negotiated to expedite the release and availability of spare parts.
- Desert Hawk 3 was heavily used and any reduction as a result of drawdown work would have a significant impact.
- Iraqi Security Forces (ISF) assets which were limited.

1278. Manned aerial surveillance assets were “extremely limited”. Nimrod MR2 had been withdrawn and the use of helicopters in this role had a cost to their “lift” role.

1279. An annex to the review provided a “snapshot” of the existing MND(SE) ISTAR capability:

Table 3: ISTAR availability in MND(SE), January 2008

UK	Quantity	Provision
Broadsword	3 x [Helicopter]	[...] hours per month
Hermes 450 UAV	3 (2 more expected in January 2008)	800 hours per month
Desert Hawk 3 Mini UAV	64	10 x 1hr each day
Nimrod MR2	Principally in support of Op HERRICK, not Coalition asset	Not MND(SE) dedicated

1280. On 15 January, the Chiefs of Staff were advised that the first Hermes 450 had crashed during bad weather two days earlier and the next two were not due in service until the end of January.⁶⁶⁷

1281. Gen Dannatt visited Iraq from 13 to 15 January.⁶⁶⁸ He reported:

“I am aware that CJO is conducting a comprehensive review of ISTAR but the 25% reduction of support to MND(SE) is completely counter-intuitive at a time when we need even greater situational awareness. I think the time has come for some original thinking about how to increase our RW MAS [rotary-wing manned airborne surveillance] capability – if the Danes were able to introduce the Fennec as a low cost solution within a three month period, surely we could produce a similar package?”

⁶⁶⁷ Minutes, 15 January 2008, Chiefs of Staff meeting.

⁶⁶⁸ Minute, CGS to PSO/CDS, 21 January 2008, ‘CGS Visit to Iraq 13-15 Jan 08’.

1282. An internal Army lessons learned report was published on 31 August 2010, known as the “Barry Report”.⁶⁶⁹ It stated that one of the lessons for future transitions was to increase, not decrease, the ISTAR requirement:

“As transition progresses and UK boots and eyes on the ground decrease, so there is an increased requirement for ISTAR in order to maintain the same overall level of situational awareness. The Iraq experience demonstrated that once we withdrew to the COB we lost a very large part of our situational awareness. Supporting indigenous forces with our ISTAR also enhances effectiveness and commanders’ prestige and thereby maintains our ability to influence.”

1283. On IDF, the Barry Report stated:

“In 2004 MND(SE) had predicted that the IDF threat would increase ... the threat was acknowledged but did not seem to result in structural force protection of our bases for some time. Although some were in very robust buildings, such as Basra Palace, the majority of troops on the COB remained in tented accommodation until very late in the campaign ...”

1284. The DOC’s final Op TELIC lessons report was endorsed by the Chiefs of Staff on 17 March 2010.⁶⁷⁰ It stated that there had been a lack of an enduring intelligence picture for “at least the first four years” of the campaign and that perhaps that stemmed from “the very widely held view that, up to and throughout 2006 and into 2007, there were insufficient ISTAR assets available to MND(SE), and hence by necessity they were focused on maintaining as much of the day-to-day tactical picture as possible”.

1285. The DOC wrote that it had also been suggested “that rather than there not being enough, the Coalition as a *whole* had sufficient ISTAR assets; but that due to a lack of in-depth understanding of the capability”, the effort was “mistakenly focused on requesting ISTAR platforms rather than their product”. It continued:

“The situation was exacerbated by the lack of effective engagement by MND(SE) with MNC-I via the coalition chain of command. The result was increased requests from theatre directly to the UK for additional national ISTAR assets, which were eventually provided. Had the correct engagement of the in-theatre chain of command been followed this might have delivered the required increase in ISTAR capability far sooner.”

1286. The DOC report offered the following lessons:

- “When tasking limited ISTAR assets sources, consideration of the creation and maintenance of the strategic through to the tactical picture must be undertaken.”
- “When operating as part of a coalition, understanding the procedures to gain access to coalition ISTAR assets are vital; defaulting to the national route, whilst potentially easier, will probably not deliver as quickly.”

⁶⁶⁹ Report Land Command, 31 August 2010, ‘Operations in Iraq: An Analysis From a Land Perspective’.

⁶⁷⁰ Report DOC, 17 March 2010, ‘Operation TELIC Lessons Study Vol. 4’.

1287. In his review of the land operation in Iraq, Brig Barry wrote that “there was no effective single land sponsor for ISTAR”.⁶⁷¹ He stated:

“There is overwhelming evidence of a comprehensive failure to generate an adequate tactical intelligence capability to meet the requirements of tactical commanders. What capability was fielded was almost always too little too late. This appears to have resulted from significant weaknesses in almost every area of intelligence direction, collection, analysis, dissemination ...”

1288. Comparing the ISTAR assets across the coalition, Brig Barry wrote that senior US officers were “astonished to find the UK so lacking” in that capability. The US were able to field platforms capable of both persistent ISTAR and armed action which improved the ability to engage fleeting targets and act as deterrent “top cover” for ground troops. The UK never had sufficient assets to do the same.

1289. On the lack of UAVs, Lt Gen Shirreff told the Inquiry that he had been told that “no more staff effort could possibly be put into deploying UAVs to South-East Iraq”.⁶⁷² He thought that that was not because of the intention to draw down forces, but because the MOD “was incapable of generating the drive and energy to deliver them”.

1290. Maj Gen Shaw told the Inquiry that there was always a worry that UK forces would find it difficult to respond if security in MND(SE) deteriorated.⁶⁷³ He said that the problem was not so much the number of UK troops available but “it was more to do with situational awareness and intelligence”.

1291. Maj Gen Shaw told the Inquiry that ISTAR was “the major issue” and that “we never got as much as we wanted”. While the UOR system was a responsive one, and new equipment arrived “at a remarkable rate”, Maj Gen Shaw said that UAVs were “the big equipment shortage and problem”.

1292. Sir Peter Spencer, Chief of Defence Procurement from May 2003 to April 2007, told the Inquiry that ISTAR was “a classic example” of where incremental procurement was necessary.⁶⁷⁴ He stated that anybody who “tried to envisage a big bang project which will deliver everything you need will get it wrong, because the time it takes to develop will be such that during that period all of your assumptions would have been tested and some will have changed”.

1293. Sir Peter said that he thought the MOD went about trying to understand the requirement “quite well”, by putting “some really good people in place who concentrated on it quite hard”. The testing point came where the MOD “was invited to cancel a major project platform to pay for it”.

⁶⁷¹ Report Land Command, 31 August 2010, ‘Operations in Iraq: An Analysis From a Land Perspective’.

⁶⁷² Public hearing, 11 January 2010, pages 35-36.

⁶⁷³ Public hearing, 11 January 2010, pages 33-35.

⁶⁷⁴ Public hearing, 26 July 2010, pages 62-63.

1294. The difficulty with Watchkeeper was that “it became very political”.⁶⁷⁵ Sir Peter referred to Lord Bach’s evidence before the House of Commons Defence Committee, in which Sir Peter said that Lord Bach gave an In Service Date “under political pressure” and before the requirement was properly understood.

1295. Sir Peter said that “you have to be thick-skinned enough to stand up to that pressure politely, but in a way which informs Ministers that ... a short term gain here is going to lead to a lot of grief later”.

1296. At the time that the MOD was debating whether to bring in the Hermes 450 UAV as a “gap filler”, Sir Peter said: “there were some quite hard decisions which needed to be made in London by the military customer to decide what they want to spend the money on, because they could not have both simultaneously”.⁶⁷⁶

1297. Sir Peter concluded:

“The compelling lesson from all of this is if you want something quickly to work, you go for something which is available apart from anything you might need to do to integrate it to work inside your own organisation, because there will be some aspects of the way we operate UK military forces which will be different, say, from the Americans.”⁶⁷⁷

1298. The Inquiry asked Lt Gen Figgures whether, if the Reaper UAV that was sent to Afghanistan had instead been sent to Iraq, it would have made a difference to the UK’s ability to defend itself against the indirect fire threat at Basra Air Station.⁶⁷⁸ He replied that it “could potentially have made a difference. Indeed the Hermes in 2007 and Desert Hawk I think had some success.”

1299. Lt Gen Fulton acknowledged to the Inquiry that the UK should have procured its own UAV sooner than the Hermes 450 in 2007.⁶⁷⁹

1300. The Watchkeeper UAV was never deployed to Iraq. The MOD told the Inquiry that it came into service in August 2014 and was deployed in Afghanistan.⁶⁸⁰

1301. Asked when Watchkeeper had been scheduled to come into service, Lt Gen Fulton replied that he thought a date of 2009 to 2010 was “what people had in mind”, but referred to Lord Bach’s evidence to the House of Commons Defence Committee in June 2003 that it would be 2005 to 2006.⁶⁸¹ He added:

“I think what that showed was not so much that they got it wrong, but a reflection of the keenness to get it in, and the wish to put pressure on not only us to work

⁶⁷⁵ Public hearing, 26 July 2010, pages 65-67.

⁶⁷⁶ Public hearing, 26 July 2010, pages 67-68.

⁶⁷⁷ Public hearing, 26 July 2010, pages 68-69.

⁶⁷⁸ Public hearing, 27 July 2010, pages 109-110.

⁶⁷⁹ Public hearing, 27 July 2010, pages 100-107.

⁶⁸⁰ Letter Duke-Evans to Hammond, 4 February 2016, [untitled].

⁶⁸¹ Public hearing, 27 July 2010, page 100.

harder but equally ... we were absolutely determined that Watchkeeper was one programme that was not going to get derailed by people changing their minds midway through ...”

1302. Speaking about the areas of capability in which it was not possible to invest to the extent he would have liked, Lt Gen Figgures said of ISTAR:

“Did we anticipate the requirement we would need [to] provide coverage of areas as big as southern Iraq or as big as Afghanistan? No we didn’t and therefore we had to develop that.”⁶⁸²

1303. The Inquiry asked Gen Dannatt about his visit report from October 2006 where he had raised the need for greater ISTAR capability.⁶⁸³ He referred to the Watchkeeper programme and said that was another example of where savings were made to the programme only to be added back later as a UOR or emergency programme:

“Once a real operational requirement for UAVs was derived for Iraq and Afghanistan, surprise, surprise, energy was then put back into the Watchkeeper programme. Money was added back into the Watchkeeper programme. Hermes 450 ... was brought forward.”

1304. Gen Dannatt told the Inquiry that it was difficult to have a balanced programme of capability for future when the present was “staring you very bloodily in the face”.⁶⁸⁴ He added:

“The trick is not to be so wrong that you can’t adjust when the future reveals itself. That’s what I think we should be working towards at the present moment. Absolutely funding properly what is staring us in the face, which today is Afghanistan and previously was Afghanistan and Iraq. I don’t think we did that.”

1305. The DOC report in March 2010 also recognised “the profound and fundamental impact” that running two medium scale operations concurrently had on resources afforded to Iraq.⁶⁸⁵

1306. The DOC considered the impact of the UK’s decision in 2005 to return to Afghanistan and stated as a key lesson that “knowingly exceeding Defence Planning Assumptions requires the most rigorous analysis”.

1307. The DOC wrote that running two concurrent, enduring medium scale operations, in excess of the Defence Planning Assumptions, had a “profound and fundamental impact on the progression of Op TELIC between 2006 and 2009”. It added:

⁶⁸² Public hearing, 27 July 2010, pages 21-22.

⁶⁸³ Public hearing, 28 July 2010, pages 68-69.

⁶⁸⁴ Public hearing, 28 July 2010, pages 71-72.

⁶⁸⁵ Report DOC, 17 March 2010, ‘Operation TELIC Lessons Study Vol. 4’.

“The challenges of prioritising insufficient resource, in terms of personnel, equipment, funding, planning and decision making effort, between Iraq and Afghanistan, have had a direct and negative effect on the UK’s ability to carry out all its tasks and responsibilities in both campaigns. These pressures of prioritising resources between the assumed, but ultimately not achieved, rapid drawdown in requirements of Op TELIC, and the increases required over and above the initial estimate of troop numbers for Op HERRICK, were significant ...”

1308. The DOC stated that the growing casualty rates in Basra in 2006 and 2007 increased public pressure on politicians to devote more resources to Iraq but by that point “there was very limited scope to reverse, or even stop troop drawdown in Iraq:

“There had been a considerable hollowing out of capability in Basra over this period, as a consequence of the need to meet the increasing demands of Afghanistan.”

1309. Speaking about balancing the two commitments in Iraq and Afghanistan, General Sir Nicholas Houghton told the Inquiry:

“I felt in Iraq, we could deliver the strategy, with risk, with the means that were available, but it became relatively quickly evident that within Afghanistan we were not militarily in a position of strategic coherence. We did not have the means to deliver on objectives, and, therefore the requirement ... to make us strategically rebalanced in Afghanistan.”⁶⁸⁶

1310. Gen Houghton said that it was not “troop numbers per se” that was the problem, but rather the “strategic and operational enablement of them through what are rare breed capabilities” such as strategic lift, ISTAR, aviation and attack helicopters.

1311. Sir Kevin Tebbit told the Inquiry that he was “very concerned” about the discussions in 2004 to deploy an additional force to Afghanistan because the UK was still “heavily engaged in Iraq” and was still recuperating from its large scale operation during the invasion.⁶⁸⁷ The view of the Chiefs of Staff was that “they could do it and it was manageable” and so Sir Kevin did not press his “objections fully”.

1312. The “planning assumption” was that the UK should put itself forward because “if the UK didn’t come forward, nobody else was going to”. If the UK came forward, it was hoped that would create “a snowball effect”, with other countries providing “support forces, helicopters, the things that we were relatively lacking in”. Sir Kevin recognised that it was not possible to predict at that time, mid-2005, whether the UK would secure those commitments.

1313. Gen Jackson was asked by the Inquiry whether Ministers were advised, when they took the decision in 2004 to deploy UK forces to Afghanistan, that it would reduce their options in Iraq.⁶⁸⁸

⁶⁸⁶ Public hearing, 5 January 2010, pages 35-38.

⁶⁸⁷ Public hearing, 3 February 2010, pages 14-17.

⁶⁸⁸ Public hearing, 28 July 2010, pages 65-67.

1314. Gen Jackson replied that it was “not unreasonable” at that time to have forecast the UK’s drawdown “to probably a few hundred” but the difficulty was that the timetable for Iraq did not go as planned. He said it was not possible, when the timetable did go awry, to “suddenly put up our hand and say, ‘We can’t do this in Afghanistan’”, because it would have “severely disrupted” the whole NATO effort.

1315. Gen Jackson said the fact that the Defence Planning Assumptions “were not upheld by events” and were “almost overturned by events” demonstrated how difficult it was to predict what future capabilities were necessary.⁶⁸⁹

1316. The Inquiry heard evidence about how running two medium scale operations concurrently had an impact on the provision of support helicopters.

1317. Lt Gen Dutton told the Inquiry:

“Nobody wanted to deploy any more troops ... or any more helicopters. In fact, I can recall a conversation with DCDS(C) [Lt Gen Rob Fry], perhaps a slightly light-hearted one which was ‘Don’t, whatever you do, ask for any more helicopters’. Of course, we did end up asking for lots more helicopters and we got some more helicopters ...”⁶⁹⁰

1318. Lt Gen Dutton added:

“Given the circumstances at the time and the helicopters that we had in the inventory, I certainly felt that they [PJHQ] ... were doing their best to provide, if not more helicopters and crews, more hours because ... that’s just as valuable if you can fly the aircraft for longer and have the spares to allow you to do the servicing to allow that.”⁶⁹¹

1319. The Inquiry asked Lord Drayson what advice he had received on the ability of the UK’s support helicopter force to support the operations in Iraq and Afghanistan. Lord Drayson wrote:

“I was advised that, although the UK’s helicopter force was under pressure due to the decision taken in 2004 under Medium Term Workstrand to remove funding, increased provision of flying hours and the deployment of additional aircraft, the battlefield helicopter requirements in Iraq and Afghanistan were being met (e.g.VCDS minute to SofS 7 Sept [2006] refers.). This however was not the impression I gained following my visits to theatre. Again I found myself having to get senior officers together to try to reach agreement on whether there was a requirement, and if so, what it was. Even when we were in the process of strengthening our helicopter capability in 2006/7 the view of the military was there

⁶⁸⁹ Public hearing, 28 July 2010, page 88.

⁶⁹⁰ Public hearing, 12 July 2010, page 31.

⁶⁹¹ Public hearing, 12 July 2010, pages 33–34.

was no requirement in Afghanistan for more helicopters at the time, just a utility to having more helicopters so we could meet future requirements. The military view was also that there was no requirement for a new small helicopter.”⁶⁹²

1320. Asked if he was concerned whether the MOD had an insufficient number of support helicopters capable of being deployed in the threat environment of Iraq, Lord Drayson wrote:

“Yes ... However it was difficult to get the military to agree on the requirement. Helicopters specifically were not seen as the responsibility of any particular service and therefore suffered from the lack of a ‘service champion’. It was not believed that helicopters could be procured quickly ...”

1321. ACM Torpy disagreed with Lord Drayson’s view on helicopter ownership and prioritisation. He told the Inquiry that the Joint Helicopter Command did have advocates and champions:

“Actually it was owned by a single service. It was operational command CINC Land Forces ... So there was an advocate for Joint Helicopter Command, and if I look at the interest that the three Chiefs took in Joint Helicopter Command it was pretty key.”⁶⁹³

1322. The Inquiry asked ACM Stirrup for his view of the helicopter situation during his time as Chief of the Air Staff, from 2003 to 2006. He replied that it “was not a significant issue” in Chiefs of Staff discussions during that time.⁶⁹⁴ There was a requirement to make modifications as lessons were learned, but “there was no sense that ... we needed – urgently needed twice as many helicopters than we had, although it was quite clear that we could always have used more”.

1323. ACM Stirrup told the Inquiry that, between 2006 and 2009, when he was Chief of the Defence Staff, the constraint on the helicopter fleet was twofold:

“First was we had eight Chinooks sitting in a shed unable to fly. That is a significant percentage of the total Chinook force ...

“Secondly, we were operating in two theatres, which was well beyond our planning assumptions and although it was a strain to generate sufficient infantry battalions for the rotation between the two theatres, the really critical elements were the enablers. They were the strategic and tactical mobility. They were the helicopters, they were the ISTAR, they were all of those specialist areas that are so important for any operation, wherever it is and whatever it is.”⁶⁹⁵

⁶⁹² Statement, 15 December 2010, page 8.

⁶⁹³ Public hearing, 18 January 2011, page 81-82.

⁶⁹⁴ Public hearing, 1 February 2010, pages 17-18.

⁶⁹⁵ Public hearing, 1 February 2010, pages 66-67.

1324. The Inquiry asked Gen O’Donoghue whether increasing the flying hours of helicopters sooner would have made sure that more were available in Iraq. Gen O’Donoghue replied that it took time to do because more spares would have to be acquired to fly the helicopters and maintenance schedules had to be adjusted.⁶⁹⁶

1325. Gen O’Donoghue said that there were a number of factors to consider when looking at whether to procure a new type of helicopter, including the procurement cost, the cost of certifying airworthiness, what changes were necessary to meet the theatre entry standard and what was best to bring into service alongside existing models.

The £1.4bn reduction in helicopter spending

The majority of witnesses to the Inquiry said that the decision to reduce helicopter funding by £1.4bn in 2004 had not had an effect on what was available for Iraq.

Mr Hoon told the Inquiry that he did not believe that earlier funding decisions about the Equipment Programme were “relevant” to helicopter availability in Iraq.⁶⁹⁷ That was because of the lead time for any new helicopters to come into service.

Speaking about the Spending Review settlement in 2004, Sir Kevin Tebbit told the Inquiry that the MOD preserved resources for Iraq and made cuts in the areas considered least likely to be called upon.⁶⁹⁸ He said that it was “very difficult” to say that it had had a long-term impact on operations in Iraq and Afghanistan because the savings were made in forward programmes, such as with helicopters.

The Inquiry asked Sir Peter Spencer if the £1.4bn reduction in 2004 had affected the number of helicopters available in Iraq.⁶⁹⁹ Sir Peter replied that he was unable to comment on that specifically because he was not involved in the support of those helicopters but did state that it was an example of how the MOD had to decide what its priorities were:

“[It] goes back to the fundamental issue at the heart of all of this, which is being more realistic about what the money would actually buy you and to just accept that you can’t have every toy in the shop.”

Lt Gen Fulton indicated that the spending reduction did not have an impact on Iraq as it affected amphibious and light helicopter procurement rather than support helicopters which is what commanders relied upon for troop transport:

“So for very good reasons, all the reasons you identify, whilst the £1.4bn cut to the helicopter budget was profoundly unwelcome, it had no effect at all on anything to do with Iraq.”⁷⁰⁰

Gen Jackson said of the 2004 funding cut that he thought “some of the difficulties with helicopters stem from that decision” as well as the procurement difficulties with the eight Chinook Mk3s.⁷⁰¹

⁶⁹⁶ Public hearing, 14 July 2010, pages 73-79.

⁶⁹⁷ Public hearing, 19 January 2010, page 197.

⁶⁹⁸ Public hearing, 3 February 2010, pages 9-12.

⁶⁹⁹ Public hearing, 26 July 2010, pages 59-61

⁷⁰⁰ Public hearing, 27 July 2010, page 96.

⁷⁰¹ Public hearing, 28 July 2010, page 86.

In March 2011, the MOD told the Inquiry:

“Had SABR [Support Amphibious Battlefield Helicopter programme] continued, the earliest delivery of new Chinooks would have been after the end of UK operations in Iraq, so the Department does not assess that the removal of £1.4 billion from the helicopter programme affected the availability of support helicopters for operations in Iraq.”⁷⁰²

1326. The Inquiry was told that the Treasury was not an obstruction in the UOR process but there were difficulties with the flexibility of the MOD’s budget.

1327. Mr Ingram told the Inquiry:

“... everything had to be finely justified and there was constant tussles with the Treasury in all of that as to whether it was a UOR or whether it should come from core expenditure ...”⁷⁰³

1328. Lt Gen Fulton told the Inquiry this process was one whereby “we had to try to find the money ourselves and if we couldn’t find the money then we went to the Treasury for UORs once Iraq had started”.⁷⁰⁴

1329. Lt Gen Figgures described a process of rigorous scrutiny of requirements which involved “some tough negotiation”.⁷⁰⁵ He told the Inquiry:

“We were given considerable sums of money over the period of time that I filled my appointment to make that case. Whether it was helicopters or protective mobility, defensive aid suites, all of those where we made the case were funded, but it was – they were very rigorous in their scrutiny of the case we put forward, and you could as a taxpayer say, well, yes, they should be. As a soldier it was hard work producing the evidence to get past that scrutiny.”⁷⁰⁶

1330. Lt Gen Figgures added:

“When it came to the urgent operational requirements, if we could identify requirement, justify it, have a reasonable idea of what it might cost, deliver it in an acceptable time-frame, then the Treasury would give us the money for it ...”

1331. Asked whether he had sufficient resources to fund the equipment he thought was relevant to operations in Iraq, Lt Gen Fulton told the Inquiry that the starting point was that *The Strategic Defence Review* was not properly funded to deliver what it was supposed to.⁷⁰⁷ That meant that the MOD was left with “an equipment capability that existed within but did not fill the defence planning requirement”.

⁷⁰² Paper [MOD], 1 March 2011, ‘Request for Evidence, Support Helicopters’.

⁷⁰³ Public hearing, 16 July 2010, page 29.

⁷⁰⁴ Public hearing, 27 July 2010, page 25.

⁷⁰⁵ Public hearing, 27 July 2010, page 27.

⁷⁰⁶ Public hearing, 27 July 2010, pages 23-26.

⁷⁰⁷ Public hearing, 27 July 2010, pages 19-20.

1332. Lord Drayson told the Inquiry:

“I actively stressed the importance of addressing the deficiencies of equipment on operations following my visits to theatre and feedback from front line reports. However the opportunities to redirect resources from core Equipment Programme were limited by the inherent resistance in the system to changes to the core Equipment Programme outside the annual planning rounds. It was very difficult to reach agreement on the re-prioritisation of resources as there was no flexibility in the budget. It required a push from me to do this. I also asked for the Department to look at rationalising the equipment programme to create a 10-15% head-room for reprioritisation to meet short-term operational requirements.”⁷⁰⁸

1333. Asked how effective the MOD’s efforts were to draw on core Equipment Programme funding to support ongoing operations, Lord Drayson wrote:

“... the Services were concerned that their long term programmes would be cannibalised and lose funding to short term operational needs ... it was quite unusual for core equipment funding to be redirected to operational needs. This only happened when the military had a strong desire for it ...”

⁷⁰⁸ Statement, 15 December 2010, page 7.

SECTION 14.2

CONCLUSIONS: MILITARY EQUIPMENT (POST-CONFLICT)

Contents

Introduction	228
Addressing post-invasion capability gaps	229
Countering the IED threat	229
Requirement for a medium weight PPV	231
A failure to articulate the requirement	232
Attempts to improve the process for identifying requirements	234
Funding and the Future Rapid Effect System (FRES)	235
Intelligence, Surveillance, Target Acquisition and Reconnaissance (ISTAR)	236
The pressure of running two medium scale operations concurrently	238
Support helicopters	239
Lessons	240

Introduction

1. This Section addresses conclusions in relation to the evidence set out in Section 14.1, including:

- where there was a failure to address capability gaps in equipment; and
- the impact of running two medium scale operations concurrently.

2. This Section does not address conclusions in relation to:

- how equipment was funded, which is addressed in Section 13.2;
- the failure to ensure that the UK was adequately prepared for post-conflict Iraq contingencies, which is addressed in Section 6.5;
- MOD operational policy, or judgements on the specific circumstances in which individuals lost their lives in Iraq; and
- the MOD's procedure for supporting those killed or injured in Iraq, which is addressed in Section 16.4.

Key findings

- Between 2003 and 2009, UK forces in Iraq faced gaps in some key capability areas, including protected mobility, Intelligence, Surveillance, Target Acquisition and Reconnaissance (ISTAR) and helicopter support.
- It was not sufficiently clear which person or department within the MOD had responsibility for identifying and articulating capability gaps.
- Delays in providing adequate medium weight Protected Patrol Vehicles (PPVs) and the failure to meet the needs of UK forces in Multi-National Division (South-East) (MND(SE)) for ISTAR and helicopters should not have been tolerated.
- The MOD was slow in responding to the developing threat in Iraq from Improvised Explosive Devices (IEDs). The range of protected mobility options available to commanders in MND(SE) was limited. Although work had begun before 2002 to source an additional PPV, it was only ordered in July 2006 following Ministerial intervention.
- Funding was not a direct barrier to the identification and deployment of additional solutions to the medium weight PPV gap. But it appears that the longer-term focus of the Executive Committee of the Army Board (ECAB) on the Future Rapid Effect System (FRES) programme inhibited it from addressing the more immediate issue related to medium weight PPV capability.
- The decision to deploy troops to Afghanistan had a material impact on the availability of key capabilities for deployment to Iraq, particularly helicopters and ISTAR.

Addressing post-invasion capability gaps

Defining the capabilities required

The 1998 *Strategic Defence Review* (SDR) defined the military capabilities needed by the Armed Forces. It concluded that the UK needed a more effective expeditionary capability, including “deployable and mobile” forces, with “sufficient protection and firepower for war-fighting”.¹ As a result, the MOD established a requirement for a family of vehicles to replace existing medium weight armoured vehicles. That was to be delivered through the Future Rapid Effect System (FRES) programme which was expected to be in service towards 2010.

The 1998 SDR also emphasised the importance of developing an enhanced Intelligence, Surveillance, Target Acquisition and Reconnaissance (ISTAR) capability.

In 2002, the MOD published *The Strategic Defence Review: A New Chapter*; an update on the SDR’s progress and a consideration of the “UK’s defence posture and plans” in light of the 9/11 attacks.² *A New Chapter* again stressed the importance of ISTAR assets: the MOD would accelerate the Watchkeeper programme which was designed to deliver an Unmanned Aerial Vehicle (UAV). That capability was expected in “2005-06”.³ There were very few similar capabilities that could be deployed in the interim. By 2003, the expeditionary capability defined by the 1998 SDR was not yet in place.

A number of witnesses suggested to the Inquiry that the MOD had not been given the resources to acquire the full range of capabilities specified by the SDR. The Inquiry has not reached a view on that point. Decisions made by the MOD on the balance of investment between immediate operational requirements and future defence programmes in delivering the capabilities set out in the SDR fall outside the Inquiry’s Terms of Reference.

Countering the IED threat

3. By the end of April 2003, barely a month after the invasion, UK forces began to face a threat from Improvised Explosive Devices (IEDs). In July and August, more sophisticated devices were being used with increasing frequency against Coalition Forces.

4. The Joint Intelligence Committee (JIC) predicted that the IED threat was likely to increase and continue to evolve rapidly. That was clearly indicated in its Assessments of 3 September 2003, 25 September 2003 and 5 November 2003.

5. On 1 September, a Forces and Resources Review reported that the IED threat was being “countered by the use of stripped-down Land Rovers with top cover sentries”.⁴ It recommended that protection would be improved by the deployment of armoured 4x4 vehicles.

¹ Ministry of Defence, *Strategic Defence Review: Supporting Essays*, July 1998.

² Ministry of Defence, *Strategic Defence Review: A New Chapter*, July 2002.

³ Third Report from the House of Commons Defence Committee, Session 2003-04, Lessons of Iraq, HC 57-I, para 235.

⁴ Paper MND(SE) [junior officer], 1 September 2003, ‘HQ MND(SE) Forces and Resources Review’.

6. The Protected Patrol Vehicle (PPV) Working Group discussed how to meet that requirement on 5 September 2003. It was clear that the MOD had few options for the rapid supply of an armoured 4x4 vehicle. Large numbers of Snatch Land Rovers were already in service in Northern Ireland and were therefore available for deployment. There was no other vehicle that could be readily deployed without modification or without considerable cost. The MOD therefore decided to dispatch 180 Snatch Land Rovers to Iraq.

7. Several witnesses to the Inquiry referred to working with “what you’ve got” and told the Inquiry that the Snatch Land Rover was preferable to a completely unprotected vehicle. The Snatch Land Rover had not been designed, however, for the conditions found in Iraq; and by 2002 it was at the end of its planned life in service. No programme to replace it had been agreed.

8. The Snatch Land Rover was therefore not an optimal solution to the urgent requirement for an armoured PPV, but was the best available stop-gap. Given the need for rapid replacement of completely unprotected vehicles, the decision to deploy 180 Snatch Land Rovers was fully justifiable. However; this should have been recognised as no more than an interim solution. Work to find a more effective vehicle for Iraq and similar environments in the longer term should have been put in hand.

9. The Snatch Land Rover was modernised and made more suitable for the weather and terrain of Iraq in several conversion programmes. Because the chassis was incapable of carrying the weight of additional armour the enhancements which could be made to its level of physical protection were limited.

10. The hardening of a vehicle, or any other type of equipment, is only one component of its protection. Throughout Operation TELIC, the UK also deployed a suite of other measures to counter the IED threat, including aerial surveillance, electronic countermeasures, the deployment and up-armouring of heavier tracked vehicles, tactical changes and intelligence-based targeting of the perpetrators.

11. The first IED attack using an Explosively Formed Projectile (EFP) took place in May 2004. In July 2004, the Defence Intelligence Staff stated that the presence and use of EFPs in attacks against the Multi-National Force in Iraq was “a significant force protection issue”.⁵

12. The MOD’s Directorate of Operational Capability (DOC) concluded in February 2005 that the Snatch Land Rover conversion programme had been “a belated reaction” to the IED threat and that sustained investment was necessary to “provide sufficient protected mobility for operations in hostile environments such as Iraq”.⁶

⁵ Report DIS, 26 July 2004, ‘Further Evidence of Lebanese Hizballah produced weapons in Iraq’.

⁶ Report DOC, 22 February 2005, ‘Operation TELIC Lessons Study Vol. 2’.

13. By May 2005, the IED threat had increased significantly. Commanders in Multi-National Division South-East (MND(SE)) had a choice of two vehicles in which they could conduct routine patrols: the Snatch Land Rover or the Warrior Armoured Fighting Vehicle. Those two vehicles were at opposite ends of the protected mobility spectrum, with very different characteristics and availability.

14. Lieutenant General James Dutton, General Officer Commanding MND(SE) from June 2005 to December 2005, explained to the Inquiry that towards the end of 2005 all movement was conducted by air or in convoys protected by armoured vehicles. That constrained wider UK operations, including the Security Sector Reform (SSR) effort, because military personnel, police officers and civilian personnel were frequently not able to move around MND(SE).

15. The impact of limited mobility on SSR was regularly raised in meetings of the Chiefs of Staff and the reports of those who visited Iraq (see Section 12.1). The impact of protective security measures on civilians' ability to carry out their jobs effectively is described in Section 15.1.

16. In June 2006, Lieutenant General Nicholas Houghton, Chief of Joint Operations, reported that troops could “manage Snatch – just, but they have no inherent confidence in it”.⁷ Questions were asked in Parliament about what the MOD was doing to ensure the best possible protection of its troops.

17. The Inquiry recognises that there is not always a solution to an evolving threat and that, depending on the sophistication of the device and the way in which a vehicle is hit, any vehicle can be vulnerable to attack.

Requirement for a medium weight PPV

18. In June 2006, Mr Des Browne, the Defence Secretary, commissioned a review of armoured vehicles in Iraq. The review led to the identification of a requirement for a medium weight PPV for deployment to Iraq.

19. The MOD decided to procure 108 Cougar vehicles which were modified for use on UK operations. The modified vehicle was called the Mastiff.

20. The Cougar vehicle had been in service with the US Army since 2004. The British Army had also deployed a Cougar variant to Bosnia in 2003/04.

21. The Mastiff was a wheeled PPV offering better protection than Snatch, but, because of its size, was not suitable for all patrol tasks. Although it was not an ideal solution, Mastiff was positively received by troops in Iraq. The first four Mastiffs had reached Iraq by 30 December 2006.

⁷ Minute Houghton to PSO/CDS, 16 June 2006, ‘Visit to Iraq 13 – 15 Jun 06’.

22. In April 2008, the Equipment Capability branch (EC) in MND(SE) (the formation of which is described below) produced an Urgent Statement of User Requirement (USUR) for an “Urban PPV”. The Ridgback (which was also a variant of Cougar) was ordered to meet the requirement but did not enter service in time for use in Iraq.

23. Neither vehicle was a replacement for the Snatch Land Rover and Ministers continued to receive advice that Snatch remained “mission critical”⁸ in Iraq and Afghanistan because of its profile, manoeuvrability and carrying capacity. Lt Gen Houghton considered that removing it from theatre would have a significant impact on operations by reducing patrols’ situational awareness and restricting movement.

A FAILURE TO ARTICULATE THE REQUIREMENT

24. MOD officials explained to Mr Browne on 21 July 2006 that work was ongoing within the department to source a medium weight PPV and that the armoured vehicle review had accelerated the work by securing additional funding.

25. The Inquiry has considered why it took so long to fill a capability gap that was apparent from the end of 2003.

26. Within the MOD and the Armed Forces the responsibility for meeting an equipment capability gap during Op TELIC was clear: USURs for new equipment were forwarded to the Permanent Joint Headquarters (PJHQ), which retained ownership of the USUR until it was signed off.

27. What was unclear was where responsibility lay for identifying and articulating capability gaps. Because a USUR could be raised by “any user”,⁹ there was no single individual or team accountable if an essential USUR was not raised. That was a failure of the system. In a statement to the Inquiry, the MOD said that there was “no simple answer to the question where the primary responsibility for identifying capability gaps and raising USURs lay” during the post-invasion phase.

28. The evidence suggests that this was not a problem in every instance. When a gap was clearly identified and there was an appetite to address it, action was taken. That was demonstrated by the deployment of electronic countermeasures and enhancements for the protection of Warrior and FV430 vehicles.

29. An analysis of the land operation in Iraq published in August 2010 (known as “the Barry Report”) stated that a requirement was more likely to be identified, and the subsequent Urgent Operational Requirement (UOR) to succeed, where there was “a strong coherent sponsor in the Army or MOD”.¹⁰

⁸ Note CJO to PSO/CDS, 7 November 2008, ‘Limiting the Deployment of Snatch Outside Secure Bases’.

⁹ Letter Duke-Evans to Aldred, 26 June 2015, ‘Procuring Military Equipment’.

¹⁰ Report Land Command, 31 August 2010, ‘Operations in Iraq: An Analysis From a Land Perspective’.

30. The Barry Report suggested that, where UORs succeeded, “some of these were the result of ‘pull’ from theatre, others the result of ‘push’ from equipment staff in the MOD. The latter was the case with Mastiff, the requirement for which was formulated in London.”¹¹

31. As the Box ‘Attempts to articulate the PPV requirement’ below describes, there were repeated references within the MOD to lack of a coherent strategy and the absence of what was known as a “Customer Two lead”:¹² someone whose role it was to identify such a requirement from the perspective of a ‘user’. In the absence of a strong sponsor, defining the PPV requirement failed to make progress for three years.

32. Before June 2006, the MOD’s consideration of protected mobility lacked the leadership that was ultimately injected by Mr Browne’s armoured vehicle review and driven forward by Lord Drayson, Parliamentary Under Secretary of State and Minister for Defence Procurement.

Attempts to articulate the PPV requirement

The 1998 *Strategic Defence Review* did not identify a requirement for a light or medium weight PPV for expeditionary operations.

The PPVs in service with the Army in 1998, primarily to meet the requirements of operations in Northern Ireland, were Tavern and the Snatch Land Rover. The Out of Service Date for the Snatch Land Rover was 2002.

January 2002 – A draft Urgent Statement of User Requirement (USUR) for the replacement of the Snatch Land Rover was produced (Project DUCKBOARD).

July to September 2003 – The MOD held two workshops and produced an operational analysis of the requirement but stated that further work was needed to articulate it.

February 2004 – Funding re-profiled to bring forward the delivery of 80 vehicles from 2007 to 2004.

31 March 2004 – A requirement for an expeditionary vehicle to be deployed to the “rest of the world” was identified but the MOD stated further work was needed to define it. It became known as the Type B vehicle.

June 2004 – The Executive Committee of the Army Board (ECAB) was advised of a need for a coherent plan to deliver protected mobility for both Iraq and Afghanistan.

7 July 2004 – The MOD identified a requirement for three separate vehicle projects, including the Type B vehicle, but described the way forward as “beset with unresolved issues”¹³ including a lack of definition over the capabilities required and number of vehicles needed.

15 October 2004 – A strategy for delivering the three projects was produced but there was still no concept of operations or a clear Customer Two lead.

¹¹ Report Land Command, 31 August 2010, ‘Operations in Iraq: An Analysis From a Land Perspective’.

¹² Minute MOD [junior officer] to D Jt Cap (AD Jt Mvre), 15 October 2004, ‘Strategy for delivery of protected patrol and combat support mobility – Project DUCKBOARD’.

¹³ Paper DEC(SP) to D Jt Cap, 7 July 2004, ‘Project DUCKBOARD – Way Forward’.

27 October 2004 – A Statement of Requirement (SOR) for all three projects was raised, including the number of vehicles required.

21 February 2005 – A revised SOR for a Type B vehicle was raised as a result of funding allocated through the Equipment Programme.

7 July 2005 – The Investment Approvals Board (IAB) approved a business case to upgrade the remaining Snatch Land Rovers to the latest variant but cautioned that it had still not seen any operational analysis to support a way forward.

November 2005 – ECAB discussed concerns about the state of protected mobility for UK forces.

January 2006 – ECAB decided to approach Lord Drayson with concerns about the armoured vehicle fleet following a meeting that had focused on further delays to the FRES programme.

3 March 2006 – A USUR and business case for the first tranche of Type B expeditionary Vector vehicles was submitted. Those vehicles were intended for deployment to Afghanistan.

26 June 2006 – Mr Browne announced an armoured vehicle review.

5 July 2006 – Lord Drayson sought clear confirmation from Lt Gen Houghton as to whether there was a requirement for a medium weight armoured PPV.

7 July 2006 – Lt Gen Houghton confirmed the requirement for a medium weight PPV. Lord Drayson sought further advice that same day about the number of vehicles necessary to meet current operational requirements.

19 July 2006 – Lt Gen Houghton produced the USUR for a medium weight PPV.

24 July 2006 – Mr Browne announced the outcome of the review.

ATTEMPTS TO IMPROVE THE PROCESS FOR IDENTIFYING REQUIREMENTS

33. The Inquiry recognises that, during the period covered by its Terms of Reference, there were a number of attempts to improve the process through which equipment requirements were identified and articulated.

34. Attempts to make improvements to the process began in 2005.

35. In February 2005, an Equipment Capability (EC) branch was created in theatre. It enhanced communication between those in need of new capabilities and those who helped to articulate the requirements, although there was some lack of clarity regarding the EC cell's precise role.

36. In November 2006, Lt Gen Houghton recognised that the UK needed “to improve our processes for identifying the EC dimension of emerging theatre CONOPS [concept of operations] which lay in the domain of the early years of the EP [Equipment Programme] rather than in the UOR process.”¹⁴

¹⁴ Minute CJO to MA/VCDS, 9 November 2006, ‘Emerging Capability Requirements’.

37. In March 2007, the report of a visit to Iraq by Lord Drayson, then the Minister of State for Defence Equipment and Support, prompted work to improve communication channels between the MOD and theatre.

38. Lord Drayson reported that “overall there was a clear perception in theatre that the UK MOD was not taking account of the rate of change. UORs too often sought to deliver a perfect capability, but in doing so delivered so late the requirement had changed or theatre were without any capability for too long”.¹⁵ He suggested that “greater dialogue” between theatre and the Equipment Capability Customer could help to address the issue.

39. In September 2007, following an “extensive review and analysis”¹⁶ of the UK’s force protection capability, the DOC concluded that management of force protection risk must be based “on a thorough identification of strategic and operational threats to ensure that a balance of research, investment and training was achieved commensurate with the threat”.

40. As a result, a force protection policy was produced in November 2007 which sought to apply a standard approach to the risk assessment of force protection and lay out the respective roles and responsibilities across the MOD.

41. The MOD told the Inquiry that the force protection policy in use in 2015 “defines risk ownership and governance more clearly than its predecessors”¹⁷ and that the policy had been integrated into wider MOD risk management processes which had also been revised.

FUNDING AND THE FUTURE RAPID EFFECT SYSTEM (FRES)

42. Lord Drayson told the Inquiry that he believed “the Army’s difficulty in deciding upon a replacement to Snatch was in part caused by their concern over the likelihood of FRES budgets being cut to fund a Snatch replacement vehicle”.¹⁸

43. Although the Inquiry has identified issues concerning clarity of responsibility and communication, it has not found evidence to suggest that funding was a direct barrier to the identification and deployment of additional solutions to the PPV capability gap.

44. It is possible, however, that the need to preserve funding for the Future Rapid Effect System (FRES) programme influenced decisions on the requirement for PPVs.

45. The FRES programme remained distinct from meeting the requirement for an appropriate PPV in Iraq. FRES was never intended to be in service until towards 2010. However, a number of witnesses to the Inquiry made the point that, within a finite budget, resources for an additional requirement would have to be found from elsewhere

¹⁵ Minute APS/MIN(DES) to PSSC/SofS [MOD], 26 March 2007, ‘Minister(DES) Visit to Iraq’.

¹⁶ Report DOC, September 2007, ‘Protection of the Deployed Force Operational Audit Report 1/07’.

¹⁷ Statement MOD, 26 June 2015, ‘Procuring Military Equipment’.

¹⁸ Statement, 15 December 2010, page 4.

in the defence programme (except when provided from UORs or USURs funded by a claim on the Reserve – see Section 13.1). Sir Peter Spencer, Chief of Defence Procurement from May 2003 to April 2007, told the Inquiry that using money from the capital Equipment Programme to deal with the short term had “a fratricidal effect”¹⁹ on the ability to move the FRES programme forward.

46. The focus of the Executive Committee of the Army Board (ECAB) on the FRES programme may therefore provide a partial explanation for the lack of urgency in addressing the more immediate problem of the PPV capability gap. Another likely factor was an over-optimistic assumption about the timing of withdrawal from Iraq. The expectation of an early withdrawal from Iraq inhibited action on an expensive programme that might not be completed before troops left.

Intelligence, Surveillance, Target Acquisition and Reconnaissance (ISTAR)

47. The MOD was aware before 2003 that it needed to broaden the capabilities available for collecting strategic, operational and tactical intelligence. A clear capability gap for an Unmanned Aerial Vehicle (UAV) to be directed by commanders on the ground had been identified. The longer-term solution was a programme known as Watchkeeper, expected to be introduced in 2005 to 2006.

48. From March 2003, the Phoenix UAV was available to commanders in theatre. It performed well during the invasion but could only be used between November and April because it was not designed to operate in high temperatures.

49. For the first four years of Op TELIC, the lack of ISTAR capabilities constrained military operations. The final DOC report on Op TELIC in March 2010 stated that an enduring intelligence picture had been lacking for “at least the first four years”²⁰ because “up to and throughout 2006 and into 2007, there were insufficient ISTAR assets available to MND(SE), and hence by necessity they were focused on maintaining as much of the day-to-day tactical picture as possible”.

50. There is evidence that the MOD took two steps which did not adequately meet the capability gap:

- A “mini UAV”, Desert Hawk 1, was introduced in December 2003. Because of technical limitations it was only in theatre for a very short period.
- A Combined Joint Predator UAV Task Force (CJPTF) was created with the US in January 2004 but the UK’s requests for access to the capability were often not met.

¹⁹ Public hearing, 26 July 2010, pages 40-50.

²⁰ Report DOC, 17 March 2010, ‘Operation TELIC Lessons Study Vol. 4’.

- 51.** As Major General William Rollo, General Officer Commanding MND(SE) (GOC MND(SE)) from July 2004 to December 2004, reported at the end of his tour, the consequence of that capability gap was that operations were “planned around ISTAR availability, rather than ISTAR being available for operations”.²¹
- 52.** The DOC raised the problem in its three reports covering the post-conflict phase, each of which was discussed by the Chiefs of Staff.
- 53.** In February 2005, the DOC stated that ISTAR was “the most significant capability shortfall” of the post-conflict phase and it was “likely to remain an enduring requirement, particularly for asymmetric warfare”.²²
- 54.** In April 2006, the DOC stated that “a serious gap in current ISTAR capability” had been “a regular DOC observation” that had “been highlighted on all recent operations”.²³ That prompted a more wide-ranging debate across the MOD about how the ISTAR capability gap could be addressed.
- 55.** As in the case of protected mobility, the MOD was slow to respond to the deficiencies identified in ISTAR and showed a lack of understanding of the requirement for an enduring operation. The provision of ISTAR capabilities also suffered from the absence of a clearly identified sponsor addressing the capability gap.
- 56.** Lt Gen Houghton’s review of ISTAR shortfalls in May 2006 stated that the UK was “only beginning to develop a full understanding of the national ISTAR requirements” for transition in both Iraq and Afghanistan.²⁴
- 57.** Major General Richard Shirreff, GOC MND(SE) from June 2006 to January 2007, wrote in his post-operation report that the UK’s response was “grindingly slow and ponderous” when compared with the US and Australia. They had shown more “agility and forethought” in identifying solutions.²⁵
- 58.** The position improved when the Scan Eagle UAV was leased from Australia in April 2007 as a temporary measure until Hermes 450 came into service in July 2007.

²¹ Report Rollo to PJHQ MA to CJO, 4 December 2004, ‘Post Operation Report Operation TELIC 4/5 – 14 July – 1 December 2004’.

²² Report DOC, 22 February 2005, ‘Operation TELIC Lessons Study Vol. 2’.

²³ Report DOC, 4 April 2006, ‘Operation TELIC Lessons Study Volume 3’.

²⁴ Minute CJO to VCDS, 18 May 2006, ‘Quantifying ISTAR Shortfalls on Current Operations’.

²⁵ Report Shirreff to PSO/CDS, 19 January 2007, ‘Post Operational Report – Operation TELIC’.

The pressure of running two medium scale operations concurrently

59. In 2002, an MOD review of the 1998 *Strategic Defence Review* (SDR) reaffirmed that the UK's Armed Forces were not equipped to support two enduring medium scale military operations at the same time:

“Since the SDR we have assumed that we should plan to be able to undertake either a single major operation (of a similar scale and duration to our contribution to the Gulf War in 1990-91), or undertake a more extended overseas deployment on a lesser scale (as in the mid-1990s in Bosnia), while retaining the ability to mount a second substantial deployment ... if this were made necessary by a second crisis. We would not, however, expect both deployments to involve war-fighting or to maintain them simultaneously for longer than 6 months.”²⁶

60. Between 2004 and 2006, the MOD regularly made reference to the impact that an additional deployment would have on key capabilities available for Iraq. Choices would have to be made in deploying a finite level of capability.

61. When the Defence and Overseas Policy Sub-Committee of Cabinet agreed in July 2005 to deploy around 2,500 personnel to Helmand province, Afghanistan, the UK was still engaged in a medium scale operation in Iraq. As set out in Section 9.8, the assumptions about when personnel might be withdrawn from Iraq were high risk.

62. In March 2010, the DOC recognised that running two medium scale operations concurrently had had a “profound and fundamental impact” on resources afforded to Iraq.²⁷ It concluded that “knowingly exceeding Defence Planning Assumptions requires the most rigorous analysis”. The Inquiry has not seen evidence of such analysis.

63. It is difficult to determine whether or not Ministers adequately appreciated what the July 2005 decision to deploy to Helmand meant for the capabilities available for Iraq. There were discussions about the over-stretch and pinch-points in provision but those were no substitute for the “rigorous analysis” to which the DOC referred.

64. Decisions were not based on a realistic assessment of the likely duration of either operation and were consequently flawed.

65. One example was the decision not to harden accommodation for British troops in Iraq in March 2005. That decision was supported by balanced and pragmatic advice but the UK's optimistic assessment of how soon operations in Iraq would conclude affected its analysis of the requirement. That meant that the issue had to be re-opened three years later when it was too late for the matter to be addressed in an appropriate and cost-effective way.

²⁶ Ministry of Defence, *Strategic Defence Review: A New Chapter*, July 2002.

²⁷ Report DOC, 17 March 2010, ‘Operation TELIC Lessons Study Vol. 4’.

SUPPORT HELICOPTERS

66. The availability of support helicopters in MND(SE) was constantly stretched because of two factors.

67. The first was that support helicopters were used to supplement other shortfalls. Support helicopters were needed to move personnel by air when circumstances were too dangerous for ground transport. However, the same helicopters were also required for surveillance in the absence of sufficient ISTAR capability.

68. That meant that commanders were faced with a conflict between two requirements, and the need to compromise effectiveness.

69. As General Sir Richard Dannatt, Commander in Chief Land Command, wrote, there is an “inextricable” link between ISTAR, protected mobility and helicopters: “When the two former capabilities are under stress ... we invariably place a higher call on the latter.”²⁸

70. The second factor was Afghanistan. Air Chief Marshal Sir Jock Stirrup, Chief of the Air Staff, anticipated in February 2004 that support helicopters would be “seriously stretched”²⁹ by increased involvement in Afghanistan. His prediction was borne out.

71. Reports from Iraq in the second half of 2005 stressed the need for more helicopters. General Sir Mike Jackson, Chief of the General Staff, stated in October that the fleet was “creaking badly”.³⁰ In December, Major General James Dutton, GOC MND(SE) between June 2005 and December 2005, wrote that “the simple fact is that we need more helicopters (and aircrew) urgently”.³¹

72. The DOC wrote in April 2006 that capacity had “become parlous at times during 2005”.³² It added that the Joint Helicopter Force (Iraq) had “struggled to meet its tasks even with rigorous prioritisation” and the UK’s battlefield helicopter force “was stretched to meet the requirement of the current operation”.

73. In June 2006, Lt Gen Houghton stated that there was an endorsed requirement to increase helicopter provision for Afghanistan but not for Iraq. He acknowledged that operations had at times been constrained by a lack of helicopter support.

Lt Gen Houghton concluded:

“With no reductions on the horizon in Op TELIC and escalating requirements in Op HERRICK [Afghanistan], our national aviation requirements now need

²⁸ Letter Dannatt to Jackson, July 2006, ‘The Level of Operational Risk on Current Operations’.

²⁹ Minute CAS to PSO/CDS, 6 February 2004, ‘Operational Tempo’.

³⁰ Report CGS to CDS, 18 October 2005, ‘CGS Visit to Iraq: 10-13 Oct 05’.

³¹ Report Dutton to CJO, 12 December 2005, ‘June to December 2005 – Hauldown Report’.

³² Report DOC, 4 April 2006, ‘Operation TELIC Lessons Study Volume 3’.

departmental scrutiny to determine the concurrent requirement to resource both theatres and define how our national aviation resources should be realigned.”³³

74. Mr Browne and Lord Drayson intervened in August 2006. Lord Drayson told the Inquiry that he had asked Mr Browne to authorise him “to explore whether helicopters could be found quickly and to worry about how they would be funded after we had identified a possible solution”.³⁴

75. An exchange between Mr Browne and General Sir Timothy Granville-Chapman, Vice Chief of the Defence Staff, on 7 September illustrated how Ministers injected urgency into addressing equipment shortfalls. When Gen Granville-Chapman suggested that options to add capability would be considered in October, Mr Browne responded: “No: it should happen tomorrow!”³⁵

76. That prompted a review of what short-term relief could be offered to improve helicopter availability. In December 2007, Mr Browne wrote that helicopter support to Iraq was “generally assessed as satisfactory”³⁶ and that the priority was therefore Afghanistan. The Inquiry has not seen any evidence to suggest that that assessment was reconsidered for the remainder of Op TELIC.

Lessons

77. In deciding to undertake concurrent operations in Iraq and Afghanistan, the UK knowingly exceeded the Defence Planning Assumptions. All resources from that point onwards were going to be stretched. Any decision which commits the UK to extended operations in excess of the Defence Planning Assumptions should be based on the most rigorous analysis of its potential implications, including for the availability of relevant capabilities for UK forces.

78. At the start of Op TELIC, the MOD knew that it had capability gaps in relation to protected mobility and ISTAR and that either could have a significant impact on operations. Known gaps in such capabilities should always be clearly communicated to Ministers.

79. The MOD should be pro-active in seeking to understand and articulate new or additional equipment requirements. The MOD told the Inquiry that there was no simple answer to the question of where the primary responsibility for identifying capability gaps lay during Op TELIC. That is unacceptable. The roles and responsibilities for identifying and articulating capability gaps in enduring operations must be clearly defined, communicated and understood by those concerned. It is possible that this has been addressed after the period covered by this Inquiry.

³³ Minute Houghton to MA/VCDS, 12 June 2006, ‘Quantifying Battlefield Helicopter (BH) Requirements on Operations’.

³⁴ Statement, 15 December 2010, page 8.

³⁵ Manuscript comment Browne on Minute VCDS to SofS, 7 September 2006, ‘Helicopter Capability’.

³⁶ Letter Browne to Brown, 6 December 2007, ‘Update for the Prime Minister on Helicopter Issues’.

80. Those responsible for making decisions on the investment in military capabilities should continually evaluate whether the balance between current operational requirements and long-term defence programmes is right, particularly to meet an evolving threat on current operations.

81. During the first four years of Op TELIC, there was no clear statement of policy setting out the level of acceptable risk to UK forces and who was responsible for managing that risk. The MOD has suggested to the Inquiry that successive policies defining risk ownership and governance more clearly have addressed that absence, and that wider MOD risk management processes have also been revised. In any future operation the level of force protection required to meet the assessed threat needs to be addressed explicitly.

SECTION 15.1

CIVILIAN PERSONNEL

Contents

Introduction	245
Civilian outreach event	245
Pre-invasion planning and preparation	246
ORHA.....	247
DFID humanitarian advisers	249
The British Embassy Baghdad	250
MOD civilian support to Op TELIC	252
UK civilian presence during the Coalition Occupation of Iraq	255
UK civilian deployments to ORHA	255
The CPA and the return to a “war footing”	263
The impact of deteriorating security	272
The British Offices in Baghdad and Basra	291
Preparations for the transfer of sovereignty	294
The post-CPA UK civilian presence in Iraq	301
Departmental reviews of staffing levels	310
The Basra Provincial Reconstruction Team	314
Reassessment of risk and duty of care	317
The move from the Basra Palace site to Basra Air Station	326
Sustaining the UK civilian presence during 2007	331
The Charge of the Knights and the UK military drawdown	339
Attracting volunteers	343
Seniority	351
Skills	355
Tour length and continuity	360
Learning operational lessons	363
Staff welfare	365
The Iraq Reconstruction Service Medal	378

Locally engaged staff	383
The Locally Engaged Staff Assistance Scheme	386
UK civilian deployments to Iraq: statistics	391
The UK civilian deployment during the CPA period, May 2003 to June 2004	394
The post-CPA UK civilian deployment, July 2004 to July 2009	397
UK share of the Coalition civilian deployment	401
UK civilian contractors	404

Introduction

1. This Section addresses:

- planning and preparation for the deployment of UK civilian personnel to Iraq;
- the recruitment and deployment of civilian personnel between 2003 and 2009;
- duty of care and protective security measures;
- recognition of service;
- support to locally engaged (LE) staff; and
- skills and seniority.

2. This Section does not consider:

- the recruitment, deployment or impact of UK police officers in Iraq, addressed in Section 12;
- the contribution of civilian personnel to the reconstruction of post-conflict Iraq, addressed in Section 10;
- the funding of civilian deployments, including the cost of protective security measures, addressed in Section 13; or
- the Government's review of the UK approach to post-conflict reconstruction and stabilisation, and the creation of a deployable UK civilian standby capability, addressed in Sections 10.3 and 10.4.

Terms used in this Section

UK-based staff. UK Government employees deployed to Iraq for a defined period, usually between six months and one year.

Locally engaged (LE) staff. Staff recruited and employed in Iraq by the UK Government. Sometimes referred to as “locally employed staff” or “locally engaged civilians”.

Contractor. Used in this report for all personnel hired by UK (and US) government departments on fixed-term contracts, including those referred to in contemporary documents as “consultants”.

Consultant. Usually refers to contractors providing specialist technical advice. Widely used in contemporary documents and by witnesses to the Inquiry in place of “contractor”.

Personnel. All staff and contractors.

Seconded. An individual deployed temporarily to another organisation.

Civilian outreach event

3. In June 2010, the Inquiry held an outreach event for civilians who had served in Iraq between 2003 and 2009. A total of 48 people took part from a range of departments, including the Foreign and Commonwealth Office (FCO), the Ministry of Defence (MOD) and the Department for International Development (DFID). No contractors responded to the invitation.

4. Participants were divided into three working groups:
 - the Coalition Provisional Authority (CPA) period (18 participants);
 - mid-2004 to mid-2007 (21 participants); and
 - mid-2007 to mid-2009 (nine participants).
5. Each working group discussed two themes: “Strategy and Delivery” and “Support to Staff”.
6. Views expressed during the event appear where appropriate in this Section.

Pre-invasion planning and preparation

7. Sections 6.4 and 6.5 address the shortcomings in the UK Government’s planning and preparation for a post-Saddam Hussein Iraq.
8. When the invasion of Iraq began overnight on 19/20 March 2003, there had been no systematic analysis of the availability of civilian personnel to meet the UK’s likely obligations in post-conflict Iraq.
9. Factors shaping the Government’s pre-conflict approach to civilian deployments included:
 - inadequate planning machinery;
 - the absence of a comprehensive strategy for post-conflict Iraq, which could have informed a cross-Whitehall assessment of the civilian requirement;
 - an assumption that, after a short transitional phase led by the US, the post-conflict administration and reconstruction of Iraq would be run and staffed by the international community, led by the UN, allowing the UK to limit its contribution to provision of financial resources and targeted advice delivered by a small number of civilian specialists;¹
 - DFID’s limited operational capacity;
 - concerns about the legal status of UK secondees working for the US-led Office for Reconstruction and Humanitarian Assistance (ORHA) in Iraq; and
 - failure to decide whether the UK should assume overall responsibility for a geographical sector of Iraq.
10. In the months before the invasion, the UK Government made preparations for civilian deployment to Iraq in four areas:
 - cross-government support to ORHA;
 - DFID humanitarian support to the UK military and international organisations;
 - FCO staff for the British Embassy Baghdad; and
 - MOD civilians supporting Operation (Op) TELIC.²

¹ Paper FCO, [undated], ‘Scenarios for the future of Iraq after Saddam’; Letter Chilcott to Ward, 24 February 2003, ‘ORHA’.

² Operation TELIC was the codename for the involvement of UK Armed Forces in the military campaign in Iraq from 2003 to 2011.

ORHA

11. ORHA was created by the US in January 2003.³ It was led by retired US Lieutenant General Jay Garner and reported to the Department of Defense (DoD).

12. The UK's approach to ORHA in the weeks before the invasion of Iraq is described in Section 6.5. UK concerns during that period included:

- DoD's assumption of responsibility for all US post-conflict planning and the marginalisation of the State Department;
- the limited time available to ORHA to plan and prepare for the post-conflict phase of operations;
- persistent shortcomings in those preparations;
- legal concerns, in the absence of a UN mandate for the administration and reconstruction of Iraq, about the compatibility of certain post-conflict activities with the rules of military occupation, and the implications for any UK secondees serving with ORHA; and
- a shortage of information about ORHA's staffing requirements and, as a consequence, the contribution that should be made by the UK.

13. The UK Government's response to those concerns and the evolution of its policy towards ORHA during March and April 2003 are addressed in Sections 6.5 and 10.1.

14. In February 2003, the Government seconded a small number of officials and military officers to ORHA. The Inquiry has seen little evidence of formal inter-departmental discussion of the appointment process.

15. The first UK secondee, appointed in February 2003, and the senior UK member of ORHA was Major General Tim Cross.⁴

16. Maj Gen Cross had recent and relevant experience of planning for conflict in Iraq. In the second half of 2002 he had worked as Logistic Component Commander of the Joint Force being prepared for possible operations against Iraq. He returned to the UK in late 2002.

17. Maj Gen Cross told the Inquiry:

“I had been back only a short time at my desk, where I was the Director General of the defence supply chain, a couple of weeks and the phone rang literally out of the blue, and they⁵ just said we want you to go. To be honest, I wasn't surprised.”⁶

³ Bowen SW Jr., *Hard Lessons: The Iraq Reconstruction Experience*. U.S. Government Printing Office, 2009.

⁴ Statement Cross, 2009, pages 6-7.

⁵ Maj Gen Cross was unsure whether he had been phoned by the Military Secretary (Major General Peter Grant Peterkin) or the Chief of the General Staff (General Sir Mike Jackson).

⁶ Public hearing, 7 December 2009, page 10.

- 18.** The record of the FCO Iraq Morning Meeting on 4 February 2003 stated that the US had requested “a broader UK team (in addition to our MOD representative [Maj Gen Cross])”.⁷ FCO officials would check Personnel Directorate’s⁸ progress in identifying “an FCO representative”. DFID was also considering sending a representative.
- 19.** Ms Clare Short, the International Development Secretary, was reluctant to second DFID officials to ORHA in the absence of a UN mandate for reconstruction (see Section 6.5). On 20 February, Ms Short agreed that one DFID representative should work with, but not in, ORHA “on a temporary basis” to “influence and help with the planning of the Office”.⁹
- 20.** A DFID official was appointed “temporary humanitarian adviser” to Maj Gen Cross later in February.¹⁰
- 21.** The record of the FCO’s Iraq Evening Meeting on 27 February stated: “ORHA needs strengthening – we are looking for a volunteer.”¹¹
- 22.** On 27 February, Sir Christopher Meyer, British Ambassador to the US, warned that ORHA was “woefully understaffed”.¹² He suggested that officials earmarked for the British Embassy Baghdad should be sent to help.
- 23.** On 6 March, Maj Gen Cross informed the MOD, the FCO and DFID that he expected the requirements for Lt Gen Garner’s “Top Team” to become clear the following week.¹³ In the meantime, he believed that two UK military officers might be able to join him from the US Central Command (CENTCOM) in Tampa. He reported that, on the civilian side, DFID’s humanitarian adviser continued “to explore how ORHA’s humanitarian plans are developing” and an FCO official had been identified as UK liaison officer for ORHA’s back office in the US.
- 24.** The record of the FCO Iraq Morning Meeting on 10 March stated that ORHA had been “strengthened with three further UK officers”, two from the FCO and one from British Trade International (BTI).¹⁴
- 25.** The British Embassy Washington reported on 16 March that five UK secondees had deployed with ORHA to Kuwait: Maj Gen Cross, a second military officer and the three civilians from the FCO and Trade Partners UK (TPUK), the division of BTI responsible

⁷ Minute Tanfield to PS/PUS [FCO], 4 February 2003, ‘Iraq Morning Meeting: Key Points’.

⁸ Renamed Human Resources Directorate later in 2003.

⁹ Minute Bewes to Fernie, 20 February 2003, ‘Iraq: Meeting with General Cross’.

¹⁰ Minute Brewer to Secretary of State [DFID], 28 February 2003, ‘Iraq/UN: visits to New York and Washington, 26-27 February’.

¹¹ Minute MED to PS/PUS [FCO], 27 February 2003, ‘Iraq Evening Meeting: Key Points’.

¹² Telegram 257 Washington to FCO London, 27 February 2003, ‘Iraq: Day After: UK Role in Post-Conflict Iraq’.

¹³ Minute Cross to DCDS(C), 6 March 2003, ‘ORHA feedback from Gen Cross 6 Mar 03’.

¹⁴ Minute Tanfield to PS/PUS [FCO], 10 March 2003, ‘Iraq Morning Meeting: Key Points’.

for promoting UK exports.¹⁵ DFID had also agreed formally to second an official to ORHA's humanitarian assistance division.

26. On 17 March, an official in the Cabinet Office Overseas and Defence Secretariat (OD Sec) informed Sir David Manning, Mr Blair's Foreign Policy Adviser and Head of OD Sec, that Maj Gen Cross had asked whether a suitable UK official was available to improve ORHA's capacity to handle Arabic-language media.¹⁶

27. Concerns about the adequacy of the UK contribution to ORHA began to grow soon after the start of the invasion and are addressed later in this Section.

DFID humanitarian advisers

28. On 3 February, DFID officials recommended to Ms Short that DFID second six civil/military humanitarian advisers to the UK military and ORHA, in order "to take further forward our objective of refining the military planning options to ensure the humanitarian consequences of any conflict in Iraq are fully addressed".¹⁷

29. The Inquiry has not seen Ms Short's response to the advice, but DFID did second a number of staff over the following weeks.

30. On 7 March, DFID informed Mr Blair that, in addition to the DFID presence in ORHA, there was now a DFID staff presence in the 1st (UK) Armoured Division (1 (UK) Div) in Kuwait, with further deployments to the region and UN agencies imminent.¹⁸

31. DFID officials sent Ms Short an outline 'Humanitarian Strategy and Immediate Assistance Plan' for Iraq on 12 March (see Section 6.5).¹⁹ The single page describing DFID's "Operational Plan" explained that: "In view of DFID's limited resources, we will retain **maximum flexibility to respond to changing scenarios and needs**". Actions planned or under way included:

- "Information Management". Staff from the Conflict and Humanitarian Affairs Department Operations Team (CHAD OT) would be deployed to Kuwait and Jordan to collate, analyse and disseminate field information. DFID was also evaluating the need to send staff to Turkey, Iran and Cyprus, and would retain a limited capacity to deploy assessment teams to localised crisis points.
- "Direct Support to the UN". DFID was seconding specialists to support the co-ordination and information activities of the UN's Humanitarian Assistance Centre (HIC) and Joint Logistics Centre (UNJLC).

¹⁵ Telegram 347 Washington to FCO London, 14 March 2003, 'Iraq Day After: ORHA Deploys To Kuwait'.

¹⁶ Minute Dodd to Manning, 17 March 2003, 'Ad Hoc Group on Iraq'.

¹⁷ Minute Conflict & Humanitarian Affairs Department [junior official] to PS/Secretary of State [DFID], 3 February 2003, 'Iraq: Refining the Military Options'.

¹⁸ Letter Warren to Rycroft, 7 March 2003, [untitled] attaching Paper DFID, [undated], 'DFID Planning on Iraq'.

¹⁹ Paper Conflict and Humanitarian Affairs Department, 12 March 2003, 'Iraq: Humanitarian Strategy and Immediate Assistance Plan: Information Note'.

- “Advice to the Military/Coalition”. Two DFID secondees were advising 1(UK) Div and one DFID official was in ORHA, all contributing to DFID’s “information gathering system”. A DFID secondment to the National Component HQ in Qatar was under consideration.

32. On 21 March, two days after the start of the invasion, DFID reported that it had deployed seven humanitarian and civil/military advisers:

- a two-person team to Kuwait City;
- two advisers to join 1(UK) Div;
- one to join ORHA in Kuwait; and
- one each to Amman and Tehran.²⁰

The British Embassy Baghdad

33. In September 2002, the FCO began preparations for the reopening of a British Embassy in Baghdad.

34. On 27 September, Mr Peter Collecott, FCO Director General Corporate Affairs,²¹ briefed Sir Michael Jay, FCO Permanent Under Secretary (PUS),²² on plans for reopening the British Embassy:

“Based on the Kabul experience, we are planning for an Embassy of, initially, 11 FCO staff (plus 6 from OGDs [other government departments] and 12 Close Protection Officers). We have begun the process of identifying possible staff. On the technical side ... we have likely volunteers.”²³

35. Mr Collecott emphasised the importance of committing immediately to the capital expenditure required, including for “armoured vehicles, portable accommodation and ICT equipment”. The lead time for armoured vehicles in particular was very long: 20 weeks, which would mean delivery in late February or early March 2003.

36. On public presentation, Mr Collecott advised:

“Our major, and most visible, expenditure will be on equipment for Baghdad. That is defensible on the grounds that this is prudent planning; re-establishment in Baghdad does not necessarily imply a military campaign or indeed regime change; and that we have a commitment to the FAC (Foreign Affairs Committee) to have a rapidly deployable Embassy for use anywhere.”

²⁰ Paper DFID, 21 March 2003, ‘Iraq Humanitarian Situation Update: No 1 (INTERNAL)’.

²¹ Until late 2002 the DG Corporate Affairs was known as the FCO Chief Clerk.

²² In keeping with variations in use within departments, the Inquiry refers to the most senior civil servant in the FCO and the MOD as the Permanent Under Secretary (PUS), but in all other departments as the Permanent Secretary. The Permanent Under Secretaries and Permanent Secretaries are referred to collectively as Permanent Secretaries.

²³ Minute Collecott to Jay, 27 September 2002, ‘Iraq Contingency Measures’.

37. The recruitment of staff for the new Embassy was part of a wider redeployment of FCO staff in response to developments in Iraq.

38. On 20 March 2003, Sir Michael Jay informed Mr Jack Straw, the Foreign Secretary, that “almost five percent of FCO staff in London” had been redeployed:

- 51 staff had been redeployed to the main Emergency Unit;
- 119 had been redeployed to the Consular Emergency Unit;
- the Iraq Planning Unit (IPU) had been established;
- the nucleus of a mission in Baghdad had been prepared; and
- FCO staff had been seconded to ORHA and “other bodies”.²⁴

39. The creation of the IPU, based in the FCO, and the activation of the two FCO Emergency Units in London is addressed in Section 6.5.

40. Mr Collecott updated Mr Straw on preparations for the new Embassy on 21 March:

“Plans are in place for a two-phase re-occupation of the site [of the former British Embassy] as soon as hostilities are over, and military ordnance personnel have declared the site safe ... These plans have had to be made on the basis of worst case assumptions – an insecure environment; no secure office buildings or accommodation available off-compound; no available utilities.”²⁵

41. Mr Collecott explained that, in phase one, five specially converted containers would arrive in Kuwait on 26 March to be transported to Baghdad as soon as the route was safe. The containers would provide living and office accommodation for a team of four, led by Mr Chris Segar, a senior FCO official, and would be self-sufficient in power and water. Mr Segar’s team would have secure communications from the outset.

42. Phase two would begin in the first week of May and involve installation of a protected prefabricated flat pack Embassy, with its own water, drainage and power supply, and secure living and working accommodation for 44 staff, including close protection officers. Construction of the Embassy would take 12 weeks.

43. Mr Collecott explained that the timetable was based on transport by sea and land. The FCO would be exposed to “a very awkward period” if Baghdad returned to “relative normality” quickly and pressure mounted rapidly to expand the UK presence. Two or three weeks could be saved if the flat pack containers and other equipment were flown into Baghdad. The FCO was “keeping open the option of calling in a debt with the Americans by asking them to transport the flat pack equipment and containers to Baghdad. (The RAF are not at all sure they can help.)”

²⁴ Minute Jay to Secretary of State [FCO], 20 March 2003, ‘Iraq Contingency Planning and Prioritisation’.

²⁵ Minute Collecott to Private Secretary [FCO], 21 March 2003, ‘A British Embassy in Baghdad’.

44. On 11 April, Mr Charles Gray, Head of FCO Middle East Department, told Mr Straw that the plans were on course.²⁶ FCO Personnel Directorate was identifying a pool of staff at all grades willing to serve in Baghdad in the medium to long term. The aim was to deploy staff for one year “to avoid the rapid and disruptive turnover experienced in the early days of our redeployment to Kabul”. When permanent quarters were found, the flat pack Embassy would be returned to the UK for use elsewhere.

45. Mr Gray advised that security was a priority. Staff could not be put into a situation in which the FCO could not fulfil its duty of care. Before Mr Segar’s party and the close protection team travelled, the MOD and Assessments Staff needed to conclude that the situation was calm enough in the city as whole, not just in the area immediately surrounding the compound.

46. Mr Gray added that it had not been decided how to secure the compound perimeter. Relying on the US military or a private security company would be politically unacceptable and locally engaged (LE) Iraqi guards would not be a realistic option in the short term. The British Army was the only realistic alternative. The MOD was considering the issue, but would “take some persuasion to redeploy to Baghdad from the South in what would in effect be a full company, even for a short deployment (and the cost to the FCO will be high)”.

47. On 30 April, Mr Gray reported that planning for opening the mission in Baghdad, under the provisional name of “The British Office”, was in its final stages.²⁷ The staff, the flat pack Embassy and four armoured vehicles were scheduled to arrive in Baghdad on 5 or 6 May.

48. The British Office Baghdad was established on 5 May.²⁸

MOD civilian support to Op TELIC

49. The MOD deploys civilians in a wide range of support roles for military operations. A 2007 list of 15 different roles routinely performed by MOD civil servants on deployed operation, not specifically linked to Op TELIC, included:

- “Policy and Political Adviser (POLAD)” to the deployed Commander at brigade level or higher;
- “Civil Secretary (CIVSEC)”, the senior financial officer in theatre;
- “Finance Officer”;
- “Commercial Officer”, responsible for contracts and services with local suppliers;
- “Media Adviser”;
- “MOD Police”; and
- “Defence Fire and Rescue Service”, part of the force protection service.²⁹

²⁶ Minute Gray to Private Secretary [FCO], 11 April 2003, ‘Baghdad: Preparing to Open’.

²⁷ Minute Gray to Private Secretary, 30 April 2003, ‘Baghdad: Reopening of the Mission’.

²⁸ Minute Owen to MED [junior official], 7 May 2003, ‘Iraq Travel Advice’.

²⁹ Minute [unattributed] to PS/PUS [MOD], 4 December 2007, ‘TELIC Visit – Support to Operations Brief’.

50. In Iraq, the MOD also deployed civilians in advisory roles outside Op TELIC, including in the CPA and the UK's bilateral diplomatic missions.

51. On 14 February 2003, Mr John Pitt-Brooke, MOD Director General Civilian Personnel, reported that the MOD had been “successful in getting people lined up for quick deployment into theatre”.³⁰ There were about 25 Permanent Joint Headquarters (PJHQ)-sponsored civilian posts across the Middle East. Some individuals had already deployed; others would do so over the following weeks. Other parts of the MOD would be deploying specialist staff to their own timetable.

52. Mr Pitt-Brooke expressed concern that the approach to deployments across departments within the MOD had not been as consistent or coherent as it should have been. Key issues were:

- Management information: there was no central record of those deployed, “which we need for tracking people in theatre, providing the appropriate medical and welfare support, etc. We are working on gripping this quickly”.
- Risk assessment: individuals needed more clarity about potential risks. A single source of guidance needed to be published urgently.
- Training: the approach had been inconsistent.
- Availability of equipment: current arrangements were “less than the individual has a right to expect”.
- Briefing and travel allowance arrangements.
- Medical, welfare and insurance issues: “The lack of consistent, readily available advice on medical issues ... and the lack of a single point of contact for advice may be aspects that we could improve upon.”

53. Mr Pitt-Brooke advised that a new “focal point” had been set up in PJHQ to address those issues. New arrangements would be in place on 19 February.

54. In response, Sir Kevin Tebbit, the MOD PUS, instructed officials to “bear in mind the need for wider post-conflict planning. OGDs sh[oul]d bear the brunt, but we are likely to need MOD people as well.”³¹

55. On 31 March, Mr Paul Flaherty, MOD Civil Secretary at PJHQ, informed Sir Kevin that 156 civilians had been deployed to theatre in support of Op TELIC, the largest number in the Warship Support Agency, and that numbers fluctuated from day to day.³²

56. It had taken Mr Flaherty 18 days to compile the figures. He apologised that it had taken longer than he had hoped.

³⁰ Minute Pitt-Brooke to 2nd PUS, 14 February 2003, ‘Operation TELIC: Civilian Participation’.

³¹ Manuscript comment Tebbit, 17 February, on Minute Pitt-Brooke to 2nd PUS [MOD], 14 February 2003, ‘Operation TELIC: Civilian Participation’.

³² Minute Flaherty to PS/PUS [MOD], 31 March 2003, ‘Deployed Civilians in Support of OP TELIC’.

57. Mr Flaherty reported that civilians had been deployed at all grades “in a range of roles including finance, administration, claims, salvage, RFA [Royal Fleet Auxiliary], communications, POLAD etc”.

58. Mr Flaherty confirmed that the MOD Civilian Deployment Co-ordination cell had been established at PJHQ. For the first time, co-ordinated guidance had been made available to civilians deployed on Op TELIC and a pre-deployment training strategy had been established.

59. Mr Flaherty added:

“There is a great deal for the new cell to do, but an important current priority is constructing a register of the names, and other relevant details, of civilians who are deployed. The new cell is working to render this sort of information as complete and reliable as possible.”

60. Sir Kevin Tebbit described 156 as “a significant number for deployed personnel, notwithstanding that just over half that number are Royal Fleet Auxiliaries”.³³ He attached importance to the provision of “proper support for families” and expressed the hope that the co-ordination cell would pay attention to morale, as well as training.

61. Sir Kevin also requested, as a matter of urgency, advice on arrangements for dealing with civilian deaths.

62. Mr Richard Hatfield, MOD Personnel Director, explained that any MOD civilians and accredited war correspondents killed in Iraq would be subject to the same overarching policy as service personnel.³⁴ Any MOD civilians would be returned to the UK alongside service personnel and would have the same treatment on arrival, including ceremonial, if that was the wish of the next of kin. MOD civilians were Crown servants operating in direct support of the military in a theatre of war. To offer less might cause offence or embarrassment to the families. For accredited journalists, it was proposed to confine the policy to flying the body home, with no ceremonial.

63. Mr Hatfield reassured Sir Kevin Tebbit that work was “in step” on wider Op TELIC-related civilian and service personnel issues.

64. Sir Kevin approved the repatriation proposals on 7 April 2003.³⁵

³³ Minute Wilson to PJHQ – Civ Sec, 3 April 2003, ‘Deployed Civilians in Support of Op TELIC’.

³⁴ Minute Hatfield to PS/PUS [MOD], 4 April 2003, ‘Deployed Civilians in Support of Op TELIC: Repatriation of Civilian Dead’.

³⁵ Minute Wilson to Personnel Director, 7 April 2003, ‘Deployed Civilians in Support of Op TELIC: Repatriation of Civilian Dead’.

UK civilian presence during the Coalition Occupation of Iraq

65. The Inquiry estimates that, on the eve of the invasion, the UK had between 10 and 16 non-MOD civilians ready to deploy to Iraq:

- two DFID humanitarian experts to advise 1 (UK) Div;³⁶
- four secondees to ORHA (a fifth remained in ORHA's Pentagon office; two other UK secondees were military officers),³⁷ with five or six more "in the pipeline";³⁸ and
- a team of four to reopen the British Embassy Baghdad.³⁹

66. In late March, the MOD deployed 156 civilians⁴⁰ to theatre in support of Op TELIC.⁴¹

67. Before the invasion, DFID also deployed a number of staff to locations outside Iraq:

- Four DFID staff were deployed to Kuwait, Jordan and Iran "to monitor and assess humanitarian needs and to liaise with UN agencies and NGOs", with an undertaking to increase numbers "as circumstances dictate".
- DFID seconded specialists to the World Food Programme (WFP) and the UN Office for the Co-ordination of Humanitarian Affairs (OCHA), and was "considering requests" from other parts of the UN system.⁴²

68. By 7 April, DFID had also seconded a Liaison Officer and a Logistics Officer to the UN's HIC in Larnaca, an Air Movement Officer to the WFP's Operations Centre, and an Air Co-ordinator to the UNJLC in Larnaca.⁴³

69. DFID deployed a second Air Movement Officer to the WFP Operations Centre in early May.⁴⁴

UK civilian deployments to ORHA

70. UK policy towards ORHA is addressed in detail in Sections 6.5 and 10.1. This Section considers the nature and scale of the UK contribution to the ORHA workforce.

³⁶ Minute Iraq Planning Unit [junior official] to PS [FCO], 24 March 2003, 'HMG Humanitarian Planning' attaching Paper Iraq Planning Unit, 'HMG Humanitarian Planning'.

³⁷ Telegram 347 Washington to FCO London, 14 March 2003, 'Iraq Day After: ORHA Deploys To Kuwait'.

³⁸ Paper Iraq Planning Unit, 28 March 2003, 'Iraq: Office for Reconstruction and Humanitarian Assistance (ORHA)'.

³⁹ Minute Collecott to Private Secretary [FCO], 21 March 2003, 'A British Embassy in Baghdad'.

⁴⁰ The figure of 156, quoted by Mr Flaherty on 31 March 2003, is significantly lower than the 327 civilians deployed in Iraq in the calendar month of March 2003 according to the table submitted to the Inquiry by the MOD in May 2013 (see Table 7).

⁴¹ Minute Flaherty to PS/PUS [MOD], 31 March 2003, 'Deployed Civilians in Support of OP TELIC'.

⁴² Minute Iraq Planning Unit [junior official] to PS [FCO], 24 March 2003, 'HMG Humanitarian Planning' attaching Paper Iraq Planning Unit, 'HMG Humanitarian Planning'.

⁴³ Report DFID, 7 April 2003, 'Iraq Humanitarian Situation Update: No 12 (internal)'.

⁴⁴ Report DFID, 7 May 2003, 'Iraq Humanitarian Situation Update: No 28 (internal)'.

71. On 1 April, the IPU advised Mr Straw on the UK's future engagement with ORHA.⁴⁵ The IPU assessed that, while ORHA was "in many ways a sub-optimal organisation for delivering the UK's Phase IV⁴⁶ objectives", it was "the only game in town". There was, however, "ample scope" to use UK secondees to exert leverage over US Phase IV planning and implementation. The IPU recommended that the UK should continue to commit resources to ORHA where the UK "could add real value and exert influence over emerging US perspectives and plans".

72. The IPU also recommended that the UK should:

- continue to make clear to the US the limits within which the UK, including UK personnel within ORHA, could operate;
- seek close consultation on ORHA's plans, to ensure that they did not cross UK "red lines"; and
- subject to those points, confirm Maj Gen Cross as Deputy to Lt Gen Garner.

73. The IPU reported that ORHA, which at that stage was in Kuwait, had approximately 200 staff, expected to rise to over 1,000 by the time it deployed to Iraq. The UK and Australia each had six officers seconded to ORHA. Five more UK secondees were "in the pipeline" and one was working in ORHA's back office in the Pentagon. The UK secondees were "fully integrated" and "adding significant value". At ORHA's request, the IPU was considering whether to strengthen UK representation, particularly in the areas of public relations, civil administration and humanitarian operations.

74. On 2 April, Mr Peter Ricketts, FCO Political Director, sent Sir David Manning an earlier version of the IPU paper, which identified areas in which the UK was considering strengthening its representation: public relations, civil administration, humanitarian advice and administrative support for existing secondees.⁴⁷

75. Mr Tony Brenton, Chargé d'Affaires at the British Embassy Washington, warned Sir David Manning on 3 April that the UK was "in danger of being left behind" on ORHA.⁴⁸ The list of senior officials to "shadow" ministries in Iraq was almost complete and those officials would start deploying soon. Australia had bid for a place. The UK had not, even though the US had said it would be open to such a bid. Mr Brenton advised that:

"Following our significant military efforts we surely have an interest in following through to the civilian phase. If so, given the advanced state of US preparations, it will be important that we vigorously pursue the point at next week's talks [at Hillsborough]."

⁴⁵ Minute Iraq Planning Unit to Private Secretary [FCO], 1 April 2003, 'Iraq: ORHA' attaching Paper IPU, 28 March 2003, 'Iraq: Office for Reconstruction and Humanitarian Assistance (ORHA)'.

⁴⁶ The military term for the post-conflict phase of operations in Iraq.

⁴⁷ Letter Ricketts to Manning, 2 April 2003, 'ORHA' attaching Paper Iraq Planning Unit, 27 March 2003, 'Iraq: Office for Reconstruction and Humanitarian Assistance (ORHA)'.

⁴⁸ Letter Brenton to Manning, 3 April 2003, 'Post Conflict Iraq'.

76. Sir David commented: “We need to decide if we want a place. Do we?”⁴⁹ He asked Mr Matthew Rycroft, Mr Blair’s Private Secretary for Foreign Affairs, to discuss the issue with the FCO.

77. UK support for ORHA was the focus of the first meeting of the Ad Hoc Ministerial Group on Iraq Rehabilitation (AHMGIR), chaired by Mr Straw, on 10 April (see Section 9.1).⁵⁰

78. Mr Straw visited ORHA in Kuwait on 14 April.⁵¹ During the visit, Maj Gen Cross handed Mr Straw a copy of his ‘Must-Could-Should’ paper (see Section 10.1). The paper, which was sent to the MOD and the IPU on 15 April, identified ORHA posts that UK secondees must fill, should fill or could fill “to best help ORHA achieve success”.⁵²

79. Maj Gen Cross advised that, if all the recommendations were accepted, the number of UK staff would rise from 19 to “about 100” within an ORHA total of 1,500 (including force protection and support staff).

80. On 15 April, Mr Straw recommended to Mr Blair:

“... a step change in the resources and personnel we offer ... We are working urgently to establish where we can best make a contribution and how this will be funded.

“We now need an immediate effort across government and with the private sector to get UK experts into key Iraqi ministries quickly. Patricia [Hewitt, the Trade and Industry Secretary] is particularly keen that we should appoint people to the economic ministries ...”

81. In his memoir, Mr Straw wrote:

“I could not believe the shambles before my eyes. There were around forty people in the room, who, somehow or other, were going to be the nucleus of the government of this large, disputatious and traumatised nation.”⁵³

82. On 15 April, the IPU informed Mr Ricketts that it had requested extra staff to cover the “major surge of work” in managing the secondment of UK officials to ORHA, and was trying to identify funding.⁵⁴ It estimated that the first UK secondees would be required by early May.

⁴⁹ Manuscript comment Manning, 4 April 2003, on Letter Brenton to Manning, 3 April 2003, ‘Post Conflict Iraq’.

⁵⁰ Minutes, 10 April 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

⁵¹ Statement Cross, 2009, pages 17-18.

⁵² Minute Cross to MA/DCDS(C), 15 April 2003, ‘ORHA posts UK manning: must/should/could’.

⁵³ Straw J. *Last Man Standing: Memoirs of a Political Survivor*. Macmillan, 2012.

⁵⁴ Minute Chatterton Dickson to PS/PUS [FCO], 15 April 2003, ‘Iraq: ORHA: PUS’s meeting with Permanent Secretaries, 16 April’.

83. Sir Michael Jay informed Mr Straw on 16 April that he had reached agreement with Sir Andrew Turnbull, the Cabinet Secretary, on “the modalities for deploying experts from central government, plus experts from eg the NHS and local government”.⁵⁵

84. Sir Andrew Turnbull sent Mr Blair a copy of Sir Michael’s minute later the same day, commenting: “This is important and we will respond. But we will need the right collective decisions quickly if this project is to [get] under way.”⁵⁶ Sir Andrew identified two problems:

- It was not clear that ORHA had reached the right conclusions about what was needed, or that ORHA’s view of its role was shared by the UK.
- The UK needed to decide on the scale and precise roles of UK secondees and to reach agreement on how to finance the activity.

85. On 17 April, Mr Blair agreed that the UK should “increase significantly the level of ... political and practical support to ORHA, including the secondment of significant numbers of staff in priority areas”.⁵⁷ Mr Blair added that:

“As a general rule, our role in humanitarian aid and in the reconstruction of Iraq should be commensurate with our contribution to the military phase.”

86. The FCO, DFID and the Cabinet Office were instructed to provide Mr Blair with lists of secondees, their roles and dates of arrival in Iraq, by 25 April.

87. Lt Gen Garner, accompanied by Maj Gen Cross and other ORHA staff, left Kuwait to fly into Baghdad on 21 April.⁵⁸

88. In his statement to the Inquiry, Maj Gen Cross commented that, during ORHA’s time in Kuwait, his UK team was “strengthened a little, including a very useful media team provided by Alastair Campbell [Mr Blair’s Director of Communications and Strategy]”, but efforts to secure significant numbers of additional UK personnel were “frustratingly slow”:

“I found myself ringing around lobbying my own contacts and then asking ‘formally’ for named individuals who I knew would add real value – usually with little or no ‘official’ agreement/response. I did however manage to get some ‘unofficial’ additional military support.”⁵⁹

⁵⁵ Minute Jay to Secretary of State [FCO], 16 April 2003, ‘Iraq: ORHA: UK Support’.

⁵⁶ Letter Turnbull to Prime Minister, 16 April 2003, ‘Iraq: UK Civil Assistance to ORHA’.

⁵⁷ Letter Rycroft to McDonald, 17 April 2003, ‘Iraq: ORHA’.

⁵⁸ Bowen SW Jr. *Hard Lessons: The Iraq Reconstruction Experience*. U.S. Government Printing Office, 2009; Statement Cross, 2009, page 20.

⁵⁹ Statement, 2009, page 18.

89. In the absence of contingency preparations for the deployment of more than a handful of UK civilians to Iraq, officials urgently sought:

- cross-Whitehall agreement on the detailed arrangements for recruitment and deployment of individuals from a range of different organisations;
- agreement with ORHA on the level of support it would provide UK secondees; and
- detailed information on secondees' roles in Iraq.

90. Sir Michael Jay launched the recruitment process on 22 April, sending a request for volunteers to Sir Andrew Turnbull and all Whitehall Permanent Secretaries.⁶⁰

91. Sir Michael included a list of priority positions for UK secondees based on recommendations from Maj Gen Cross (see Section 10.1). Sir Michael described in broad terms the personal qualities and skills volunteers should possess:

“The key to a successful secondment will be enthusiasm, personal impact, resilience, flexibility and the ability to take a wide top-down view of policy and priorities. The ability to deploy quickly is also essential: ideally we want the first volunteers to reach Baghdad by around 5 May to allow them to help shape ORHA’s work and approach from the start. We expect secondments to last between three and six months, depending on the requirements of ORHA and the Iraqi ministry concerned.

“I hope you will take a broad view in looking for volunteers ... you might consider suggesting secondment of officials on your books but not currently employed ... I hope you will also consider drawing people from your wider pool of stakeholders – I would, for example, welcome volunteers from eg police authorities, quangos or NHS trusts.

“In all cases, enthusiasm and personal qualities are likely to be just as important as specific expertise ...”

92. Sir Michael explained that salaries would be paid by employing departments. Discussions were continuing on how other costs should be met. ORHA was expected to provide accommodation. Staff would not be deployed until ORHA and Maj Gen Cross were confident it was safe to do so. The “austere” living and working conditions would be compensated by an allowance package being finalised by the FCO.

93. On 25 April, FCO, DFID, MOD and Cabinet Office officials agreed a number of steps to co-ordinate departments’ responses:

- Mr Dominick Chilcott, Head of the IPU, would lead a scoping visit to identify posts of greatest value to the UK (see Section 10.1).

⁶⁰ Letter Jay to Turnbull, 22 April 2003, ‘Iraq: UK Support for the Office for Reconstruction and Humanitarian Assistance (ORHA)’.

- The UK would pay salaries, additional allowances and transport costs to and from theatre, on the assumption that ORHA would cover accommodation and all other in-country costs.
- All departments would pay the salaries of their own staff. The MOD, DFID and the FCO would pick up additional costs for their staff. Other departments' additional costs would be met through the allocation of a portion of the UK's reconstruction budget to the FCO (see Section 13.1).
- FCO security advisers would assess the security risk in Baghdad as soon as possible.
- The IPU would inform ORHA that the UK understood that its secondees would receive the same medical, evacuation and emergency response package as US staff.
- A similar understanding would be needed "in due course" between the MOD and other departments, covering Multi-National Division (South-East) (MND(SE)).
- The FCO, DFID and the MOD would be responsible for recruiting their own staff. The Cabinet Office, in liaison with IPU and DFID, would select staff put forward by other departments.
- The FCO would arrange medical examinations and inoculations for secondees and issue formal letters of appointment and terms and conditions.⁶¹

94. The FCO informed No.10 on 25 April that members of the 20-strong UK contingent with ORHA in Kuwait had arrived in Baghdad.⁶² It explained that 12 more civilian and military secondees were expected to arrive in Baghdad by 5 May. Secondees' roles were still unclear, partly because of continuing uncertainty about ORHA's own role. The FCO was:

"... instructing them to take a flexible, pragmatic approach to their work, aiming to be proactive in identifying how they can best add value in support of Coalition Phase IV objectives. We are also requesting this first wave to report back with early recommendations for deeper UK engagement in specific areas."

95. Ms Emma Sky, CPA Governorate Co-ordinator for Kirkuk from June 2003 to February 2004, told the Inquiry that she was not given a briefing by the FCO before travelling to Iraq. Instead she had received a phone call telling her "You've spent a lot of time in the Middle East. You will be fine."⁶³

⁶¹ Minute Dodd to Manning, 25 April 2003, 'ORHA: Practical Arrangements for UK Secondees'.

⁶² Letter Owen to Rycroft, 25 April 2003, 'Iraq: ORHA'.

⁶³ Private hearing, 14 January 2011, page 2.

96. On 6 May, Mr Straw announced to Parliament the appointment of Mr John Sawers as the Prime Minister’s Special Representative on Iraq (see Section 9.1). Mr Straw explained that:

“Mr Sawers will work alongside Chris Segar, head of the newly opened British Office in Baghdad, particularly in relation to the political process and our work in the Office of Reconstruction and Humanitarian Assistance.”⁶⁴

97. Sir John Sawers told the Inquiry that, although he was “the senior Brit on the ground” he was not Ambassador Bremer’s deputy, nor was he in the line management chain of ORHA or the CPA. Rather, he was a representative of the British Government and so his role was one of “exerting influence rather than exercising power”.⁶⁵

98. By 14 May, the UK had still not reached agreement with the US on ORHA support for UK secondees.⁶⁶ The IPU explained to Mr Straw that:

“Since ORHA deployed to Kuwait we have been trying to obtain assurances from the Americans ... about the precise terms on which our contribution is being provided. So far, despite a good deal of pressing, we have not been successful ...”

99. Deployment of the additional secondees was delayed briefly by DFID concerns about security.

100. On 13 May, Mr Suma Chakrabarti, DFID Permanent Secretary, informed Sir Michael Jay that ORHA’s ‘Outline Brief for Potential International Partners’ did not cover security issues adequately.⁶⁷ The outline committed the US military to provide overall security and evacuation arrangements, but “it does not set out any security procedures or contingency plans, as we would normally require for any other UK mission in any other country”.

101. Mr Chakrabarti explained that the contractors forming the bulk of the DFID team recruited in response to Sir Michael Jay’s request for staff on 22 April, and due to travel to Iraq the next day, had said that their insurance cover would be invalid until there was an adequate security plan. The existing DFID secondee to ORHA had therefore been put on standby to withdraw if security arrangements were not resolved quickly, and the first two additional secondees had been stood down. Mr Chakrabarti proposed to send a DFID security team to Baghdad the next day and requested that an FCO security adviser accompany them.

102. Sir Michael Jay responded the same day, after discussing the issue with the UK military, Maj Gen Cross and Mr Sawers.⁶⁸ Sir Michael reported that Maj Gen Cross

⁶⁴ House of Commons, *Official Report*, 6 May 2003, column 515.

⁶⁵ Public hearing, 10 December 2009, pages 56-58.

⁶⁶ Minute Chatterton Dickson to Private Secretary [FCO], 14 May 2003, ‘Iraq: ORHA: Security for UK Secondees’ attaching Paper, ‘Iraq: Ad Hoc Ministerial Group, 15 May: ORHA Secondees: Security’.

⁶⁷ Letter Chakrabarti to Jay, 13 May 2003, ‘Iraq: Deployments to ORHA’.

⁶⁸ Letter Jay to Chakrabarti, 13 May 2003, ‘Iraq: Deployments to ORHA’.

considered the issue in Baghdad to be “protection rather than evacuation”. Sir Michael was “willing to accept the judgement of those on the ground that the arrangements in place adequately provide security for the military and civilian secondees already in ORHA and the augmentees we will be deploying from today”.

103. Sir Michael added:

“In briefing UK secondees ... we have stressed that Baghdad is an insecure environment and that security guidelines laid down by the US military must be followed at all times ... All secondees are deploying with a full suite of protective equipment including body armour, helmets and personal NBC [nuclear, biological, chemical] suits, and have been trained in their use by MOD.”

104. Sir Michael agreed, however, that it would be helpful to have a more detailed plan, “not least to meet the insurance requirements of contracted staff”. Depending on what the DFID security team concluded, the FCO might take up the suggestion that their work “form the basis for a security plan covering all UK secondees”. DFID and the FCO should continue to liaise closely.

105. The first joint FCO/DFID security visit took place at the end of June and is addressed later in this Section.

106. Before the AHMGIR on 15 May, the IPU advised Mr Straw that:

“Security for our secondees is a key concern ... The US military are committed to providing ORHA's overall security and evacuation arrangements ... ORHA does not yet have a detailed evacuation plan, but the advice from theatre is that the key issue in Baghdad is protection rather than evacuation.

...

“Our own judgement, including that of Security Strategy Unit, has been to accept the view of those on the ground ... The UK civilians currently in ORHA ... have told us that they are content with the way the US arrangements work in practice ... We have therefore proceeded with the deployment of additional secondees, and the first group of 22 departed for Iraq on 14 May.”⁶⁹

107. There is no record of the issue being discussed by the AHMGIR on 15 May.⁷⁰

108. In the Annotated Agenda for the 22 May AHMGIR, officials explained that security experts had drawn up procedures that allowed DFID “to deploy fully in support of ORHA”.⁷¹

⁶⁹ Minute Chatterton Dickson to Private Secretary [FCO], 14 May 2003, ‘Iraq: ORHA: Security for UK Secondees’ attaching Paper, ‘Iraq: Ad Hoc Ministerial Group, 15 May: ORHA Secondees: Security’.

⁷⁰ Minutes, 15 May 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

⁷¹ Annotated Agenda, 22 May 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

109. The AHMGIR was also informed that 61 UK officials had been seconded to ORHA, five of them in Basra. Officials provided very basic information on the functions of 35 of the 61, explaining: “Some secondees have yet to be allocated specific roles.”

The CPA and the return to a “war footing”

110. Section 10.1 describes ORHA’s absorption into the Coalition Provisional Authority (CPA) during May 2003.

111. Mr Blair visited Basra and Umm Qasr on 29 May. DFID and the FCO provided separate briefings for the visit.

112. DFID advised that it had stepped up its “staff support” for ORHA in Baghdad and Basra and was looking at additional areas to support.⁷²

113. The FCO advised that the UK now had 61 secondees in ORHA (including in Basra), most of whom were working with Iraqi ministries.⁷³ In Basra, the UK had provided a Deputy to Mr Ole Olsen, the Danish Head of ORHA(South), and 10 other secondees, and planned to send more.

114. On 1 June, the Deputy to Ambassador Olsen reported that ORHA(South) had 21 staff (eight UK civilians, five UK military officers, five Danish civilians, two US military officers and one Japanese civilian). Additional staff were arriving “in trickles” but were mostly military officers and had been directed to ORHA(South) by 1 (UK) Div and Maj Gen Cross. Those officers were useful as “stopgaps”, but ORHA(Baghdad) needed to provide expert staff.⁷⁴

115. On 3 June, Mr Blair called for Whitehall to return to a “war footing” in Iraq to avoid losing the peace (see Section 9.1).⁷⁵ He stated that the CPA lacked “grip and organisation” rather than money or numbers of staff. The UK needed to “beef up” its involvement and there needed to be “a strong civilian team in the South. In general, there needed to be a much stronger civilian grip”.

116. After the meeting, Baroness Amos, the International Development Secretary, told Mr Hilary Benn, Minister of State for International Development, and Mr Chakrabarti that “the Prime Minister’s thinking seemed to be that the UK would put in the people; US the money”.⁷⁶

⁷² Letter Bewes to Cannon, [undated], ‘Iraq – Humanitarian Update’.

⁷³ Letter Sinclair to Cannon, 27 May 2003, ‘Prime Minister’s Visit to Iraq’.

⁷⁴ Minute ORHA South [junior official] to Chilcott, 1 June 2003, ‘ORHA South – First Impressions’.

⁷⁵ Minute Cannon to McDonald, 3 June 2003, ‘Iraq: Prime Minister’s Meeting, 3 June’.

⁷⁶ Minute DFID [junior official] to DFID [junior official], 3 June 2003, ‘PM Iraq meeting’.

117. In the Annotated Agenda for the AHMGIR on 12 June, officials informed Ministers that:

“... we continue to strengthen the CPA with a fluctuating contingent of UK secondees, currently numbering around 70. The bulk of those sent in May will return to the UK in mid-August. Their concluding reports will give us the information to decide where we can best target our resources ... in the medium term.”⁷⁷

118. On 16 June, Ms Sally Keeble, who had been DFID Parliamentary Under Secretary of State until earlier that month, raised with Mr Blair her concerns about DFID’s planning and preparation for post-conflict Iraq and its performance since the invasion, including its slow engagement with the CPA after Ms Short’s resignation in May (see Section 10.1).⁷⁸

119. Mr Rycroft told Mr Blair that: “From what DM [David Manning] and I have seen from here, Sally’s letter is accurate in highlighting DFID’s failure to pre-plan and to engage with CPA.”⁷⁹ Mr Rycroft recommended that Sir Andrew Turnbull pursue the issue with DFID.

120. On 4 July, Mr Chakrabarti told Sir Andrew Turnbull:

“DFID support to CPA has grown dramatically; and continues to do so. In early April when CPA (ORHA as was) moved to Baghdad, DFID had one official in CPA. That has grown to 16 today split between Baghdad and Basra, and will rise upwards of 30 over the coming weeks – some 30 percent of the total UK contingent ...

“DFID secondees into CPA have been successful in work areas ranging from food distribution to refugee returns. Their success is based on thorough groundwork done beforehand to ensure they have substantive roles, the skill set they bring to their tasks, and professional support and back up from London.”⁸⁰

121. Ministers visiting Iraq in early July raised questions about the skills and seniority of secondees to the CPA.

122. On 2 July, Baroness Amos advised Mr Blair that the CPA contained “too many people with the wrong skill set – policy focus rather than operational expertise, and insufficient experience of post-conflict developing country situations”.⁸¹

⁷⁷ Annotated Agenda, 12 June 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

⁷⁸ Letter Keeble to Blair, 16 June 2003, [untitled].

⁷⁹ Minute Rycroft to Prime Minister, 23 June 2003, ‘DFID’s Performance on Iraq: Letter from Sally Keeble’.

⁸⁰ Letter Chakrabarti to Turnbull, 4 July 2003, ‘DFID’s performance on Iraq – Letter from Sally Keeble MP’ attaching Paper, ‘Iraq: Areas of Concern Raised in Sally Keeble’s Letter’.

⁸¹ Letter Amos to Blair, 2 July 2003, [untitled] attaching Report, ‘Iraq: Visit Report’.

123. Baroness Amos made a number of broad recommendations for enhancing the UK contribution:

- “more UK people with political skills on the ground ... Arabic speakers, with knowledge of the region, to strengthen capacity in CPA(South) and CPA Baghdad”;
- “strengthen the senior management” in CPA(South) and “provide other staff as required”; and
- send “whatever additional staff are required with the right skill set to CPA [in Baghdad]”.

124. A week later, Ms Hewitt advised Mr Blair of the need “to ensure that we are seconding sufficiently senior people to the CPA”.⁸² It was noticeable that the US was sending more senior people than the UK.

125. Ms Keeble told the Inquiry:

“... the numbers speak for themselves. I think there were two advisers embedded with the military, two others in Kuwait, one in Washington with ORHA, as it was then, one in Amman, one in Tehran, for a large part of the early stages of the action and, by the time I left DFID, I think there were – I think I’m right in saying about nine in Baghdad and six in Basra and presumably still one in Washington.

“... I think it is a matter of judgement as to whether that’s a large number or not. I didn’t think it was a very large number.”⁸³

126. Participants at the Inquiry’s civilian outreach event who had served in Iraq in 2003 and 2004 commented on the additional responsibilities of Occupation. Many felt that Occupying Power status changed the nature of their job from simply working overseas to carrying an immense responsibility to Iraqis to do what was needed to get Iraq functioning. Many struggled to find defined roles and hold on to them in US-dominated Iraqi ministries. They commented that it was often difficult to influence the US because of the UK’s relative size and capacity.

127. The skills and seniority of civilian staff deployed to Iraq are considered later in this Section.

128. By June 2003, the security of civilian personnel in Iraq had become a major concern.

129. In Cabinet on 19 June, Baroness Amos said that the uncertain security situation in Iraq required the UK to keep the security of the people it deployed there under review.⁸⁴

⁸² Letter Hewitt to Prime Minister, 11 July 2003, ‘Report of My Visit to Baghdad’.

⁸³ Public hearing, 5 July 2010, page 27.

⁸⁴ Cabinet Conclusions, 19 June 2003.

130. Baroness Amos reiterated the point on 2 July, after her visit to Iraq. She told Mr Blair:

“The overwhelming – and immediate – priority is security ... the situation appears to be worsening by the day.”⁸⁵

131. The FCO and DFID carried out a joint security assessment of Baghdad and Basra between 29 June and 3 July.⁸⁶

132. Mr Peter Millett, Head of FCO Security Strategy Unit (SSU), set out the key conclusions to Mr Collecott:

“We are failing to meet our duty of care to both FCO staff and those seconded to CPA through the FCO. The security situation is extremely dangerous and the CPA security resources are inadequate. The majority of secondees need to travel outside the secure zone where the threat is high and there is little or no control of the streets. The rules require secondees to travel in soft-skinned vehicles escorted by US military vehicles. This makes them extremely vulnerable since the US military are the target of daily attacks. The alternative to military escorts is a two-car convoy with ‘shooters’, ie armed escorts. There are not enough military personnel, so UK secondees are being asked to handle weapons, which does nothing to enhance their security.”⁸⁷

133. Mr Millett listed the steps needed to allow CPA secondees to operate “effectively and safely” in Baghdad:

- a security manager in Iraq “to brief new arrivals, keep them up to date on security incidents, manage security assets (vehicles, flak jackets etc) and act as a focal point for communications”;
- a fleet of vehicles able to operate with or without US military escorts;
- a team of armed escorts to accompany secondees outside the secure zone; and
- a radio communications system to allow secondees to stay in touch with the security manager when outside the secure zone.

134. Implementation of the package required:

- agreement on the detail with DFID, which was already introducing better transport and equipment for its secondees;
- a calculation of the number of journeys required each week and therefore the number of vehicles and escorts needed;
- ordering vehicles for early delivery;

⁸⁵ Letter Amos to Blair, 2 July 2003, [untitled].

⁸⁶ Minute Gillett to Brewer, 5 July 2003, ‘Iraq: Joint FCO/DFID Security Assessment Visit 29th June to 3rd July’.

⁸⁷ Minute Millett to Collecott, 7 July 2003, ‘Iraq Security’.

- pursuing a commercial contract for the security manager and armed escorts;
- factoring additional costs into the Iraq Reserve claim; and
- agreeing with the IPU a script for briefing all UK secondees before they deployed.

135. Mr Millett described the situation in Basra as “different from Baghdad, partly because of the political context in the South and partly because UK civilians are not accompanied by military patrols”. The atmosphere was “more benign”, but could deteriorate. Security in Basra was enhanced by “the active involvement of a DFID team and a commercial contract that will provide armed guards and more vehicles”.

136. Mr Collecott advised Mr Straw:

“We will inevitably be faced with some very difficult prioritisation decisions: activity v. security in Iraq; activity in Iraq v. priorities elsewhere.”⁸⁸

137. Mr Chakrabarti had already set in hand the first of the recommended improvements. On 9 July, he informed Sir Michael Jay that he had appointed Control Risks Group (CRG) to provide armed support to UK CPA secondees in Baghdad.⁸⁹ The contract had been let by DFID, in consultation with the FCO, with the intention of drawing up a joint DFID/FCO contract for the longer term. Mr Chakrabarti also undertook to send a first batch of “appropriate vehicles” and hand-held communications equipment from DFID’s stockpile for use by UK staff in Iraq.

138. In late June, DFID asked the MOD to provide a military close protection team for DFID staff in Baghdad.⁹⁰

139. In its response on 17 July, the MOD explained that Royal Military Police (RMP) close protection resources were “very heavily committed ... in support of the FCO presence in Baghdad and on other tasks elsewhere”. Steps had been taken to bring the RMP commitment down to sustainable levels. That included a reduction in RMP support for FCO staff, which would limit their freedom of movement in Baghdad. MOD Ministers had agreed that the only way the RMP could provide resources to DFID staff would be if DFID shared the resources available to the FCO:

“We recognise that this is far from ideal for you and is likely to further constrain HMG’s [Her Majesty’s Government’s] diplomatic activity in Baghdad, but it may be an improvement on your current arrangements.”

140. Separately, the MOD informed DFID that medical procedures were being updated to ensure that all UK civilians and contractors received the same standard of care as those in the MOD, including evacuation to the UK or Germany as appropriate.⁹¹

⁸⁸ Minute Collecott, 11 July 2003, on Minute Millett to PS [FCO], 11 July 2003, ‘Iraq: Security’.

⁸⁹ Letter Chakrabarti to Jay, 9 July 2003, ‘Safety and Security of UK Secondees in Iraq’.

⁹⁰ Letter Kernahan to Miller, 17 July 2003, ‘Close Protection for DFID Staff in Baghdad’.

⁹¹ Letter Ferguson to DFID [junior official], 17 July 2003, ‘DFID Personnel Deployed in Iraq’.

Locally employed contractors working for DFID would receive the same level of care as locally employed civilians working for the MOD or the military: emergency care in theatre at UK medical facilities.

141. On 18 July, as part of a wider bid to the Treasury to cover additional Iraq-related costs incurred by the FCO in financial year 2003/04, Mr Straw requested £20.2m to improve security for FCO staff and UK secondees to the CPA in Iraq.⁹² He advised Mr Paul Boateng, the Chief Secretary to the Treasury:

“To meet our duty of care to staff, we need to provide armoured vehicles, armed escorts and a communication system for UK civilian secondees to CPA. This expenditure is unprecedented, unforeseen and cannot be funded by reprioritisation, nor I understand, in part from the money we have received for CPA econdnees’ costs.”

142. Mr Boateng approved the majority of Mr Straw’s request on 9 September.⁹³

143. Mr Straw’s request and the Treasury response are addressed in more detail in Section 13.1.

144. On 10 July, the AHMGIR agreed that:

- Secondments to the CPA should be maintained at “approximately the current level”, but matched more closely to requirements, with more specialist than policy staff.
- Secondments should be extended from three months to six.
- Ministers and Sir Andrew Turnbull should help identify and release suitable staff from departments, including a senior oil expert and senior economist.
- The UK “effort” in CPA(South) should be increased “as required”, including through the appointment of a “suitably strong UK figure” to replace Ambassador Olsen.
- The UK should continue to send small numbers of staff to other CPA regional offices.⁹⁴

145. The IPU prepared more detailed proposals for the AHMGIR on 17 July.⁹⁵ It based its recommendations on the principle that the UK should seek to exert influence at “all levels”, from national input provided by the Prime Minister’s Special Representative to working level appointments in selected policy areas. The IPU recommended:

- filling gaps, including at a senior level in UK coverage of Security Sector Reform (SSR), the economic ministries and the oil ministry;

⁹² Letter Straw to Chief Secretary to the Treasury, 18 July 2003, ‘Iraq-Related Costs’.

⁹³ Letter Boateng to Straw, 9 September 2003, ‘Iraq Reserve Claim’.

⁹⁴ Minutes, 10 July 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

⁹⁵ Annotated Agenda, 17 July 2003, Ad Hoc Group on Iraq Rehabilitation meeting attaching Paper Iraq Policy Unit, 14 July 2003, ‘Ad Hoc Ministerial Meeting: 17 July, (Annex C) Future Staffing of the CPA’.

- targeting secondments to other CPA ministry teams more precisely;
- increasing working level support for CPA governance and the foreign, health and culture ministries;
- appointing a senior figure to lead CPA(South), where there were already 15 UK secondees;
- continuing provision of two officials to CPA(North), including the Chief of Staff;
- continuing provision of the Chief of Staff in CPA(South Central) and a cultural expert at the Babylon archaeological site; and
- leadership of four of the 18 CPA Governorate Teams (GTs) scheduled to begin operations in September, with deployment starting in late August.

146. The IPU reported that Mr Andy Bearpark, CPA Operations Director and senior UK secondee to the CPA, advised against concentrating the UK contribution to GTs in the four southern governorates on the grounds that an all-UK sector might have more difficulty in accessing funds from Baghdad. He advised that a spread of representation would also give the UK sight of developments across Iraq.

147. The AHMGIR agreed that the UK should shift emphasis over time from regional areas of operation to governorates. Ministers requested firm recommendations for the following week.⁹⁶

148. The briefing for the 24 July meeting of the AHMGIR explained that GT security was the responsibility of the local Coalition military, but that the UK was likely to have to provide additional security to fulfil its duty of care to UK GT members.⁹⁷ There would be “significant resource implications”. DFID had undertaken to fund the set-up costs of GTs in Maysan, Muthanna and Dhi Qar and running costs to the end of October 2003. The CPA would assume liability for all costs from 1 November.

149. The AHMGIR agreed that the UK would offer to lead four GTs, two in the South-East, one in the Kurdish area and one elsewhere in the Sunni area, “but not in the less stable central areas around Baghdad”.⁹⁸

150. At the AHMGIR, Mr Straw asked the Cabinet Office and the IPU to devise a debriefing system for secondees to Iraq, “to garner their experience ... and to ensure that their contribution was recognised on their return to home departments”. Ministers agreed that officials should provide a report on the results.

151. On 25 July, Sir Michael Jay updated Sir Andrew Turnbull and Permanent Secretaries on civilian deployments.⁹⁹ Sir Michael explained that, since his request for volunteers on 22 April, the Government had trained and deployed “over 100 civilian staff

⁹⁶ Minutes, 17 July 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

⁹⁷ Annotated Agenda, 24 July 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

⁹⁸ Minutes, 24 July 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

⁹⁹ Letter Jay to Turnbull, 25 July 2003, ‘Iraq: UK support for reconstruction’.

from sixteen different branches of government”, an exercise he described as having “no modern precedent”:

“We now have 65 UK public servants working in the CPA Headquarters in Baghdad, and nearly 30 in the CPA South-East Office in Basra ... Small numbers are also working in the CPA offices in central and northern Iraq.”

152. Sir Michael reported that Ministers had decided the UK would maintain “approximately the current level of overall commitment” with a focus in Baghdad on SSR, the economic ministries and the oil sector, a “stronger lead” in CPA(South) and leadership of four CPA GTs.

153. Sir Michael explained that the FCO had set up a liaison office in Baghdad working to Mr Sawers and a CPA Operations Team (CPA-OT) in the IPU to put the UK’s secondments on “a focused and sustainable basis, and provide secondees with the appropriate support for service in what will remain a difficult and unpredictable environment”. The CPA-OT would “debrief the first group of secondees as they return to ensure we learn the right lessons from their experiences on the ground”.

154. Sir Michael advised:

“We will continue to need to provide good human resources if the CPA is to succeed. As reconstruction proceeds we expect more of this requirement to be met with staff engaged under contract from outside HMG. But we will continue to have a need to second staff with specialist skills from our own public service. The new machinery in Baghdad and the IPU will enable us to match requirements and resources more exactly.”

155. Sir Michael wrote separately to Sir Nigel Crisp, Permanent Secretary at the Department of Health (DoH), to thank the DoH team in Basra for its “major contribution to the re-establishment of a functioning health system”, which had been “out of all proportion” to its numbers.¹⁰⁰

156. Sir Michael also wrote to Sir Robin Young, Permanent Secretary at the Department of Trade and Industry (DTI), who had raised concerns about security and staff salaries.¹⁰¹ Sir Michael explained that, after the assessment of security in Baghdad and Basra, the FCO had taken urgent action that should allow it to fulfil its duty of care to staff. Working and living conditions were also improving and were now “quite reasonable (and are compensated by a good allowances package)”.

157. On salaries, Sir Michael explained to Sir Robin Young that the terms under which the FCO received funding from the Treasury for CPA deployments prevented it paying the salaries of staff seconded from other departments. He hoped that “the priority given to the reconstruction of Iraq at every level from the Prime Minister down will convince

¹⁰⁰ Letter Jay to Crisp, 25 July 2003, ‘Iraq volunteers’.

¹⁰¹ Letter Jay to Young, 25 July 2003, ‘Iraq: volunteers’.

your Ministers of the need to continue providing the CPA with the specialist help it needs". Sir Michael observed that Ms Hewitt had already made clear her support.

158. Ambassador Olsen resigned as Head of CPA(South) on 28 July.¹⁰²

159. His successor, Sir Hilary Synnott, arrived in Basra on 30 July.¹⁰³

160. Sir Hilary told the Inquiry what he found on arrival:

"A pretty dysfunctional team of eight to ten different nationalities, very, very few British, three Foreign Office officials, one permanent DFID official and a lack of focus and a lack of capability ... The phones didn't work, there were no mobile phones at that time and nobody had thought to provide me with any form of computer."¹⁰⁴

161. The decision to appoint Sir Hilary as Head of CPA(South) and his experience on arrival in Basra are addressed in more detail in Section 10.1.

162. Shortly before Sir Hilary Synnott's arrival in Basra, the CPA produced a 'Vision for Iraq', supported by a detailed implementation plan (see Section 10.1).¹⁰⁵

163. In his memoir, Sir Hilary wrote:

"The trouble was it [the 'Vision for Iraq'] did not amount to an operational plan of action ... There were no indications about how in practice they would be achieved: no details of funding, of personnel involved, of support systems or of timing."¹⁰⁶

164. On 7 August, officials informed the AHMGIR that the IPU was debriefing the first wave of UK secondees to the CPA returning from Iraq.¹⁰⁷ Operational lessons would be put to Ministers in September.

165. Separately, the Cabinet Office Corporate Development Group (CDG) began assessing the benefits of CPA secondments to staff and departments. The aim was to report to Ministers in November, drawing on responses to a questionnaire to be put to secondees within a month of their return from Iraq.¹⁰⁸

166. The outcome of both exercises is described later in this Section.

¹⁰² *Iraq Report*, 1 August 2003, *Southern Iraq Administrator leaves post*.

¹⁰³ Synnott H. *Bad Days in Basra: My Turbulent Time as Britain's Man in Southern Iraq*. I B Tauris & Co Ltd., 2008.

¹⁰⁴ Public hearing, 9 December 2009, page 9.

¹⁰⁵ Bowen SW Jr. *Hard Lessons: The Iraq Reconstruction Experience*. U.S. Government Printing Office, 2009; Bremer LP III & McConnell M. *My Year in Iraq: The Struggle to Build a Future of Hope*. Threshold, 2006.

¹⁰⁶ Synnott H. *Bad Days in Basra: My Turbulent Time as Britain's Man in Southern Iraq*. I B Tauris & Co Ltd., 2008.

¹⁰⁷ Annotated Agenda, 7 August 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

¹⁰⁸ Minute Dodd to Barker, 4 August 2003, 'Iraq: feedback from secondees'.

The impact of deteriorating security

167. On 19 August, a bomb exploded outside the UN headquarters at the Canal Hotel in Baghdad, killing 22 UN staff and visitors, including Mr Sérgio Vieira de Mello, the UN Secretary-General's Special Representative for Iraq (see Section 9.2).¹⁰⁹ One member of DFID staff was slightly injured.¹¹⁰

168. Later the same day, Mr Benn held a meeting with officials to discuss next steps and review the status of DFID staff in Iraq.¹¹¹ Dr Nicola Brewer, DFID Director General Regional Programmes, stated that it would be “unfortunate if DFID precipitated a withdrawal of staff from Iraq”. The department should say publicly that it would not be “intimidated” by terrorism, but any member of staff who wanted to leave should be allowed to do so. Staff employed on contracts would need advice. If anyone did want to leave, it would need to be co-ordinated across Whitehall and not perceived as an evacuation.

169. On the night of 19 August, the British Office Baghdad was evacuated to the CPA secure zone after officials received a warning of a possible attack.¹¹²

170. A second attack on the UN took place on 22 September.¹¹³

171. Security also deteriorated in the South, with fuel and electricity riots taking place in Basra during August (see Section 9.2).¹¹⁴

172. In his memoir, Sir Hilary Synnott wrote that a “shortage of space and squalid living conditions were affecting operations”, but, most importantly:

“... our combined offices and sleeping quarters were clearly unsafe. Although, in those early days, there were no instances of suicide bombs, we were still vulnerable to car bombs, rocket-propelled grenades, mortars, small-arms fire through our windows, siege and sapping. The building adjoined town houses and was flanked by roads on three sides, one of which was next to a canal. The only exit towards a military safe-haven if we were attacked was over a single bridge, which could easily be blocked by any assailants. We had to move.

...

“I formally called for separate and independent security reviews by the CPA in Baghdad and by the FCO in London, knowing that they could only agree on the need for us to move.”¹¹⁵

¹⁰⁹ Report of the Independent Panel on the Safety and Security of UN Personnel in Iraq, 20 October 2003.

¹¹⁰ Minutes, 28 August 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

¹¹¹ Minute Assistant Private Secretary [DFID] to Austin, 19 August 2003, ‘Iraq: Meeting following the attack on the UN office in Baghdad’.

¹¹² Telegram 121 Baghdad to FCO London, 19 August 2003, ‘Evacuation of Staff of British Office’.

¹¹³ Report of the Independent Panel on the Safety and Security of UN Personnel in Iraq, 20 October 2003.

¹¹⁴ Public hearing Synnott, Lamb, Stewart, 9 December 2009, pages 19 and 57.

¹¹⁵ Synnott H. *Bad Days in Basra: My Turbulent Time as Britain's Man in Southern Iraq*. I B Tauris & Co Ltd., 2008.

173. The FCO Senior Overseas Security Adviser (SOSA) and the Director of CHAD OT visited Basra from 18 to 20 August and Baghdad from 20 to 22 August.¹¹⁶ They reported their findings to an official-level meeting of COBR, the Government's emergency response mechanism, chaired by Mr Graham Fry, FCO Director General Wider World, on 26 August.¹¹⁷

174. The two officials described the picture in Baghdad as “relatively reassuring”. Overall security and staff awareness in the CPA zone, where the British Office Baghdad would be located for the foreseeable future, had improved, but DFID and the FCO were taking additional steps to reinforce security awareness “as a matter of urgency”. Basra was “more alarming”. Security at the CPA compound there was “still inadequate”.

175. COBR agreed that:

- Staff in Basra should move to more secure locations within Basra Airport until satisfactory physical security measures were in place, subject to Sir Hilary Synnott's agreement that the move “would not compromise the operational effectiveness of the CPA in Basra to an unsatisfactory level”.
- The FCO should consider appointing permanent security managers for Baghdad and Basra to provide a rolling review of the threat.
- The Cabinet Office should raise the seriousness of the situation at the next Ministerial meeting on Iraq and “reiterate the need to deploy only those staff deemed essential”.

176. Advice prepared by officials for the 28 August AHMGIR did not reflect the COBR conclusions on deploying only “essential” staff.

177. Before the AHMGIR on 28 August, Mr Neil Crompton, Head of the IPU, advised Mr Straw:

“Concerns about security argue against putting in more staff [in Basra], but holding staff back, or withdrawing staff temporarily, will only compound the problem. The immediate solution is to strengthen security measures in CPA(South) ... Civilian staff also need to be provided with a large fleet of armoured vehicles: until these arrive, which will take time, we need more assistance with escorting from the military ... Resources for security assets are an issue. But the principle should be that we provide the number of security assets we need for people to do their jobs properly, rather than limit the number of tasks we take on to the number of security assets we have on the ground (as some around Whitehall have been suggesting). This will be expensive.”¹¹⁸

¹¹⁶ Minute CHAD OT to Austin, 27 August 2003, ‘Security Assessment of Baghdad and Basra’ attaching Paper CHAD OT, ‘DFID Security Assessment of Basra and Baghdad’.

¹¹⁷ Minute OD Secretariat [junior official] to Sheinwald, 26 August 2003, ‘COBR: Iraq Security Situation: Update’.

¹¹⁸ Minute Crompton to PS [FCO], 28 August 2003, ‘Ad Hoc Ministerial’.

178. Officials also raised concern about “the unwillingness of US personnel [in Baghdad] to discuss security arrangements ... in detail”.¹¹⁹ The UK would need to make its own assessment of the national situation, potentially leading to UK staff being unable to participate in certain CPA activities. The presence and security of UK staff sent to the CPA would “need to be balanced against our responsibilities for the government and reconstruction of Iraq”.

179. Participants at the Inquiry’s civilian outreach event who served in Iraq during the CPA period commented that intelligence on threats and no-go areas should have been disseminated to all civilians. They suggested that the UK had been better at this than the US, but in Baghdad, where the US controlled security, there had been problems with the flow of information.

180. The AHMGIR agreed that the recommendations in the DFID/FCO security review should be implemented as soon as possible.¹²⁰

181. Sir Hilary Synnott told the Inquiry:

“After the attack on the UN building at the end of August, the Spanish and Japanese Governments ordered their civilians to leave. And on 30 August, of course, the UN ordered their expatriates to leave also. Everybody else stayed. I was told by London to draw up security regulations and to take disciplinary action if they were not obeyed. I replied that I had already drawn up security instructions which we had been testing, and as for taking disciplinary action, I reminded London that I actually had no statutory authority, as far as I knew, over the nationals of another country.”¹²¹

182. On 28 August, Mr Crompton informed Mr Straw that Sir Hilary Synnott had requested 34 secondees for CPA(South).¹²²

183. Later that day, the AHMGIR agreed, “subject to security concerns”, that: “Hilary Synnott should be given such assistance and staff as he deemed necessary to improve the workings of CPA South.”¹²³

184. Mr Crompton visited Iraq from 31 August to 3 September.¹²⁴ He concluded that “the Coalition as a whole is only just beginning to come to terms with the scale of the task”. The “general view” was that the job was “doable”, but the UK needed to “throw massive resources at the problem now”. UK staffing in the South and the governorates needed to increase significantly. The relationship between the two was “not yet clear”.

185. Mr Crompton judged that staffing in CPA Baghdad was “about right”, but CPA(South) was “woefully under-staffed”. It was clear that the UK would have to fill the

¹¹⁹ Annotated Agenda, 28 August 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

¹²⁰ Minutes, 28 August 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

¹²¹ Public hearing, 9 December 2009, page 111.

¹²² Minute Crompton to PS [FCO], 28 August 2003, ‘Ad Hoc Ministerial’.

¹²³ Minutes, 28 August 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

¹²⁴ Minute Crompton to Chaplin, 5 September 2003, ‘Visit to Iraq: 31 August to 3 September’.

positions itself rather than rely on third country nationals or CPA Baghdad. If necessary, the FCO Board of Management should be asked to rule that Iraq was its top priority and that staff willing to go there could be pulled out of existing jobs at short notice.

186. On 2 September, Mr Blair requested advice on how to improve conditions for UK staff working for the CPA and the British Office Baghdad.¹²⁵

187. The FCO advised that improvements were in hand in Baghdad and Basra.¹²⁶ Efforts were being made to speed up the move from the CPA building to the former regime palace in Basra, which was expected to be ready by mid-October.

188. On 4 September, the MOD put proposals to Mr Blair for additional troop deployments to the South-East to improve overall security and help accelerate reconstruction (see Section 9.2).¹²⁷ In addition to the extra troops, the MOD intended to put an additional Brigade Headquarters on reduced notice to move in order to support other requirements, which were still to be scoped, but included support to DFID-managed critical infrastructure work and the provision of military protection to civilian contractors.

189. Mr Blair agreed the proposals shortly afterwards.¹²⁸

190. On 17 September, Sir Michael Jay informed Permanent Secretaries that:

“We now have 18 armoured vehicles in Baghdad for travel outside the Secure Zone. By the end of November there will be 68 vehicles in country, including for staff working for CPA in Basra and the Governorate Teams ... For each of these vehicles there is a two-man Armed Protection Team (APT). The contractors (Control Risks) now have 72 personnel protecting our staff in CPA and will be providing a total complement of 110 men, including for CPA Basra and the Governorate Teams.”¹²⁹

191. In his valedictory report from Basra, Sir Hilary Synnott thanked DFID for procuring a large number of armoured vehicles and civilian protection teams for CPA(South) staff to use: “They have saved several lives from explosive devices.”¹³⁰

192. On 22 September, Mr John Buck, the FCO’s recently appointed Iraq Director, updated Mr Alan Charlton, the FCO Personnel Director, on staffing requirements in London and Iraq. Mr Buck stated:

“I understand pressures on staff resources. But there is a real need to get staffing of Iraq work onto a basis sustainable in the medium term. So far, it has understandably

¹²⁵ Letter Cannon to Adams, 2 September 2003, ‘Iraq: Briefing for the Prime Minister’.

¹²⁶ Letter Adams to Cannon, 4 September 2003, ‘Iraq: Briefing for the Prime Minister’ attaching Paper, ‘Iraq: Conditions of Service for UK Civilian Staff’.

¹²⁷ Letter Williams to Rycroft, 4 September 2003, ‘Iraq: UK Forces and Resources Review’.

¹²⁸ Manuscript comments Blair and Rycroft on Letter Williams to Rycroft, 4 September 2003, ‘Iraq: UK Forces and Resources Review’.

¹²⁹ Letter Jay to Street, 17 September 2003, ‘Security In Iraq’.

¹³⁰ Telegram 10 CPA Basra to FCO London, 26 January 2004, ‘Basra Valedictory’ [Parts 1 and 2].

been a little hand to mouth. I fear No.10 will not accept our telling them that we can't do things because we don't have the people. So I hope you will be sympathetic if, after a few weeks on the job, I make further bids for staff.”¹³¹

193. At the Iraq Senior Officials Group (ISOG) on 23 September, Mr David Richmond, the Prime Minister's Deputy Special Representative on Iraq, reported that UK “influence in CPA Baghdad is limited; we supply only 100 out of its 1,000 staff there”.¹³² Mr Richmond recommended that deployment of UK secondees be “continuously reviewed so that they are where we most need them. The UK is still under-represented at senior level; we should continue to seek senior posts as they become available.”

194. Sir David Richmond told the Inquiry:

“I don't think we asked for a lot more people. What we wanted was Arabic speakers for obvious reasons, and we had Charles Heatley [CPA spokesman, see Section 10.1] and his successor, both of whom were very good Arabic speakers, but we probably could have done with more.”¹³³

195. Sir David also observed that “lack of continuity was a far greater problem than a lack of skills”.¹³⁴

196. On 15 October, the Joint Intelligence Committee (JIC) assessed that:

“The security situation remains difficult in central Iraq. The upward trend in the number of attacks against the Coalition Forces (CF) shows no sign of abatement ... The vast majority of attacks (some 80 percent) occur in Baghdad and the surrounding Sunni Arab areas ... Improvised Explosive Devices (IEDs) are the single most common form of attack, some increasingly sophisticated, and we have also seen more mortars being employed.

...

“The situation in the UK Area of Responsibility in the South remains relatively calm. In the first week of October, out of 174 attacks against CF in Iraq, only four were against troops in MND(SE). The mortar attack against the British base in Basra on 8 October was a serious incident, but the trend continues to be a relatively low level of attacks.”¹³⁵

197. In early October, Sir Hilary Synnott reported “markedly improved attitudes throughout the South over the last three months, and especially when compared with the hot humid days of early August when tempers exploded into violence and killings”.¹³⁶

¹³¹ Minute Buck to Charlton, 22 September 2003, ‘Staffing for the Iraq Directorate’.

¹³² Minute [Cabinet Office junior official] to Sheinwald, 25 September 2003, ‘Iraq Senior Officials Group Meeting’.

¹³³ Public hearing, 26 January 2011, page 87.

¹³⁴ Public hearing, 26 January 2011, page 79.

¹³⁵ JIC Assessment, 15 October 2003, ‘Iraq Security’.

¹³⁶ Telegram 33 CPA Basra to FCO London, 9 October 2003, ‘South Iraq: The Political Scene’.

198. Sir Hilary told the Inquiry that there was a general impression of improvement in Basra during October and November 2003.¹³⁷

199. In late 2003, a significant number of civilian vacancies in CPA(South) were filled temporarily by the UK military, including by Reservists from the Territorial Army (TA).

200. After a visit to Basra on 2 October, Mr Adam Ingram, Minister of State for the Armed Forces, commented on the time it had taken to set up an effective CPA and the “large number of gapped posts and military personnel doing jobs that should be done by civilian volunteers”.¹³⁸

201. On 13 October, Mr Ingram described to Mr Benn, who had replaced Baroness Amos as Secretary of State for International Development on 5 October, the risks involved in using military reservists to address “the precarious situation on CPA(S) manpower”.¹³⁹ Mr Ingram attached lists of the 48 military staff embedded in CPA(South) and the CPA GTs in Basra, Maysan, Muthanna and Dhi Qar. A total of 35 were Reservists, all but one of them due to leave Iraq by the end of 2003.

202. Mr Geoff Hoon, the Defence Secretary, raised the issue of Reservists with Mr Straw on 23 October.¹⁴⁰ The ad hoc filling of vacant posts by military personnel, including Reservists who happened to have relevant skills from civilian life, was “not a robust way to resource such an important body”. Mr Hoon stated:

“... we need to get out of a mindset where the default position is to call on ‘spare’ military personnel to fulfil roles for which they have not been trained. CPA(S) may well require a higher proportion of civilians than the CPA elsewhere in the country because the roles and capabilities of UK forces do not encompass all of those available within the much larger US Armed Forces. We will, of course, continue to support the overall effort in the South where we can, but the best people for the posts in CPA(S) could well come from a wider range of Whitehall departments and the civilian sector in the UK.”

203. On 30 October, the MOD Iraq Secretariat briefed Mr Hoon on options for compulsory mobilisation of volunteer reserves to fill CPA gaps.¹⁴¹ It advised that Reservists’ willingness to take on those jobs was admirable, but it was unfair to employ them in roles for which they had not originally volunteered and for less pay than they would receive as civilians. Their transfer to civilian roles also represented an opportunity cost to the military.

¹³⁷ Public hearing, 9 December 2009, page 40.

¹³⁸ Minute Johnson to APS/Min(AF), 17 October 2003, ‘Minister(AF) visit to Basra: 2 October 2003’.

¹³⁹ Letter Ingram to Benn, 13 October 2003, [untitled].

¹⁴⁰ Letter Hoon to Straw, 23 October 2003, ‘Iraq: Visit to Basra 20-21 October 2003’.

¹⁴¹ Minute AD Iraq to APS/Secretary of State [MOD], 30 October 2003, ‘Op Telic – Support to CPA: Mobilisation of Volunteer Reserves’.

204. The Iraq Secretariat recommended that the MOD wait to see the outcome of the latest FCO/DFID recruitment drive, but also stand ready to provide what assistance it could if that was unsuccessful. Numbers were unlikely to be large (“10s of people”). The Iraq Secretariat stated that an effective CPA(South) was crucial to UK success in the South: “*If other avenues have been exhausted* it may thus be in our interest to seek Reservists to fill requirements.”

205. UK policy on the deployment of Reservists in civilian roles is addressed in Section 10.3.

206. CPA(South) moved from the former Electricity Accounts building in Basra to the Basra Palace site on 15 October.¹⁴² Sir Hilary Synnott wrote in his memoir:

“It was security which had driven the move and which had ensured that it happened quickly, but it was the improved comfort which everyone appreciated the most.

“The difference in living conditions seemed almost unbelievable. Instead of sleeping in crowded rooms or on floors, with unspeakable sanitary arrangements and virtually non-existent communications equipment, every staff member had their own cabin ... with a proper bed, a cupboard, a shower and lavatory, and even an air-conditioning unit ...

“Within another couple of weeks FCO engineers had installed a secure communications system ...

...

“At last, two-and-a-half months after my arrival, I was starting to muster the staff and equipment which would enable me to do my job reasonably effectively. This support was as nothing compared with the general’s [Major General Graeme Lamb, General Officer Commanding (GOC) MND(SE)] staff, but it was something; and, of course, our respective tasks were different.”

207. By late October, Sir Hilary Synnott had received none of the additional staff he had requested in late August.¹⁴³ On 27 October, he sent a further request to the FCO.¹⁴⁴ He explained that his initial request for 37 staff had focused on “our top priority areas: infrastructure, finance, police and security”. It was now clear to him that 44 more staff were needed to cover “political reporting, governance issues and CPA(S) internal support”.

208. Sir Hilary added:

“I also urgently need assurance that arrangements are in hand for the succession of those UK staff currently in mission. The relatively rapid turnaround of staff makes

¹⁴² Synnott H. *Bad Days in Basra: My Turbulent Time as Britain’s Man in Southern Iraq*. I B Tauris & Co Ltd., 2008.

¹⁴³ Public hearing, 9 December 2009, page 45.

¹⁴⁴ Telegram 38 Basra to FCO London, 27 October 2003, ‘CPA(South): Staffing Requirements’.

continuity difficult at the best of times. Gaps between postings, as have happened up to now, can and do seriously undermine progress in specific areas and across the board. Personnel management structures are needed for the replacement of all UK personnel in CPA(S) well in advance of their departure for mission.

“Some other factors are relevant. 18 UK military personnel currently seconded to CPA(S) will be drawn down to zero between now and 28 December. They will need civilian replacements ...”

209. On 14 November, Mr Desmond Bowen, Deputy Head of OD Sec, reported to departments that 104 staff from eight countries were working in CPA(South).¹⁴⁵ The largest contributors after the UK were Italy and Denmark. Of the 48 UK secondees, 30 were civilians and 18 military, half of them from the TA. Seven TA personnel were in the process of being re-engaged on civilian contracts.

210. Mr Bowen explained that DFID had contracted the Crown Agents in October to recruit 37 staff: seven to replace Reservists and 30 for new posts. Recruitment had not been easy, despite financial inducements:

“Successful candidates need to have the right technical skills, aptitude for building Iraqi capacity and willingness to work in a difficult environment. When recruited, candidates also need to undergo security training. The Crown Agents should fill 15 of the 37 posts this month, including seven TA personnel who are being re-engaged on civilian contracts. These seven TA posts will be vacant for two to three weeks while the TA officers are demobilised and contracted by Crown Agents ... Up to five lesser priority posts are likely to remain more difficult to fill, but Crown Agents are being pressed to locate suitable candidates as soon as possible ...

“... Hilary Synnott subsequently asked FCO to fill a further 29 posts. These are in the areas of interior and justice, liaison with the southern governorates, and in the political development directorates. Job descriptions for these posts have now arrived from Basra ... It should be possible to fill many of the jobs from Whitehall (eg Home Office), although outside specialists may be necessary for some. There is already a database of volunteers. But the security situation will be a deterrent. Extracting people from current jobs, security training and the logistics of deployment often take longer than we would want. But FCO aim to fill the posts during December and January.

“CPA(South) has now grown substantially, and UK civilian staffing in Iraq as a whole is moving towards the 200 mark. The number of civilians in CPA(South) is larger than in other regions. But account must be taken of the fact that the large numbers of US Army Civil Affairs officers who are available elsewhere are not available in the South.”

¹⁴⁵ Letter Bowen to Owen, 14 November 2003, ‘Iraq: CPA (South) Staff’.

211. Sir Hilary Synnott told the Inquiry:

“One of my key requests was at the end of August when I asked for, I think, 37 additional expert staff, not generalists but experts, and 20 armoured vehicles. I was sent the record of the Ad Hoc Ministerial Committee [on 28 August], I think within a day of this, and it was recorded there that Synnott should be provided with everything he thought was necessary. That, to my mind, clearly came from No.10 and that was the pattern throughout. The difficulty, however, was turning that political imperative into reality ... I put in this bid at the end of August. The task was ultimately given to DFID. I understood that in October they put out a trawl with a deadline of, I think, the end of October for recruitment. By 1 January, 18 out of 37 had arrived.”¹⁴⁶

212. Mr Jim Drummond, DFID Iraq Director from September 2003 to December 2004, described DFID’s role to the Inquiry:

“Sir Hilary Synnott, working with us, identified, I think it was 37 posts that he wanted to have filled, and we agreed to do that.

“We asked the Crown Agents to source those people from the market, because we didn’t at that stage across government have a pool of people that could easily be called upon, although the Iraq Planning Unit based in the Foreign Office had managed to get quite a number of civil servants from Treasury, DFID and across government into the CPA in the early days. But for Basra we were looking really to fund from contractors in the market, partly because we were looking for specialist skills in project implementation that we don’t necessarily have full-time in DFID.”¹⁴⁷

213. Mr Drummond explained that some of the jobs were advertised across DFID, but “mostly they were people who came from the market”. People had arrived in slightly greater numbers after Christmas because those selected in December had asked for their contracts to start on 1 January.

214. During his farewell meeting with Mr Straw on 11 February 2004, Sir Hilary Synnott said he had been frustrated at the length of time it had taken the FCO to deploy people and provide secure communications. The FCO response had compared unfavourably with that of other departments.¹⁴⁸

215. Sir Hilary told the Inquiry that Whitehall departments’ interpretation of their duty of care towards civilian personnel had been an obstacle to the recruitment of the people he needed:

“I raised it with the Foreign Secretary, Jack Straw, and we both of us thought that it was a bit odd that our men and women in the armed forces could be exposed to risk. But ... we could not risk injury or death to civilians ...

¹⁴⁶ Public hearing, 9 December 2009, page 45.

¹⁴⁷ Public hearing, 17 December 2009, pages 10-12.

¹⁴⁸ Minute Owen to PS/PUS [FCO], 12 February 2004, ‘FCO Response to Iraq’.

“I raised this with the Permanent Under Secretary [Sir Michael Jay] when I got back and I was told that ... the Permanent Under Secretaries’ Committee ... were quite adamant about this: it was an important duty and civilians were different from the military ... I think there was some concern about liability of being sued in the event of injury or death.

...

“A side effect of this was that the interpretation varied within ministries, and there was one occasion in early September 2003 when I discovered that I was short of 17 DFID personnel. They had gone away for a break and they had been stopped by their managers from going beyond Kuwait on the grounds that conditions were too dangerous in Basra.

“Now, we were living and working [in] Basra ... The general who is the expert on security had not been consulted, but the managers of DFID had decided that they should not come back. I kicked up a bit of a stink and after quite some time they were allowed back.”¹⁴⁹

216. Efforts to co-ordinate departmental approaches to duty of care are addressed later in this Section.

217. Mr Buck advised Sir Michael Jay that the FCO record was not perfect, but the department had “learned several lessons and gained valuable experience for the future”:

- Staffing of the FCO’s Iraq operation in London had been “hand to mouth from the start, and only recently received adequate strength, depth and continuity”. A properly staffed unit needed to be formed as soon as it became clear the FCO would have to manage a major new overseas deployment, and the FCO needed to accept far more quickly that the requirement would remain for the medium term.
- In London and abroad, the FCO needed to be able to redirect staff “more swiftly and flexibly” and to be able to target officers with suitable qualifications “more systematically than HR records have allowed in the past”.
- A “genuinely flexible” budget allocation along the lines provided for the military, possibly controlled by the AHMGIR, would have saved time and energy and prevented the Treasury playing one department off against another. “The only area on which the Treasury have been genuinely helpful has been security.”
- In the early stages DFID had not been “fully on side”. When it agreed to recruit a large tranche of contractors, it had been slow to implement that commitment.
- The FCO had little previous experience of recruiting contractors, but now had a pool of knowledge to draw from in future.

¹⁴⁹ Public hearing, 9 December 2009, pages 108-110.

- Delays caused by duty of care obligations were “unavoidable”, but the Iraq experience would help streamline the process in future.
- Part of the problem in Basra had been uncertainty about what was needed and “requests bounced about quite a bit. It would have made sense to have a senior post-conflict reconstruction expert in Basra working to Hilary Synnott, defining needs from the outset.”¹⁵⁰

218. On communications equipment, Mr Buck explained that a secure communications package and engineer had been deployed to the British Office Baghdad at the outset and a full Firecrest¹⁵¹ system had been ready to be shipped with the flat pack Embassy in May. Firecrest systems were designed for a large network of posts. Because of the changing set of posts in Iraq, installation in Baghdad and Basra had been delayed until October. The delay had been a “major disadvantage” that made it “difficult for the FCO to establish authoritative leadership”. Part of the answer lay in secure laptops. A new position had been created “to co-ordinate and improve emergency deployment of secure IT and communications”.

219. Mr Buck advised that most of those points had been fed into the FCO-led review of post-conflict reconstruction (see Section 10.3).

220. Sir Michael Jay commented:

“I agree with this. There are many lessons to learn from the – wholly unprecedented – Iraq experience; but I don’t think Hilary Synnott’s criticisms are entirely fair.”¹⁵²

221. On 26 October, the al-Rashid Hotel in the Green Zone of Baghdad, used as a Coalition military base, was hit by a number of rockets.¹⁵³

222. The attack killed a US soldier, and injured 15 other people. US Deputy Defense Secretary Paul Wolfowitz, who was staying in the hotel, escaped unhurt.

223. One UK civilian seconded to the CPA was seriously injured.¹⁵⁴

224. Sir David Manning, British Ambassador to the US, described the attack as “the bloodiest 48-hour period in Baghdad since March”.¹⁵⁵

225. Sir Jeremy Greenstock, the Prime Minister’s Special Representative on Iraq, commented: “Terrible news. This is the first time a CPA civilian has been killed in Iraq, a fact that will have serious repercussions.”¹⁵⁶

¹⁵⁰ Minute Buck to PS/PUS [FCO], 16 February 2004, ‘FCO Response to Iraq’.

¹⁵¹ The FCO ICT system.

¹⁵² Manuscript comment Jay on Minute Buck to PS/PUS [FCO], 16 February 2004, ‘FCO Response to Iraq’.

¹⁵³ *BBC News*, 26 October 2003, *US shocked at Iraq hotel attack*.

¹⁵⁴ Briefing [unattributed], 30 October 2003, ‘Briefing for Foreign Secretary: Cabinet: 30 October’.

¹⁵⁵ Telegram 1426 Washington to FCO London, 28 October 2003, ‘Iraq: US Views 28 October’.

¹⁵⁶ Telegram 231 IraqRep to FCO London, 26 October 2003, ‘Rocket Attack on Al Rasheed Hotel’.

226. Mr Bearpark told the Inquiry that he viewed the attack as a turning point:

“... through July, August, September we were optimistic that we were on an upward slope. We had got through the worst of the problems ...

“From September onwards, then the graph just went sharply down. The trigger point ... would have been the mortaring of the al-Rashid Hotel.”¹⁵⁷

227. By the start of November, there had been several bombs and rocket attacks in Baghdad, including attacks aimed at the International Committee of the Red Cross (ICRC) and at police stations (see Section 9.2).¹⁵⁸

228. The al-Rashid Hotel bombing led to a review of protective security and staffing levels in Baghdad. Plans were drawn up to provide hardened accommodation for UK civilians.

229. On 28 October, COBR, chaired by Mr Bowen, commissioned an MOD-led review of protective security within and beyond the Green Zone in Baghdad.¹⁵⁹

230. The preliminary report on 3 November recommended three areas for action:

- a. Improved ballistic protection for UK staff in their place of work and accommodation. This action is required quickly as the threat is likely to worsen in the coming weeks.
- b. Improved passage of information and access to detailed threat assessments. Current levels of information are poor and the CPA system for dissemination and action in the aftermath of an incident is inadequate. Greater influence is required from within the system.
- c. Consideration of future accommodation options with enhanced ballistic protection. Favoured options will involve some cost and will need to be finessed with the US who are also reviewing their options.”¹⁶⁰

231. COBR also commissioned FCO-led reviews of training, briefing and terms and conditions for UK civilian staff in Iraq, to “ensure that there is consistency across all government departments seconding staff and consultants”.¹⁶¹

232. The findings of the FCO-led reviews are described later in this Section.

¹⁵⁷ Public hearing, 6 July 2010, pages 43-44.

¹⁵⁸ JIC Assessment, 5 November 2003, ‘Iraq security’.

¹⁵⁹ Minute OD Secretariat [junior official] to Sheinwald, 28 October 2003, ‘Iraq: Review of Security Arrangements for UK Staff’.

¹⁶⁰ Paper [unattributed], 3 November 2003, ‘Physical and Protective Security for UK Staff in the Coalition Provisional Authority (Baghdad): Executive Summary’.

¹⁶¹ Minute OD Secretariat [junior official] to Sheinwald, 28 October 2003, ‘Iraq: Review of Security Arrangements for UK Staff’.

233. Sir Nigel Sheinwald visited CPA(South) in early November.¹⁶² During the visit a number of issues were raised by civilian secondees, including:

- Insufficient security support, limiting mobility of CPA staff (currently only eight protected vehicles for over 60 staff requiring transport).
- Inadequate succession planning (the much praised DoH team particularly complained of this).
- Over-reliance on TA soldiers to perform specialist civilian jobs.”

234. On 11 November, Sir Michael Jay advised Permanent Secretaries and the heads of organisations with secondees in Iraq that the FCO was considering “on a contingency basis – whether it would make sense to reduce the numbers of civilian staff if the security situation were to deteriorate; and, if so, which staff we should retain in those circumstances”.¹⁶³

235. Sir Michael reported that, in Baghdad, following the recommendations of the review of accommodation after the al-Rashid Hotel bombing, the FCO was pursuing urgently the possibility of constructing accommodation in the basement of the Green Zone Convention Centre. The work could take two to three months, but the FCO was pressing hard for it to be ready before Christmas. In the meantime it was looking at interim arrangements.

236. Sir Michael explained that, to ensure security measures were implemented effectively and threat information disseminated promptly, the FCO had set up co-ordination structures in London, Baghdad and Basra:

“The London Iraq Security Committee, chaired by the FCO, meets once a week with a secure video link to Baghdad (to be joined by Basra when their video equipment has been installed). Jeremy Greenstock chairs a UK security committee in Baghdad which is linked into a wider CPA security committee. A similar committee is being set up in Basra. Security issues are also discussed at Cabinet Office meetings including COBR, the group of senior officials chaired by Nigel Sheinwald [ISOG] and the Ad Hoc Ministerial Group [AHMGIR], which the Foreign Secretary chairs.”

237. Sir Andrew Turnbull and Mr Gus O’Donnell, Treasury Permanent Secretary, discussed UK civilian secondees on 11 November. They agreed that there were roles in the provisional administration in Iraq that would need to continue to be filled, but that security must be tightened appropriately.¹⁶⁴

238. On 14 November, Mr Drummond approved an expansion of DFID’s contract with CRG for “security support services” in Basra and Baghdad.¹⁶⁵ The number of CRG

¹⁶² Letter Cannon to Owen, 13 November 2003, ‘Iraq: Nigel Sheinwald’s Visit: Operational Issues’.

¹⁶³ Letter Jay to Chakrabarti, 11 November 2003, ‘Security of UK Civilian Secondees in Iraq’.

¹⁶⁴ Minute [unattributed and undated], ‘Sir Andrew Turnbull’s Bilateral with Gus O’Donnell 11 November 2003’.

¹⁶⁵ Manuscript comment Drummond, 14 November 2003, on Minute Iraq Directorate [junior official] to Drummond, 31 October 2003, ‘Iraq – the extension of security support services for Baghdad and Basra’.

personnel was increased from 16 to 68 and the contract extended to 31 March 2004, reflecting the expected increase in staff numbers in Basra and the recognition that “a permissive security environment will not be a reality for some time”.

239. On 24 November, Mr Straw requested £2m from the Treasury for “essential new, secure accommodation for UK civilian staff in Baghdad”.¹⁶⁶ He explained that the security review after the al-Rashid bombing had recommended conversion of the ground floor of a car park near the Convention Centre in the Green Zone into secure accommodation. Mr Straw advised Mr Boateng that the work would be completed in January. In the meantime:

“... ad hoc accommodation for staff is extremely uncomfortable and unsatisfactory from a security point of view. To reduce discomfort somewhat, many staff are now sleeping in vulnerable trailers. We cannot allow this situation to continue any longer than absolutely necessary.”

240. Mr Boateng approved the request on 8 December.¹⁶⁷

241. The IPU briefing for Mr Straw’s visit to Iraq on 25 and 26 November included an update on staff security.¹⁶⁸

242. The IPU explained that FCO Overseas Security Advisers (OSAs) made regular joint visits with DFID to Iraq. There had been four visits since May 2003. The next was scheduled for the turn of the year.

243. The IPU summarised security provision in Baghdad, Basra and the governorates:

“Mobile Security

“All travel outside the Secure Zones must be in full armoured convoys with a minimum of two vehicles. There are currently 52 armoured vehicles in Iraq, shared between Baghdad and Basra, and six Governorate Teams. 23 more will arrive in theatre by the end of November. A further 40 will arrive by February. All such convoys include a four-man armed protection team supplied under contract by Control Risks Group (CRG). There are a total of 26 teams, with 104 men. A further six teams will deploy as additional armoured vehicles arrive.

“Static Security

“Security for the CPA Green (Secure) Zone in Baghdad is provided by the US military and Global Security (a private British company). The unoccupied British Embassy compound (containing the partially-built flat pack Embassy) and the

¹⁶⁶ Letter Straw to Chief Secretary to the Treasury, 24 November 2003, ‘Physical and Protective Security for UK Civilian Staff in Baghdad’.

¹⁶⁷ Letter Boateng to Straw, 8 December 2003, ‘Iraq Reserve Claim’.

¹⁶⁸ Minute IPU [junior official] to PS [FCO], 24 November 2003, ‘Iraq: Briefing for Visit – 25-26 November 2003’ attaching Paper, ‘Meetings with British Staff’.

villa housing the British Office Baghdad are both guarded by a Gurkha contingent supplied under contract with ArmorGroup.

“Following the attack on the al-Rashid Hotel, all other UK civilians in CPA Baghdad are currently accommodated in trailer parks within the Secure Zone. The units now benefit from physical security barriers which protect them against lateral bomb blast. However, they remain vulnerable, particularly to mortar and rocket attack. We now have a green light to proceed with construction of new accommodation under hard cover (new trailers on the ground floor of car park building). This should be complete by mid-January.

“UK CPA civilians required to work outside the Secure Zone (eg in Iraqi ministries) are protected in those locations by an Individual Bodyguard also supplied under contract by Control Risks Group. Security for the CPA headquarters in Basra is provided by the British military.

“Close Protection

“The Head of the British Office (Chris Segar) and IraqRep (Sir J Greenstock) are protected by a ... team from the Royal Military Police Close Protection Unit.

“Security in Governorates

“Following last week’s attack on the Italian Police compound in Nasariyah, CPA Baghdad launched a review of security in the governorates where UK staff are deployed. This review is moving more slowly than we had hoped ... IraqRep have ... issued specific instructions to UK staff in the governorates to take extra security precautions. Additional physical security measures such as blast walls, bomb shelters, alarm systems and window protection, are also in the process of being implemented.

“UK staff in the governorates are subject to the same security procedures and discipline as UK staff in Baghdad and Basra (eg armoured cars and armed protection teams). Evacuation plans are being drawn up and tested.”

244. Contingency plans for the phased withdrawal of UK CPA secondees in Baghdad were ready by 1 December.¹⁶⁹

245. Sir Jeremy Greenstock discussed CPA staffing with Sir Michael Jay on 12 December.¹⁷⁰ He reported that “a strong spirit of commitment” among UK secondees contrasted with concern about living conditions in Baghdad and apprehension about the reaction of families in the UK to the dangers to which people were exposed.

¹⁶⁹ Minute Dodd to Sheinwald, 1 December 2003, ‘Iraq: Senior Officials Group’.

¹⁷⁰ Minute Jay to Parham, 12 December 2003, ‘Conversation with Jeremy Greenstock: Iraq: Staffing Issues’.

Some secondees who had left after the attack on the al-Rashid Hotel were returning, but security was likely to get worse rather than better and required “constant vigilance”. Communication from London to Baghdad and Basra, and with families in the UK, was important.

246. Sir Michael Jay told the Inquiry:

“... some individuals ... were rather more gung-ho and rather more prepared to take risks ... Some of the DFID people were rather less used than those of us in the Foreign Office or elsewhere, to be working in very difficult conditions. These were completely understandable differences and they never became serious issues, as far as I’m aware ... They were the sort of things that I discussed with the Permanent Secretaries concerned, so that we reached agreement on the right approach.

“... I do remember one or two conversations when some departments were less willing than others to go out into the field. I think that’s inevitable ...

“You have got to have ... duty of care at the top of the agenda and you have also sometimes got to say to people, ‘I know that you say you are willing to do that, but if you get killed, your parents are not necessarily going to thank you for that or thank us.’”¹⁷¹

247. At the weekly meeting of Permanent Secretaries on 7 January 2004, Sir Nigel Sheinwald stated that the next six months in Iraq were critical and that it was important the UK maintained the quality of its secondees.¹⁷²

248. The same day, a Treasury official advised Mr O’Donnell on the return of Treasury secondees evacuated after the al-Rashid bombing:

“Since the rocket attack on the al-Rashid hotel ... and subsequent incidents and security threats the contingent of UK economists from HMT (and the Bank of England) seconded to the CPA has withdrawn from Iraq. In part this reflects concerns about the status of the accommodation on offer ... it also reflects family wishes ...”¹⁷³

249. The official explained that the FCO’s conversion of the ground floor of a car park into hardened accommodation was scheduled for completion by the end of January. In the interim, in recognition of the critical importance of Treasury and Bank of England secondees to the restoration of economic stability in Iraq, the UK military had offered accommodation for up to three economists with “a solid roof and very good ‘point’ security”.

¹⁷¹ Public hearing, 30 June 2010, pages 62-63.

¹⁷² Minutes, Meeting of Permanent Secretaries, 7 January 2004.

¹⁷³ Email Treasury [junior official] to Perm Sec [Treasury], 7 January 2004, ‘Iraq: Secondees’ attaching Paper, ‘Iraq: secondees’.

250. The official recommended that existing volunteers, who were fully aware of the security risks, be allowed to make preparations for their return, and that new volunteers be permitted to attend a hostile environment course and deploy to Iraq, if their line manager agreed. Because of the timing of courses, new volunteers would not be able to deploy until at least 28 January.

251. On 9 January, Mr O'Donnell's office replied that he was "keen to see HMT people return if the conditions are appropriate and that people who volunteer are made fully aware of, and are trained about, the risks".¹⁷⁴

252. On 14 January, Sir Michael Jay informed Sir Andrew Turnbull and Permanent Secretaries that the FCO and DFID had 165 civilian staff in Iraq.¹⁷⁵ The total was likely to rise above 200 in June, before falling after the transfer of sovereignty. Sir Michael provided a breakdown of the 165 by employer:

- 37 FCO staff;
- 23 FCO contractors;
- 52 seconded via the FCO from OGDs and the police;
- 5 DFID staff; and
- 48 DFID contractors.

He also provided a breakdown by geographical location:

- 72 in Baghdad:
 - 50 in CPA Baghdad (including 7 in the UK-CPA Co-ordination Cell);
 - 9 in the British Office Baghdad;
 - 8 in IraqRep (the office of the Prime Minister's Special Representative);
 - 4 in the DFID Baghdad Office;¹⁷⁶
- 77 in Basra:
 - 72 in CPA(South);
 - 5 in the Basra Governorate Team; and
- 16 in other governorates.

253. Sir Michael listed 14 areas of UK civilian involvement in CPA Baghdad:

- policing and SSR;
- oil;
- governance;
- press and communications;

¹⁷⁴ Email PS/Gus O'Donnell to Kilpatrick, 9 January 2004, 'Iraq: Secondees'.

¹⁷⁵ Letter Jay to Turnbull, 14 January 2004, 'Iraq – Civilian Staffing' attaching Paper, 'Iraq: Civilian Staffing'.

¹⁷⁶ The numbers in Sir Michael Jay's list add up to 71, not 72.

- finance;
- immigration and customs;
- infrastructure and infrastructure security;
- civil affairs;
- human rights;
- justice;
- media policy and regulation;
- gender;
- youth and sport; and
- civic education.

He described the spread of functions in Basra as “even wider”, given the UK’s “overall responsibility” there.

254. Sir Michael explained that the extra staff expected to deploy between January and June were likely to include:

- 30 more secondees to CPA(South);
- a DoH team for CPA(South) and the southern governorates;
- “political process consultants”; and
- FCO staff setting up new diplomatic posts in Baghdad and Basra.

255. Sir Michael anticipated that numbers should fall to between 70 and 80 after the transfer of sovereignty, spread across the British Embassy Baghdad, the British Embassy Office Basra and “possibly” other regional offices. He warned that FCO human and financial resources were stretched, but concluded that plans for the next six months were “sensible – and manageable as long as the necessary resources are available”.

256. Sir Michael Jay also updated Permanent Secretaries on security and duty of care on 14 January:

“We would not normally deploy civilian staff to an area as dangerous as Iraq now is. But Treasury Solicitors have confirmed to the Cabinet Office that we are complying with our duty of care if (i) we take all reasonable measures to mitigate risk, at least on a par with other governments, (ii) staff are volunteers, and we put no pressure on them to take up posts in Iraq, and (iii) we deploy staff for good reason. We are confident we are fulfilling these requirements.”

257. On mitigation of the security risk, Sir Michael explained:

“The CPA itself is responsible for CPA staff security. But our guidelines and additional security assets bring security for British staff up to levels which we believe are required to allow staff to do their jobs while mitigating the risk to an acceptable

level. Most importantly, all British civilian staff are required to travel in armoured vehicles and in convoy with armed protection teams ... We have to be prepared for the possibility of serious casualties: ... people may just be in the wrong place at the wrong time.”

258. Sir Michael Jay visited Baghdad from 21 to 23 January. He told Mr Straw:

“There are some tensions on the ground, notably over security, particularly in Baghdad: staff tend to put a greater premium on quality of life ... than on security. I believe Jeremy Greenstock’s maxim that no British staff should be killed by a predictable attack is right.”¹⁷⁷

259. On 18 February, Mr O’Donnell confirmed to Sir Jeremy Greenstock that, in light of the assurances he had received, “Treasury secondees will be making their way back to Iraq from the beginning of next week”.¹⁷⁸

260. Lord Jay told the Inquiry:

“Flying into Baghdad [in January 2004] in a Hercules which has got red blobs on the radar screens saying ‘That’s where the missiles were fired the last time round’ concentrates the mind a bit ... These were not normal conditions. These were, I thought, very brave, very able people from a wide range of government departments doing a fantastic job in very, very difficult circumstances and you come back thinking, ‘Gosh! You have really got to focus on their safety. It is hugely important that they continue to do this job as well as they are doing it at the moment.’ But you have got to have huge responsibility for their safety.”¹⁷⁹

261. A DFID security assessment of Baghdad and Basra in January 2004 found that:

“With many more armoured vehicles now in country, constraints on the movement of staff have eased over the period but the CRG teams remain fully stretched. Numbers of British staff at both locations (Baghdad and Basra) continue to increase, and extra armoured vehicles and Armed Protection Teams (APTs) are still urgently needed.”¹⁸⁰

262. On 26 January 2004, Mr Straw requested a further £9.4m from Mr Boateng:

“The firm judgement of our security experts is that, without the protection of armoured vehicles and APTs (armed protection teams), it would be too dangerous for our civilian staff to travel outside guarded CPA compounds such as the Green Zone in Baghdad.”¹⁸¹

¹⁷⁷ Minute Jay to Secretary of State [FCO], 26 January 2004, ‘Visit to Iraq: 21-23 January’.

¹⁷⁸ Letter O’Donnell to Greenstock, 18 February 2004, [untitled].

¹⁷⁹ Public hearing, 30 June 2010, page 46.

¹⁸⁰ Paper CHAD Operations Team [junior official], January 2004, ‘DFID Security Assessment of Baghdad and Basra – January 2004’.

¹⁸¹ Letter Straw to Chief Secretary to the Treasury, 26 January 2004, ‘Iraq: Security for British Civilian Staff’.

263. Mr Boateng agreed the FCO bid in full on 30 January.¹⁸²

264. By 21 April, the number of UK civilians seconded to the CPA had risen to about 260, with approximately 120 each in Baghdad and Basra, and 20 elsewhere in Iraq.¹⁸³ Between 70 and 80 MOD civil servants were directly supporting Op TELIC.

The British Offices in Baghdad and Basra

265. During the CPA period, the expansion of the British Office Baghdad and the opening of a British Office in Basra were delayed by the limited availability of security assets and the need to prioritise other UK activities in Iraq.

266. The British Office Baghdad was opened by Mr Segar on 5 May 2003.¹⁸⁴

267. Originally staffed by a team of four, by late summer 2003 it had eight UK-based staff and a locally employed British Council officer. The Commercial Section was staffed by two UKTI officials and a secondee from industry.

268. The flat pack Embassy arrived in Baghdad on 23 June in 80 containers. It consisted of prefabricated office and accommodation units and was designed to house up to 40 staff.

269. On 18 July, in a letter to Mr Boateng requesting additional funds for security enhancements to FCO posts in Iraq, described earlier in this Section, Mr Straw reported that the British Office Baghdad was assembling the flat pack Embassy under 24-hour sniper watch and would “soon be up to full strength of eight UK-based officers”.¹⁸⁵

270. On 5 August, FCO officials discussed proposals from Mr Segar to expand the British Office Baghdad to 10 UK-based and 23 local staff.¹⁸⁶ Mr Crompton informed Mr Segar that availability of security assets was likely to be “a major constraint” on his expansion plans: “further increases in armed protection teams, armoured cars and other security equipment could only be funded through compensating savings elsewhere”. He advised Mr Segar “to think carefully about prioritising”.

271. On 19 August, after the bombing of the Canal Hotel, the British Office Baghdad was moved from the former British Embassy compound to a villa in the CPA secure zone.¹⁸⁷

272. After visiting Baghdad at the beginning of September, Mr Crompton advised Mr Edward Chaplin, FCO Director Middle East and North Africa, that there was “a clear

¹⁸² Letter Boateng to Straw, 30 January 2004, ‘Iraq Reserve Claim’.

¹⁸³ Letter Tebbit to Turnbull, 21 April 2004, [untitled].

¹⁸⁴ Minute IPU [junior official] to PS [FCO], ‘Iraq: Briefing for Visit – 25-26 November 2003’ attaching Paper [unattributed], ‘Background on Other Issues’.

¹⁸⁵ Letter Straw to Chief Secretary to the Treasury, 18 July 2003, ‘Iraq-Related Costs’.

¹⁸⁶ Letter Crompton to Segar, 13 August 2003, ‘BOB staffing, security and accommodation’.

¹⁸⁷ Minute IPU [junior official] to PS [FCO], 24 November 2003, ‘Iraq: Briefing for Visit – 25-26 November 2003’ attaching Paper [unattributed], ‘Background on Other Issues’.

and distinct role for a ... British Office [Baghdad] to pursue bilateral interests and begin developing long-term contacts".¹⁸⁸ There were also "many opportunities for TPUK and British Council", but expansion plans should be "moderated to match the availability of accommodation and security assets".

273. Further work appears to have halted until early 2004, when the FCO created a project management team in London, with project managers in Baghdad and Basra, to plan the UK's post-CPA representation in Iraq.¹⁸⁹ The planning process is addressed later in this Section.

274. In November 2003, the IPU reported that work on the flat pack Embassy had stopped and that it would shortly be secured and waterproofed "until the security situation is more permissive and work can continue".¹⁹⁰

275. In July 2003, the FCO put on hold plans to open a British Office in Basra by the end of August in order to focus on strengthening CPA(South).¹⁹¹ Any staff already identified for the British Office were to be redirected to CPA(South).

276. On 15 July, the IPU recommended to Mr Straw that the FCO establish "a limited form of UK mission in Basra on 1 December 2003 which would be gradually staffed by FCO UK secondees moving across" from CPA(South).¹⁹² The IPU recommended a total of six UK-based staff, including one from TPUK, and an unspecified number of local staff. DFID and the British Council were reported to have indicated an interest in having one representative each.

277. Mr Straw agreed the proposal subject to Treasury approval of the necessary funds.¹⁹³

278. A decision on whether to open a British Office in Mosul was postponed.

279. Mr Julian Metcalfe, Head of FCO Estate Strategy Unit, informed Mr Collecott on 30 July that efforts to identify premises for the British Office in Basra were "turning into something of a joke" because of security constraints and the shortage of staff resources in CPA(South).¹⁹⁴

¹⁸⁸ Minute Crompton to Chaplin, 5 September 2003, 'Visit to Iraq: 31 August to 3 September'.

¹⁸⁹ Minute Jay to Foreign Secretary, 6 February 2004, 'Iraq: Post-Transition Representation' attaching Paper, 'Future UK Representation in Iraq'.

¹⁹⁰ Minute IPU [junior official] to PS [FCO], 24 November 2003, 'Iraq: Briefing for Visit – 25-26 November 2003' attaching Paper, 'Background on Other Issues'.

¹⁹¹ Minute Crompton to Ehrman, 9 July 2003, 'British Office Basrah'.

¹⁹² Minute IPU [junior official] to PS/Straw, 15 July 2003, 'Iraq: Establishing a British Office in Basra and Mosul'.

¹⁹³ Minute Owen to IPU [junior official], 21 July 2003, 'Iraq: Establishing a British Office in Basra and Mosul'.

¹⁹⁴ Minute Metcalfe to Collecott, 30 July 2003, 'Basra Offices'.

280. Two FCO officials visited Basra to identify a suitable location on 30 July, 24 hours after Sir Hilary Synnott's arrival as the new Head of CPA(South).¹⁹⁵ They reported that Sir Hilary had been very helpful, but that, in the absence of FCO staff able to facilitate the visit, it had "bordered on farce at times". Initially they had been told there was no transport or protection available for a tour of the city, but the visit was "saved at the eleventh hour from being a total disaster" by the MND(SE) visits officer and MOD/CPA liaison officer. The officials did not reach firm conclusions on a location and recommended "a more structured visit" soon.

281. Sir Hilary Synnott advised the FCO that December was not soon enough to establish a bilateral presence in Basra.¹⁹⁶ Commercial, visa and consular demands were all increasing. Much as he would like to help, CPA(South) did not have the capacity or the mandate to do so. He therefore recommended the early creation of a small "UK bilateral cell" in Basra.

282. Mr Straw submitted a claim on the Reserve to cover the expected cost of setting up and running the Basra Office in his letter to Mr Boateng on 18 July.¹⁹⁷

283. Mr Boateng rejected Mr Straw's claim on 9 September, explaining that he "would have expected the FCO to have adjusted their internal Resource Allocation Round at the end of last year" when faced with what was an "increasingly likely" contingency.¹⁹⁸

284. In November 2003, Sir Nigel Sheinwald advised Mr Blair that the idea of a bilateral UK office in Basra to handle "trade contacts, culture and visitors ... fell by the wayside in the summer" and needed to be revived.¹⁹⁹

285. Mr Blair asked for the FCO to "put in place a British Office in Basra to handle trade contacts, cultural ties, visitors etc".²⁰⁰

286. The IPU advised Mr Straw that there would be advantage in revisiting the idea of setting up a small unit in Basra for bilateral work, arranging visits and managing the establishment of a post-CPA British Office, "not least to flag up the resource implications to No.10".²⁰¹ Costs could be kept to a minimum by using staff already selected for other roles and providing accommodation on the CPA(South) site. Other Whitehall departments would join as the project developed.

287. On 27 November, the FCO informed No.10 that it proposed to set up a "Bilateral Unit" in Basra run by an FCO official, under the supervision of Mr Henry Hogger, the

¹⁹⁵ Paper FCO Services [junior official], 5 August 2003, 'Basra (Future Offices)'.

¹⁹⁶ Telegram 41 FCO London to Baghdad, 4 August 2003, 'Iraq: Pursuing British Interests in Southern Iraq'.

¹⁹⁷ Letter Straw to Chief Secretary to the Treasury, 18 July 2003, 'Iraq-Related Costs'.

¹⁹⁸ Letter Boateng to Straw, 9 September 2003, 'Iraq Reserve claim'.

¹⁹⁹ Minute Sheinwald to Prime Minister, 10 November 2003, 'Visit to Iraq'.

²⁰⁰ Letter Rycroft to Adams, 11 November 2003, 'Iraq: Next Steps'.

²⁰¹ Minute IPU [junior official] to PS [FCO], 25 November 2003, 'Iraq: Draft Letter on British Office, Basrah'.

Basra Governorate Co-ordinator. UKTI, DFID and the British Council had identified staff to work in the new office. If circumstances and resources allowed, the “Bilateral Unit” would oversee the establishment of a substantive “British Transitional Office”.

288. Mr Hogger explained on 2 January 2004 that there was “little to report yet on implementing the Prime Minister’s wish for the establishment of a British Office in Basra”.²⁰² He hoped that a visit by security experts in January would make progress on identifying possible premises for an “embryonic British Office” and the eventual Consulate. He advised that, in the current security climate, the British Office would almost certainly have to be housed in the CPA/UK military compound, which was already overcrowded.

Preparations for the transfer of sovereignty

289. On 15 November 2003, the Iraqi Governing Council announced an accelerated timetable for the transfer of sovereignty to an Iraqi transitional administration, with the CPA to be dissolved by 30 June 2004 (see Section 9.2).

290. *Hard Lessons*, Mr Stuart Bowen’s account, as US Inspector General for Iraq Reconstruction, of the US experience of reconstruction between 2002 and 2008, described the impact of the new timetable:

“Reconstruction plans that had just been devised on a two-year timetable now had to shift, and the rush began to prepare Iraq’s government to stand on its own in seven months.”²⁰³

291. On 5 December, Sir Hilary Synnott advised the FCO that the compressed timetable made adequate staffing more important than ever. Recruitment needed to look beyond the dissolution of the CPA. The UK would need to sustain “an intensive development co-operation/technical assistance relationship” with Iraq and “might usefully maintain an international co-ordination role. This will require a careful transitional process with maximum use of acquired experience.”

292. Sir Michael Jay visited Iraq from 21 to 23 January 2004 to discuss the implications of the transfer of sovereignty with UK staff in Baghdad and Basra.²⁰⁴ He discussed his findings with Mr Straw on 29 January.²⁰⁵

293. On 6 February, Sir Michael submitted formal recommendations for an Embassy in Baghdad, a Consulate General in Basra and an office in either Kirkuk or Mosul.²⁰⁶

²⁰² Telegram 1 CPA Basra to FCO London, 2 January 2004, ‘Prime Minister’s Visit to Basra: Scenesetter’.

²⁰³ Bowen SW Jr. *Hard Lessons: The Iraq Reconstruction Experience*. U.S. Government Printing Office, 2009.

²⁰⁴ Minute Jay to Secretary of State [FCO], 26 January 2004, ‘Visit to Iraq: 21-23 January’.

²⁰⁵ Manuscript comment Adams to PS/PUS [FCO], 30 January 2004, on Minute Jay to Secretary of State [FCO], 26 January 2004, ‘Visit to Iraq: 21-23 January’.

²⁰⁶ Minute Jay to Foreign Secretary, 6 February 2004, ‘Iraq: Post-Transition Representation’ attaching Paper, ‘Future UK Representation in Iraq’.

294. Mr Straw sent Mr Gordon Brown, the Chancellor of the Exchequer, an indication of the estimated costs of post-transition representation on 11 February as the basis for detailed discussions between FCO and Treasury officials.²⁰⁷ Combined annual running costs for the three bilateral offices were estimated at £37.1m, including £21.7m (58.5 percent of the total) for security.

295. Mr Straw attached a paper setting out the proposed functions of the three offices and estimated staff numbers for Baghdad and Basra:

- Baghdad: 78 resident UK staff (including police and MOD advisers), up to 20 visiting contractors and DFID staff during peak activity, and 55-56 local staff; and
- Basra: 81 resident UK staff (including police), 10 visiting contractors and 30 local staff.

296. The expectation was that it should be possible to reduce UK representation as Iraq stabilised.

297. The paper stated that office infrastructure and key staff should be in place by the end of June. Recruitment of staff and development of sites would begin as soon as agreement had been reached with the US on a number of issues, including the use of potential sites. The plan was to recruit staff for one year if possible, six months renewable if necessary. Recruitment would not be easy. As one incentive, the FCO planned to give staff the option of having their families in Kuwait.

298. The paper also stated that the FCO had created a project management team in London, which had set up a cross-Whitehall Transition Project Management Group including representatives of interested government departments. An FCO officer had been seconded to the State Department transition team and a UK civilian was a member of the CPA Transition Team.

299. Sir Kevin Tebbit explained the arrangements for looking after civilian personnel in Iraq to Sir Andrew Turnbull and Permanent Secretaries on 21 April 2004.²⁰⁸ There were two categories of civilian employee: MOD civilians deployed as part of Op TELIC, and other staff and contractors, either seconded to the CPA or deployed directly to Iraq, who were “under the wing of IraqRep”.

300. Sir Kevin explained:

“... the 70-80 MOD civil servants deployed at any one time in direct support of Operation TELIC effectively enjoy the same protection as the military, alongside whom they live and work. They would be unlikely to have to leave, but if they were, the arrangements would be made through the Permanent Joint Headquarters which is part of their reporting chain and also ‘owns’ the military transport assets. This would be fairly straightforward given the numbers involved.

²⁰⁷ Letter Straw to Chancellor of the Exchequer, 11 February 2004, ‘Iraq: Post-Transition Representation’.

²⁰⁸ Letter Tebbit to Turnbull, 21 April 2004, [untitled].

“Of the IraqRep staff (including civil servants and contractors) there are about 120 each in Baghdad and Basra and 20 or so in smaller locations. Most are based in secure locations which are currently protected by Coalition Armed Forces. Protection whilst on the move is normally provided by private contractors. The security guidelines for these staff is constantly under review, based on risk assessment done by full time FCO security managers in Baghdad and Basra. Staff understand that they are volunteers and that they may return to the UK if not comfortable with the security arrangements.

“In the event that HMG civilians had to be withdrawn from the South, the UK Armed Forces would assist with the evacuation of UK staff, through Basra Airport, by road to Kuwait, or by sea, depending on the operational circumstances. Those in Baghdad would be assisted to leave through the airport. In the outlying areas the US military would assist. Detailed contingency plans are being drawn up.”

301. Sir Kevin also commented on concerns expressed by Permanent Secretaries that the withdrawal of civilian contractors could undermine the reconstruction effort:

“The impact on reconstruction would indeed be serious if contractors began to withdraw, although there is little evidence that this is happening on a large scale. Most companies seem to realise that they must balance their desire to participate in [the] reconstruction effort with the need to look after their staff. Many are reassessing their security arrangements, but look likely to remain ... No UK or US funded contractor has withdrawn from Iraq.”

302. The Annotated Agenda for the AHMGIR on 22 April advised that security had deteriorated “markedly” over Easter (9 to 12 April) and that the risks to UK civilian staff in Iraq were “high”.²⁰⁹ The deployment of civilians had been reviewed and, as a temporary measure, new deployments to Baghdad had been suspended and staff unable operate in the current security environment had been withdrawn.

303. The AHMGIR approved the recommendation that all other staff should remain in Iraq subject to continuing review.²¹⁰

304. The 11 May meeting of ISOG discussed a concern raised by Mr Patrick Nixon, Sir Hilary Synnott’s successor as Head of CPA(South), that there would be a gap in reconstruction activity in the South between the end of the CPA and the launch of major infrastructure projects in August.²¹¹ The number of UK reconstruction staff would fall from 51 to seven (see Section 10.1).

305. On 18 May, Mr Philip Parham, Head of the FCO Iraq Operations Unit (IOU), updated Sir Michael Jay on the security of civilian staff in Iraq.²¹²

²⁰⁹ Annotated Agenda, 21 April 2004, Ad Hoc Group on Iraq Rehabilitation meeting.

²¹⁰ Minutes, 22 April 2004, Ad Hoc Group on Iraq Rehabilitation meeting.

²¹¹ Letter Cabinet Office [junior official] to Buck, 13 May 2004, ‘Iraq: Senior Officials Group’.

²¹² Minute Parham to PS/PUS, 18 May 2004, ‘Iraq: Security of Civilian Staff’.

306. Mr Parham reported that, in Baghdad, all staff were accommodated under hard cover, very few road journeys were authorised beyond Baghdad and there was heightened concern about the road between Baghdad Airport and the Green Zone. There was no operational alternative to using the airport road and staff would continue to use it while mitigating risks as far as possible.

307. Security in Basra had deteriorated over the previous two months. Staff were accommodated in soft-skinned CPA trailers, which were being sandbagged to give extra blast protection. Progress had been very slow, but was now being expedited. From 30 June, all staff at the British Embassy Office Basra would be under hard cover.

308. Mr Parham explained that the drawdown of CPA(South) staff would begin in early June as transition approached and that DFID was considering whether to bring forward the departure of experts performing non-essential tasks.

309. Mr Parham also reported on the security of UK staff in other provinces:

- In Nasiriyah, Mr Rory Stewart, Deputy Governorate Co-ordinator, had already been evacuated with the Co-ordinator and the CRG close protection team on 17 May after the CPA compound had come under sustained attack. Mr Parham explained that it would not make sense for civilian staff to return to the CPA office. Instead, a core staff might operate from the Italian military base “as security allows”.
- Mr Nixon and the Basra Security Manager would visit Samawah, the capital of Muthanna province, on 19 May to assess whether the Deputy Governorate Co-ordinator, the only UK member of the GT, should remain there.
- The GT for Wasit province, headed by Mr Mark Etherington, was confined to the city of Kut, where US troops were securing the CPA compound. Mr Parham advised that the UK would pull out its staff if US troops withdrew.
- The GT in Kirkuk was “securely established in a well-protected compound”.
- In Erbil, Dr Liane Saunders, CPA Regional Co-ordinator, was based in an isolated compound that was “very secure and well-guarded”. She was able to operate over a wide area.

310. On 24 May, two UK civilians, an adviser to the Iraqi Oil Ministry employed by the FCO and a CRG employee, were killed by an Improvised Explosive Device (IED) just outside the Green Zone in Baghdad.²¹³

311. An initial ban on staff movements outside the Green Zone introduced after the attack was lifted on 26 May.

312. ISOG instructed the FCO, MOD and DFID to review staff deployments, and the FCO and MOD to speed up the delivery of Electronic Counter-Measures (ECMs)

²¹³ Letter Overseas and Defence Secretariat [junior official] to Buck, 26 May 2004, ‘Iraq: Senior Officials Group’.

against remotely controlled IEDs, which had been on order for “some time” and were now urgent.

313. IED counter-measures are described in more detail in Section 14.1.

314. On 27 May, Mr Stuart Jack, Mr Parham’s successor as Head of the IOU, advised Mr Straw:

“... we are currently at the limit of technical measures we can apply to protect staff in Iraq. They have armoured cars and armed protection ... All staff have body armour and helmets. Everyone in Baghdad now sleeps under hard cover ... security managers are constantly reviewing the threat and apply the security guidelines robustly; if travel becomes too dangerous, staff are required to remain in the secure zone. It would be difficult to do much more and still allow staff to carry out their jobs.”²¹⁴

315. Mr Jack identified three options for “further minimising” risk to staff:

- “(i) We could bring forward departure dates for those staff scheduled to leave in June, as DFID are planning.
- “(ii) We could delay the deployment of new staff going out to fill jobs at the Embassy.
- “(iii) We could reduce our presence in Baghdad.”

316. FCO security advisers visited Baghdad and Basra again from 14 to 20 June. Mr Millett reported that the threat was higher than on the advisers’ previous five visits. Security within the secure zones was good, but transport security remained the main problem.²¹⁵ He stated:

“We have now reached the limit of what we can do to protect staff in Iraq ...
[I]f the numbers of attacks increase further, we have nowhere else to go ...

“We must ensure the numbers of staff are kept as low as possible consistent with achieving our strategic objectives in Iraq. We also have to ensure that we keep the contingency plan up-to-date for evacuation by the US and/or UK military.”

317. Mr Richmond reported on 17 June that the threat to staff in Baghdad was at its highest level since April 2003.²¹⁶ Journeys outside the Green Zone were only being approved under exceptional circumstances, seriously handicapping operational capacity (although work to support the Prime Minister’s Office and some other programmes were continuing). He had asked all staff who were not staying beyond 30 June to leave by 21 June.

²¹⁴ Minute Jack to PS [FCO], 27 May 2004, ‘Iraq: Civilian Staffing and Security’.

²¹⁵ Minute Millett to Buck, 25 June 2004, ‘Iraq Security’.

²¹⁶ Telegram 328 IraqRep to FCO London, 17 June 2004, ‘Iraq: Security of Personnel’.

318. Participants at the Inquiry’s civilian outreach event commented that, although it was difficult to arrange travel to meetings outside the Green Zone in Baghdad from mid-2004, it was equally difficult for Iraqis to attend meetings inside the Green Zone. Iraqis did so at significant personal risk and did not understand why their UK interlocutors appeared to be so risk averse. The participants reported that similar conditions prevailed in Basra from mid-2006.

319. In March 2004, Mr Jack completed a review of the FCO’s worldwide security strategy, commissioned in response to the attack on the UK Consulate General in Istanbul in November 2003.²¹⁷ The terms of reference were: “To review the basis for the FCO Security Strategy. In particular to re-examine the balance between security and operational effectiveness.” Mr Jack’s review identified risk management as the most important tool available to identify the measures needed to meet the FCO’s duty of care to staff.

320. The FCO Board endorsed the main conclusions of the review on 26 March.²¹⁸

321. In late June 2004, the FCO advised staff of the review’s conclusions, including that, although total risk avoidance was unrealistic, risk management was fundamental to striking a balance between security and operational effectiveness, and to the prioritisation of security resources.²¹⁹ The FCO’s Security Strategy Unit was reported to be developing a risk matrix to help inform decisions in posts.

322. On 23 June, DFID officials sought advice from Treasury Solicitors on draft guidance on DFID’s duty of care responsibilities in Iraq.²²⁰ Treasury Solicitors confirmed that:

“... DFID, in common with all other employers, owes its employees a duty to take reasonable care for their physical and mental health and safety in all the circumstances of the case so as not to expose them to unnecessary, reasonably foreseeable risk of personal injury or death ...

...

“What DFID must do in order to comply with the duty of care depends on what is reasonable in all the circumstances, which include not only its own knowledge of the risks but also the degree of control it has over its employees given where they are, their experience and the nature of their work.

...

²¹⁷ Report Jack, March 2004, ‘Security Review: Final Report’.

²¹⁸ Letter Millett to FCO Heads of Mission, 29 April 2004, ‘FCO Security: Stuart Jack’s Report’.

²¹⁹ Telegram 224 FCO London to Abidjan, 29 June 2004, ‘Review of FCO Security Overseas’.

²²⁰ Letter Treasury Solicitors [junior official] to Department for International Development [junior official], 25 June 2004, ‘Duty of care to staff in Iraq’.

“Should DFID’s employees be in Iraq at all, given current circumstances? The answer is that DFID is free to employ its employees on work which will expose them to unavoidable risk of injury or death (ie against which it cannot guard by taking precautions); and, in the absence of express stipulation to the contrary, the risk is held to be with them and not with DFID. The law, however, requires DFID to use all reasonable care to diminish any inherent dangers, if it cannot eliminate these; and, if (as I presume to be the case here) it cannot effectively eliminate the dangers so that significant risks remain, it may be required to give its employees such information which is available to it to help them evaluate properly the benefits of being in Iraq against the risks. However, such a duty is more likely to arise where the risks are *not* common knowledge (which I would say they probably are here).

“DFID is not legally obliged to provide staff of consultancy organisations with the same level of support as it gives its own employees. Nor is it required by law to underwrite the steps taken by NGOs to support their staff working in Iraq.”

323. On 29 July, Treasury Solicitors added that DFID should “consider carrying out formal, periodic risk assessments as a further safeguard, and amending advice and procedures as a result of any relevant risks identified”.²²¹

324. The first version of the DFID guidance on duty of care seen by the Inquiry is dated January 2005.²²² It stated:

“DFID has a responsibility to take reasonable measures to protect its employees from risk of injury (physical, psychological) or death ... DFID does not guarantee that an employee will not be injured ... In taking reasonable care, DFID will only be liable if there is some lack of care on its part for failing to prevent something that was reasonably foreseeable ...

“All employees have a duty to take all reasonable steps to mitigate any risks to their safety and security to which they are exposed ...

“All UK-based DFID staff visiting or working in Iraq are volunteers and are under no obligation to travel to Iraq and can leave Iraq at any time without penalty ...”

325. On the question of DFID’s obligations to non-DFID staff, the guidance stated:

“Individual consultants are not the employees of DFID and are ultimately responsible for their own well-being and security arrangements ... However, bearing in mind the prevailing security conditions and difficulty of working in Iraq, DFID aims to provide solo and singleton consultants with the same levels of security, logistical and counselling support as it does its own staff ...

...

²²¹ Letter Marriott and Treasury Solicitors [junior official] to Department for International Development [junior official], 29 July 2004, ‘Duty of care document’.

²²² Paper Iraq Directorate, January 2005, ‘Iraq: Guidance for DFID on its duty of care’.

“Consultancy organisations are responsible for the well-being and security arrangements of their staff deployed to Iraq. Consultancy organisations are strongly advised to follow the same rules and procedures as DFID does for its own staff ...

“The responsibility for duty of care provisions and the security of NGO employees working in Iraq is held by the NGO. DFID will offer to meet the reasonable costs of providing the same level of security to NGO staff working on a DFID-financed project as DFID does for its own staff.”

The post-CPA UK civilian presence in Iraq

326. On 1 July 2004, officials informed the AHMGIR that the British Embassy Baghdad and “Consulates” in Basra and Kirkuk had started operating.²²³ Baghdad was reported to have 75 staff, Basra 47 and Kirkuk three.²²⁴

327. The FCO predicted that numbers in Baghdad would grow to “around 100 UK staff, of whom over half will be consultants to Iraqi ministries and advisers on Security Sector Reform”.²²⁵ The British Embassy Office Basra would consist of “around 80 UK-based staff, of whom around 60 will be consultants and security sector advisers”.

328. Participants at the Inquiry’s civilian outreach event told the Inquiry that those arriving in mid-2004 felt a clear disconnect between the CPA, whose staff were shutting up shop and anxious to be home, and what followed. Knowledge acquired by CPA personnel was not passed on and commercial rivalry between old and new contractors damaged continuity.

329. The security situation deteriorated as the number of civilian personnel rose.

330. On 12 July, Mr Simon Collis, the new Consul General in Basra, described security as “the greatest immediate preoccupation”.²²⁶ He added:

“As we prepare to move beyond the bare essentials of an office, a secure perimeter, accommodation in hardened containers and a canteen – none yet fully in place – our duty of care requires that, after security, morale must be a high priority. Access to social amenities is currently less than any post I have seen ...

...

“Rapid staff turnover (the tour cycle, with breather visits, leaves only five months in post before moving on) means there is a lack of institutional memory. And as yet there is no cadre of experienced local staff to provide continuity ...

“We need to take care to get the next phase of estate development right. This means breaking the rush-job habits which have, necessarily, been a feature of the

²²³ Minutes, 1 July 2004, Ad Hoc Group on Iraq Rehabilitation meeting.

²²⁴ The minutes do not distinguish between UK-based and local staff.

²²⁵ Telegram 236 FCO London to Abidjan, 2 July 2004, ‘Iraq: New Embassy and Embassy Offices’.

²²⁶ Telegram 77 Basra to FCO London, 12 July 2004, ‘Basra: Creating and Supporting a New Consulate’.

inception phase ... We have an excellent team here. And the Consulate [the British Embassy Office] will be a fine building when completed.”

331. Mr Collis told the Inquiry:

“Security was the most important factor, and by several orders of magnitude more significant than any other single constraint, because it made it much more difficult to tackle any of the other constraints.”²²⁷

332. On 5 August, Mr Collis reported that the detention on 3 August of four members of the Office of the Martyr Sadr (OMS) militia had increased tension between the Sadrist militia and the MNF in Basra City, Maysan and Nasiriyah.²²⁸

333. The tension was such that Mr Collis considered there was “a fair probability of mortar attack attempts on British bases tonight, possibly including our Consulate”.

334. The British Embassy Office was locked down in mid-August.²²⁹ Mr Collis reported that, with the help of the military, staff were able to fly out on recuperation breaks using spare seats on helicopters visiting the military compound in Basra. They then transferred to military flights from Basra Airport to Kuwait. Staff were not yet using that route to return to the compound.

335. The British Embassy Office Basra was locked down at least three times in the second half of September, including:

- after further OMS attacks on 17 and 18 September;²³⁰
- after an attack on the Basra Palace site on 22 September;²³¹ and
- after attacks on international civilian vehicles in Basra on 28 September.²³²

336. On 29 September, there were three rocket attacks on the Basra Palace site, including a direct hit on the British Embassy Office.²³³

337. On 21 September, Mr Dickie Stagg, FCO Director General Corporate Affairs, reported on a short visit to Baghdad and Basra.²³⁴ He informed senior FCO officials, including Sir Michael Jay and Mr Sawers, that he had been impressed by the “resilience

²²⁷ Private hearing, 22 June 2010, page 48.

²²⁸ Telegram 86 Basra to FCO London, 5 August 2004, ‘Iraq: OMS activity in Basra’.

²²⁹ Telegram 104 Basra to FCO London, 12 August 2004, ‘Southern Iraq: Sitrep’.

²³⁰ Telegram 151 Basra to FCO London, 18 September 2004, ‘Iraq: Clashes in Basra’.

²³¹ Telegram 154 Basra to FCO London, 23 September 2004, ‘Iraq: Basra Security Situation’.

²³² Telegram 156 Basra to FCO London, 28 September 2004, ‘Iraq: Attacks on International Civilian Vehicles in Basra’.

²³³ Telegram U/N [un-numbered] Basra to FCO London, 29 September 2004, ‘Attack on British Consulate Basra’.

²³⁴ Minute Stagg to Jack, 21 September 2004, ‘Iraq: Security/Morale/Staffing’.

and good spirits of staff (many of whom extend beyond six months) in exceptionally testing circumstances”. Mr Stagg concluded:

- a) We need to review constantly the number of staff in both posts to ensure that they all really can add value, in a situation in which movement off compound is so constrained. Nobody should be there unless we are clear their role is critical to the achievement of our (very important) goals in Iraq. I am sceptical about the impact of those trying to help the Iraqis reform their ministries on the basis of 2-3 meetings a week. Similar work in Sofia²³⁵ (a much less difficult environment) was impossible without having people working in the ministries full-time.
- b) We must have adequate security staff in both posts. I wasn't convinced that the arrangements in Baghdad are adequate ...
- c) We need to have a contingency plan for how to handle things if many fewer staff (at all grades) were willing to serve in Iraq because of the security situation ...”

338. Sir Andrew Turnbull and Sir Michael Jay discussed security in Iraq at their bilateral meeting on 29 September.²³⁶ Sir Andrew expressed concern about the situation in Basra. Sir Michael said that it would be necessary to reconsider the terms on which staff from different departments were in Iraq.

339. Mr Collis reported on 30 September that arrangements were being made to provide military escorts for CRG vehicles and to restrict movements to certain times of day.²³⁷ He also reported reduced availability of the military air bridge to Basra Airport that had been used in August. Staff remained under instructions to use hardened buildings only and to carry body armour when moving around the Basra Palace site at night.

340. The number of DFID contractors in Baghdad grew throughout 2004.²³⁸ By October, the number of DFID contractors in Basra was also rising, reversing the significant drop in numbers at the end of the CPA period.

341. On 8 October, FCO Iraq Directorate briefed Mr Straw on the latest assessment of the risks to FCO staff and the measures being taken to minimise them.²³⁹ Officials reported that the direct threat had heightened just as the number of UK civilians had increased with the deployment of extra DFID contractors. The FCO was “reaching the limits” of its ability to increase effective protection.

²³⁵ Mr Stagg was a former British Ambassador to Bulgaria.

²³⁶ Minute Cabinet Secretary's Private Office [junior official], 18 October 2004, 'Sir Andrew Turnbull's Bilateral with Sir Michael Jay: 29 September 2004'.

²³⁷ Telegram 158 Basra to FCO London, 30 September 2004, 'Iraq: The Threat to Us in the South'.

²³⁸ Letter Lowcock to Aldred, 24 June 2013, [untitled] attaching Table, [untitled].

²³⁹ Minute Iraq Directorate [junior official] to PS [FCO], 8 October 2004, 'Staff Security in Iraq'.

342. Officials reviewed the situation against contingencies that would trigger a reduction in the numbers of staff exposed to the threat:

“In Baghdad: a deterioration in security within the International Zone; a redrawing of its perimeter to place the Embassy at its edge ...; an increase of accurate strikes from rockets or mortars; loss of control of the airport road; or a CBW threat.

“In Basra: use of SAMS [surface-to-air missiles] in a manner that removed the scope for evacuation by air; an increase of accurate mortar or rocket strikes; more sophisticated attacks on vehicles; or a CBW threat.”

343. Officials concluded that, in Basra, a rocket attack on the British Embassy Office had triggered one of the contingencies. In consultation with other departments, the FCO had initiated a limited withdrawal of less essential staff and DFID had postponed several new deployments, largely because proposed work in the governorates was not possible in current circumstances.

344. Officials reported that, in Baghdad, the contingencies had not been triggered, but the Embassy was reviewing staffing levels. DFID had reviewed its staffing in Baghdad and planned a net reduction of six consultancy posts. Some work would be based outside Iraq with shorter visits to Baghdad, but core work with the Iraqi Prime Minister’s Office and on economic reform and support to civil society would not be affected.

345. An easing of the security situation in Basra during November came to an end with a rocket attack on the Basra Palace site on 4 December.²⁴⁰ Mr Collis reported that staff had reverted to carrying body armour when moving outside after dark, but that the Consulate Club, which had been housed in a portakabin, had reopened in a hardened location on 5 December.

346. Further low intensity and inaccurate attacks continued throughout December.²⁴¹

347. During 2004 and 2005, UK civilian personnel in Iraq became increasingly dependent on military assets for transport between and within Baghdad and Basra.

348. On 27 November 2004, after a series of attacks on the road to Baghdad Airport, the US Embassy announced the suspension all road travel to the airport by civilian staff.²⁴² Until further notice, they would travel by helicopter.

349. Mr Chaplin advised the FCO that the removal of US civilian vehicles from the airport road would raise the threat to UK road travel to an unacceptable level. US helicopters had no spare capacity and UK helicopters were committed to military operations. For the Embassy’s operations to be sustainable, it needed its own helicopter assets.

²⁴⁰ Telegram 214 Basra to FCO London, 6 December 2004, ‘Iraq: Attack on Basra Palace Site’.

²⁴¹ Telegram 227 Basra to FCO London, 23 December 2004, ‘Iraq: Stand Off Attack on Basra Palace Site’.

²⁴² Telegram 430 Baghdad to FCO London, 29 November 2004, ‘Iraq: Suspension of Road Moves to Baghdad Airport’.

350. The UK military offered help in the short term where Embassy requirements matched its plans, but was not in a position to provide a regular service.²⁴³

351. On 1 December, the Chiefs of Staff agreed an FCO request for helicopter support to the British Embassy Baghdad.²⁴⁴

352. Sir Kevin Tebbit informed Sir Michael Jay that the military would provide the best service it could over the next couple of weeks and was looking at the possibility of making additional helicopters available from Northern Ireland.²⁴⁵

353. Mr Straw raised the issue with Sir Nigel Sheinwald, who told him Mr Blair would be ready to write to the MOD to ensure its support continued.²⁴⁶

354. The FCO Senior Overseas Security Adviser (SOSA) visited Basra and Baghdad in March 2005.²⁴⁷ Security arrangements at both posts were reported to be “first class”. All staff were said to have confidence in the security arrangements, which allowed them “to work with a reasonably comfortable feeling in a very hostile environment”. Two issues were highlighted:

- A continuing shortage in Baghdad and Basra of ECMs for preventing remote detonation of IEDs. Additional suites of ECMs had been ordered, but more were needed.
- A substantial reinforcement of US patrolling along the Baghdad Airport road since the beginning of 2005. If the number of incidents along the road remained low, the British Embassy might be able to re-assess whether it could be used again.

355. In May 2005, in his valedictory as Head of the IPU, Mr Crompton advised:

“... we need to sell the notion that military assets (particularly transport) belong to HMG as a whole and that decisions on how they are used are determined by HMG, rather than MOD/PJHQ on the basis of military priorities, occasionally in ways which have not best served wider HMG objectives”.²⁴⁸

356. Section 9.4 describes the further deterioration in security during the second half of 2005, at the same time as the Government started to discuss the consequences for civilian activities of the planned drawdown of UK military forces from southern Iraq.

²⁴³ Letter Asquith to Houghton, 29 November 2004, ‘Request for Help with Helicopter Transport for British Embassy, Baghdad Between Green Zone and BIAP’.

²⁴⁴ Minutes, 1 December 2004, Chiefs of Staff meeting.

²⁴⁵ Minute Jay to Private Secretary [FCO], 1 December 2004, [untitled].

²⁴⁶ Minute Owen to IPU [junior official], 2 December 2004, ‘Iraq: Helicopter Transport’.

²⁴⁷ Minute Security Strategy Unit [junior official] to Asquith, 14 March 2005, ‘SSU Visit to Iraq’.

²⁴⁸ Minute Crompton to Sawers, 4 May 2005, ‘Iraq Reflections’.

357. On 15 July, the Iraq Strategy Group (ISG) considered a draft paper to be signed by Dr John Reid, the Defence Secretary, on operational transition in Iraq (see Section 9.4).²⁴⁹

358. The paper described a process in which Iraqi Security Forces would take primacy province by province. The transfer would be implemented from October in Maysan and Muthanna provinces. Basra and Dhi Qar would follow in spring 2006. This would lead to a reduced profile for UK forces, and reductions in numbers to around 3,000 by summer 2006.

359. After a discussion, the ISG concluded that the paper needed to cover more clearly the implications for other government departments and international actors.

360. In the revised paper, sent to No.10 on 18 July, Dr Reid stated that the drawdown could have an impact on the broader UK and international effort in the South:

“It is also possible that other (FCO and DFID) activity in Iraq aimed at developing the Iraqi police service and reconstruction will need to be curtailed or reduced, with consequent implications for HMG’s wider effort, because of the difficulties of running projects without UK military support and protection. This will need to be looked at in more detail with Other Government Departments.”²⁵⁰

361. Dr Reid’s paper also recognised that, although the drawdown was likely to deliver a significant cost saving to the military, there could be an increase in costs for others:

“Other Government Departments operating in Iraq may ... face increased security costs as they are forced to seek commercial alternatives to military force protection.”

362. The Ministerial Committee on Defence and Overseas Policy Sub-Committee on Iraq (DOP(I)) agreed Dr Reid’s recommendation on 21 July.²⁵¹

363. On 16 September, the IPU advised Mr Straw and Sir Michael Jay that the frequency and sophistication of attacks in Basra were increasing and the British Embassy Office was locked down.²⁵² The threat was greater than in autumn 2004. The IPU recommended that the number of staff be kept under review and that Sir Michael Jay press the MOD for a dedicated helicopter service.

364. Officials prepared a draft paper for DOP(I) on 27 September advising that civilian activity in the South was “heavily reliant on UK forces for a range of services”, such as accommodation outside Basra, helicopter transport and regular intelligence on security

²⁴⁹ Letter Cabinet Office [junior official] to Iraq Senior Officials, 15 July 2005, ‘MOD paper on operational transition in Iraq’ attaching Paper MOD, ‘Operational transition in Iraq’.

²⁵⁰ Paper Secretary of State for Defence, 18 July 2005, ‘Operational Transition in Iraq’.

²⁵¹ Minutes, 21 July 2005, DOP(I).

²⁵² Minute Jeffrey to PS [FCO], 16 September 2005, ‘Basra Security Situation’.

threats.²⁵³ Those services could be sourced from private contractors after the military drawdown, though at a lower “level of service” and with increased risk to civilian staff. The UK had spent £19.2m on life support (including £16m on security) in 2004/05. The cost to source those services from private contractors would be at least 80 percent higher.

365. On 29 September, after a further IED attack on a US convoy travelling on a route being considered by the British Embassy Office Basra for road transfers to Kuwait, Sir Michael Jay agreed to the temporary withdrawal of five FCO and contracted staff from Basra.²⁵⁴

366. On 30 September, Mr Straw’s Private Office sent No.10 joint FCO/MOD/DFID advice on the implications for UK policy of the 17 September “Jameat incident”, when two UK soldiers in Basra killed one Iraqi police officer and wounded another, and were detained by the Iraqi authorities (see Section 9.4).²⁵⁵ Mr Straw’s Office advised that paper had been agreed by officials, but had not yet been seen by Mr Straw. The joint paper stated:

“For FCO, DFID and OGD personnel to operate out of Basra will ... require an air bridge (similar to the one in Baghdad) from the Consulate General to Basra airport.

...

“We will need to allocate more resources, which might include military resources, to security. The next week, and possibly months, are likely to be rough. Attacks on us are becoming more sophisticated. We will need to protect our staff.”

367. A manuscript comment by a No.10 official on an advance copy of the paper shown to Mr Blair stated: “John Reid does not want this [additional military resources for civilian security].”²⁵⁶

368. General Sir Mike Jackson, Chief of the General Staff (CGS), visited Iraq in early October.²⁵⁷ His report of the visit referred to the pressure on the helicopter support fleet and the air bridge: “we really need to take stock of our AT [air transport] capability in the round, especially in light of our impending commitment to Afghanistan”.

369. In October 2005, Dr Reid sought approval from Mr Des Browne, Chief Secretary to the Treasury, to procure a counter-measure to the threat posed to UK troops by IEDs (see Section 14.1).²⁵⁸

²⁵³ Paper [draft] [unattributed], 27 September 2005, ‘The Consequences of Operational Transition for Civilian Activities in Southern Iraq: A paper for DOP(I) 20 October 05’.

²⁵⁴ Manuscript comment Jay, 29 September 2005, on Minute Iraq Operations Unit [junior official] to PS/PUS [FCO], 27 September 2005, ‘Basra Security Situation’.

²⁵⁵ Letter Hayes to Quarrey, 30 September 2005, ‘Iraq: Basra’ attaching Paper FCO/MOD/DFID, 30 September 2005, ‘South-East Iraq: impact of security incident in Basra’.

²⁵⁶ Manuscript comment Quarrey on Minute [draft] FCO/MOD/DFID, 30 September 2005, ‘Iraq: Basra’.

²⁵⁷ Minute CGS to CDS, October 2005, ‘CGS visit to Iraq: 10-13 Oct 05’.

²⁵⁸ Letter Reid to Browne, 31 October 2005, ‘Iraq UORs: M*’.

370. Ten days later, Mr Benn, who had received a copy of Dr Reid's letter, expressed his support for the proposal, pointing out that it would also "significantly reduce the current threat against UK forces and DFID staff".²⁵⁹

371. The FCO SOSA visited Kirkuk, Baghdad and Basra between 10 and 21 November.²⁶⁰ He reported that:

"The number of terrorist attacks remains at a high level and continues to be well targeted and professional. The main threat to our staff in Baghdad and Basra is from Explosively Formed Projectiles (EFPs). However, all methods of Vehicle Borne Improvised Explosive Devices (VBIEDs) can be expected in all areas in which our staff operate. Indirect fire attacks are a threat to all our bases and the threat [of] kidnap is high.

"The Security Managers and CRG are to be congratulated on their professional control of road movement ... It is clear that all road moves are subject to risk. The completion of accommodation at the police academies and at the airports in Baghdad and Basra will allow more flexibility. The use of helicopters is vital in order to change the pattern of movements.

"We recommend that all staff in Basra can move in Warrior armoured vehicles."

372. Growing pressure on military assets created tension between civilian and military personnel.

373. Assistant Chief Constable (ACC) Colin Smith, the UK's Chief Police Adviser in Iraq from May 2005 to April 2006, told the Inquiry that, when the FCO handed over responsibility for operational delivery of Security Sector Reform to the MOD in October 2005 (see Section 12.1), one UK General Officer Commanding (GOC) in MND(SE) "indicated that unless civilian contractors agreed to be carried in 'Snatch' Land Rovers their contracts should be terminated".²⁶¹

374. Chief Constable (CC) Paul Kernaghan, holder of the International Affairs portfolio for the Association of Chief Police Officers (ACPO) from 2001 to 2008, told the Inquiry that duty of care for civilians in Iraq, including police, was addressed on a collective basis in Whitehall and that he only had to intervene twice: to allow police training officers to remain overnight at their training centre; and to prohibit police officers from being transported in UK military Snatch Land Rovers.²⁶² He insisted that they be transported in better protected vehicles, including Warrior:

"I know this meant police officers were treated differently from soldiers, but police officers are not soldiers and different considerations apply."

²⁵⁹ Letter Benn to Browne, 10 November 2005, [untitled].

²⁶⁰ Minute SMD [junior official] to Patey, 1 December 2005, 'Security Visit to Baghdad and Basra'.

²⁶¹ Statement, 25 June 2010, page 7.

²⁶² Statement, 9 June 2010, page 8.

375. Protected mobility is addressed in more detail in Section 12.1.

376. On 16 December, DFID officials recommended to Mr Benn a number of changes to transport arrangements in Basra, including use of Warrior armoured vehicles by DFID staff for mission-critical visits to certain sites in southern Iraq.²⁶³ Until then, DFID staff had travelled in civilian rather than military vehicles because of their lower profile, consistent with the nature of DFID's work.

377. Officials advised Mr Benn that:

“... the continuing threat from EFPs in southern Iraq fundamentally compromises our ability to complete important projects, particularly in the power and water sectors at acceptable levels of risk.”

378. Three days later, FCO officials recommended to Mr Straw “a safe and measured return to road moves” for civilian staff in the South “in order to fully promote HMG objectives”.²⁶⁴ They proposed that, subject to regular review:

- all civilian staff be allowed to travel in Warrior armoured fighting vehicles within Basra, where there was a significant risk from armour piercing roadside bombs;
- UK civilian police officers be able to travel with contracted British Iraqi Police Advisers in their FCO armoured vehicles, escorted by UK military Snatch Land Rovers; and
- road moves in FCO armoured vehicles should restart along the main road from Basra Airport to Nasiriyah and Basra Airport to Kuwait.

379. Mr Straw approved the recommendations on 9 January 2006, provided the rules were subject to regular review.²⁶⁵

380. On 12 January, Mr Straw told DOP(I) that he remained concerned about the need to maintain staff morale, particularly in Basra. All departments needed to keep staff morale and welfare under review.²⁶⁶

381. On 2 February, DFID officials sought Mr Benn's approval to bring DFID policy on road movements into line with the FCO.²⁶⁷

382. Officials updated Mr Benn on security in Basra six days later.²⁶⁸ Rocket attacks on the Basra Palace site were becoming more frequent and accurate. Three attacks had

²⁶³ Minute [DFID junior official] to PS/Secretary of State [DFID], 16 December 2005, 'Iraq: Iraq Security Update'.

²⁶⁴ Minute Iraq Directorate [junior official] to Foreign Secretary, 19 December 2005, 'Iraq: Proposed Changes to Travel in Southern Iraq for HMG Civilian Staff'.

²⁶⁵ Minute Siddiq to Iraq Directorate [junior official], 9 January 2006, 'Iraq: Proposed Changes to Travel in Southern Iraq for HMG Civilian Staff'.

²⁶⁶ Minutes, 12 January 2006, Defence and Overseas Policy Sub Committee on Iraq.

²⁶⁷ Minute [DFID junior official] to PS/Secretary of State [DFID], 2 February 2006, 'Iraq: Iraq Security Update'.

²⁶⁸ Minute [DFID junior official] to PS/Secretary of State [DFID], 8 February 2006, 'Information Note: Security Update – Basra, Iraq'.

taken place on 5 and 6 February, without injuries or damage. The FCO and DFID were assessing options for a temporary reduction in staff numbers.

383. Officials also reported that concerns were growing for local staff, who were increasingly fearful for their safety “after reports of intimidation and murders of local staff employed by the UK” and increased tensions surrounding the Shia festival of Ashura. Mr James Tansley, the Consul General, and others had briefed local staff and did not believe there was much substance to the rumours:

“However, DFID Basra have offered local staff the option of taking time off if they feel unsafe, have advised varying routes for those who do come in and have made arrangements for varying access times and gates to the compound.”

384. On 14 February, in a paper for DOP(I), Dr Reid set out transport options for the British Embassy Office Basra and the UK-led Basra Provincial Reconstruction Team (PRT) after the handover of security responsibility to Iraqi control in Maysan and Muthanna provinces.²⁶⁹ The options included escorts from security contractors “as now, depending on local threat” and a range of military options including land and air escort.

385. DOP(I) agreed the approach set out in the paper.²⁷⁰

Departmental reviews of staffing levels

386. After reviews of personnel safety in response to an upsurge in violence in March 2006, DFID and the FCO concluded that there should be no reduction in staff numbers.

387. On 3 March, following attacks on the British Embassy Baghdad and an upsurge in violence after the bombing of the al-Askari mosque in Samarra (see Section 9.4), DFID officials reviewed personnel numbers in Iraq. They recommended to Mr Benn:

“DFID should maintain staffing at current levels for now. The FCO security advice is that there has been no significant change to our direct threat levels. We assess that existing staff remain important to the success of our programmes and that each person continues to deliver effective work despite restrictions on movements. We judge that HMG can continue to manage known threats robustly.”²⁷¹

388. That advice was restated two weeks later, in keeping with the conclusions of an Embassy audit of staff and security in Baghdad and Basra.²⁷²

²⁶⁹ Paper Secretary of State for Defence, 14 February 2006, ‘Iraq: Handover of Security in Maysan and Al Muthanna Provinces – Paper by the Secretary of State for Defence’.

²⁷⁰ Minutes, 15 February 2006, DOP(I) meeting.

²⁷¹ Minute Dinham to Private Secretary [DFID], 3 March 2005 [sic], ‘Iraq: Security of International Staff’.

²⁷² Minute Dinham to Private Secretary [DFID], 15 March 2005 [sic], ‘Iraq: Security of Staff’.

389. Mr William Patey, British Ambassador to Iraq, sent an audit of staff and security to Mr Dominic Asquith, FCO Director Iraq, on 9 March.²⁷³ He reported that all staff appreciated that working in Iraq was not without risk. The UK's safety record was good:

“Since 2003 we have only suffered two fatal casualties in Baghdad, a DFID oil contractor²⁷⁴ and a CRG team member. In Basra two CRG personnel were killed by the first Explosively Formed Projectile (EFP) in July 2005.²⁷⁵”

“Staff have reacted well to recent events ... I have reiterated that all staff are volunteers and if at any time they feel anxious they should make their concerns known. They are free to leave and no-one would think the worse of them. No-one has asked to leave.”

390. Mr Patey recommended no change to staff levels in Baghdad:

- Reducing the number of consular staff from two to one would result in no cover during staff absences and leave the Consular Section short staffed during kidnap cases.
- Reducing the size of the seven-strong Management/Security Section would be “folly”.
- The Political/Economic/Military Section was large by FCO standards, but so were the demands on it. It could not meet those demands with fewer staff while ensuring they received the decompression breaks to which they were entitled.
- The single Commercial Officer was needed to cover trade promotion and air service matters.
- The Head of DFID Iraq, Mr Tim Foy, “takes security seriously and liaises constantly with us and DFID London”. Mr Foy did not think the security situation warranted a drawdown of DFID staff.
- 2006 was “the year of the Police”. There was a large Civilian Police Section, but the key UK objective of support to the Iraqi Police Service would have to be curtailed if numbers were reduced.

391. Mr Patey advised that numbers could be reduced in Basra, but that it would have a severe impact on the service offered “while having a negligible effect on the risk”. He advised that numbers would have to be cut “drastically” to reduce the risk appreciably.

392. Mr Patey explained that risk assessments were reviewed and amended on a daily basis and in response to each incident:

“Recent changes have been a more rigorous pre-screening to ensure staff are fit enough to cope with security measures and don't pose a danger to themselves and others; and the provision of fixed accommodation at BIAP [Basra International

²⁷³ Letter Patey to Asquith, 9 March 2006, ‘Staff and Security Audit’.

²⁷⁴ DFID and the FCO have informed the Inquiry that the consultant was contracted by the FCO, not DFID.

²⁷⁵ The first EFP attack in Basra was on 29 May 2005, not in July (see Section 14.1).

Airport] and Basra Air Station. Future challenges include the shrinking of the International Zone [in Baghdad], the gradual transfer of responsibility for security to the Iraqi forces and Transition in MND(SE). We continually assess and evaluate these changes and will not hesitate to recommend changes to the establishment should we deem them necessary, even at the expense of achieving our objectives. Both missions have a robust Contingency Plan that can be invoked quickly to reduce staff numbers. Having reviewed again the two missions I judge that all staff are carrying out, or enabling others to carry out, jobs required of us by our clients in the UK.”

393. On 4 April, Mr Tansley reported a “sustained and substantial” rocket and mortar attack on the Basra Palace site during the Queen’s Birthday Party reception, with one salvo hitting and damaging a building belonging to the British Embassy Office.²⁷⁶ No staff were injured. The attack was the fifth on the Basra Palace site in seven days.

394. FCO and DFID officials put advice in parallel to Mr Straw and Mr Benn, recommending a temporary reduction in the number of staff in Basra (five each from FCO and DFID), to be reviewed after two weeks.²⁷⁷

395. The IPU explained to Mr Straw that the “security conditions generally in Basra City have made it impossible for some staff to continue working effectively (the key criterion for their presence)”. A review of staffing levels had concluded that it was “debatable whether the benefits of retaining them are commensurate with the risks faced”.

396. At the ISG on 7 April, Sir Nigel Sheinwald observed that the drawdown of civilian staff from the Basra Palace site was a significant development and asked the FCO and DFID to “consult more widely than their respective Secretaries of State”.²⁷⁸ The subsequent advice to Ministers should make clear that:

“Set against the issue of not keeping people somewhere they could not operate, there was the problem of re-entry [of civilian staff] and the political or practical fall-out of the UK being driven out of the Basra Palace by terrorists. A decision to locate our civilian presence at the airport would represent a major failure.”

397. Sir Peter Ricketts, UK Permanent Representative to NATO and FCO PUS-designate, visited Baghdad and Basra from 5 to 7 April.²⁷⁹ In his visit report on 10 April, he endorsed the FCO recommendation.

398. Sir Peter described staff as “highly committed and motivated ... well led and managed, doing important work with great enthusiasm and adaptability”.

²⁷⁶ eGram 9731/06 Basra to FCO London, 4 April 2006, ‘Iraq: Basra: Indirect Fire Attack on Basra Palace’.

²⁷⁷ Minute Iraq Policy Unit [junior official] to Private Secretary [FCO], 7 April 2006, ‘Basra: Security of British Embassy Office Situation’; Minute MENAD [junior official] to PS/Secretary of State [DFID], 7 April 2006, ‘Basra Security Update and Contingency Plans’.

²⁷⁸ Minute Cabinet Office [junior official] to Sheinwald, 10 April 2006, ‘Iraq Strategy Group: 7 April 2006’.

²⁷⁹ Minute Ricketts to Asquith, 10 April 2006, ‘Visit to Baghdad and Basra’.

399. Sir Peter reported that, although security was a major preoccupation in Baghdad, the threat from indirect fire seemed to be lower than in Basra and the ability to move around the Green Zone reduced the sense of claustrophobia. The arrangement with the RAF for guaranteed helicopter hours²⁸⁰ seemed to work reasonably well, although there were some serviceability problems with the helicopters.

400. In Basra staff felt “pretty beleaguered”. The main complaint was the difficulty getting in and out:

“It often takes two or even three days for staff to get to/from Kuwait, given the frequent delays or cancellations in the helicopter flights to Basra airport, and then the uncertainties of the RAF surf flights up to Baghdad and then on to Kuwait. This is intensely frustrating as well as inefficient, and is leading some staff to consider not taking breather breaks because of the hassle.”

401. Sir Peter recommended taking up the issue with the MOD at a high level. The Basra team perceived that the service had reduced recently because of other operational pressures on MOD assets:

“It must be in the MOD’s interests to ensure the viability of the Palace Compound, given the need for an overall plan in the South. Perhaps we should look again at contracting for a specified number of helicopter hours per month (as in Baghdad). Failing that, I wonder whether there might be a commercial solution ...”

402. Sir Peter concluded with a suggestion that, after a period of heavy capital investment and a big increase in staff, there was probably scope “to start squeezing down on running costs, eg for the security contracts”.

403. On 12 April, Mr Richmond, now FCO Director General Defence and Intelligence, and Mr Asquith discussed the Basra air bridge with Lieutenant General Nicholas Houghton, Chief of Joint Operations (CJO), who had returned from Iraq in March.²⁸¹ Mr Richmond and Mr Asquith explained that:

- The FCO would need “much greater confidence in the reliability of air transport” between the Basra Palace site, Basra Airport and Kuwait if it was to keep the staff drawdown to levels that did not have a significant impact on the UK’s ability to achieve its objectives.
- Long delays were preventing staff engaged in the SSR programme from carrying out their objectives.
- They “suspected that the problem was a mixture of military priorities and resources”. It was essential that the military viewed the operation in Basra as “a team effort”.

404. Lt Gen Houghton undertook to investigate the causes of the delays. He advised that if it was a resource problem, it could probably be resolved only at Ministerial level.

²⁸⁰ The Inquiry has not seen details of the terms of this arrangement.

²⁸¹ Minute Asquith to PS/PUS [FCO], 13 April 2006, ‘Basra’.

405. Mr Asquith informed Sir Michael Jay that FCO officials were looking again at the possibility of a private sector provider for the air bridge service and exploring the possibility of using a proposed US military air bridge between the Basra Palace site and Kuwait.

406. On 20 April, FCO and DFID officials recommended the return of a small number of staff pending a further review in another two weeks.²⁸² Their advice drew on the views of Mr Robin Lamb, Mr Tansley's successor as Consul General, who recommended a two-stage return, reflecting a reduction in indirect fire over the previous weeks, but also the continuing constraints on staff mobility and their ability to work effectively.²⁸³

407. Sir Michael Jay approved the phased return to normal staffing in Basra on 15 May, after a brief delay while officials considered the implications of the shooting down of a UK military helicopter in Basra on 6 May (see Section 9.5).²⁸⁴ Sir Michael instructed that:

“... the security situation needs to be kept under constant and active review (as I know it is), and we should be ready to draw down again if the security situation deteriorates to the extent that staff are unable to carry out their duties, or if we judge the risk simply too great for them to stay.”

408. DFID officials recommended to Mr Benn that DFID also return to full staffing, but explained that numbers would not rise substantially because DFID's programme in the South was “less labour-intensive” than six months earlier.²⁸⁵ They stated that:

“Numbers will be kept at the current level of eight with an occasional rise to 10 or 11 to account for overlap in rotations. This would mean a breakdown of two out of three DFID staff and five out of the nine consultants at the [Basra] Palace with a maximum of three DFID staff and seven consultants during handover periods ... Visitors would be additional to those numbers. Essential visits only will go ahead, by no more than two visitors and for a maximum of four days at a time.”

The Basra Provincial Reconstruction Team

409. Many of the problems the UK had encountered with the deployment of civilian personnel since 2003 resurfaced with the opening of the UK-led Basra PRT in May 2006. Those included:

- rapid turnover of staff;
- civil/military co-operation; and
- departmental co-ordination.

²⁸² Minute IPU [junior official] to PS [FCO], 20 April 2006, ‘Basra: Security Situation’; Minute MENAD [junior official] to PS/Secretary of State [DFID], 21 April 2006, ‘Basra Security and Staffing’.

²⁸³ Letter Lamb to IPU [junior official], 20 April 2006, ‘Basra: Security and Drawdown’.

²⁸⁴ Manuscript comment Jay, 16 May 2006, on Minute Iraq Policy Unit [junior official] to PS/PUS [FCO], 15 May 2006, ‘Basra: Security Situation’.

²⁸⁵ Minute MENAD [junior official] to Private Secretary [DFID], 17 May 2006, ‘Iraq: Staff Security and Staffing Levels in Basra’.

410. The Basra PRT was established on 14 May 2006 (see Section 10.2).²⁸⁶ Its first Head was Mr Mark Etherington, previously Governorate Co-ordinator of Wasit province.

411. Mr Etherington reported on 17 May that the established strength of the PRT was 35, drawn from the UK (FCO, DFID, MOD and the inter-departmental Post-Conflict Reconstruction Unit (PCRU)), Denmark and the US.

412. Mr Etherington described the “substantial” challenges facing the PRT in Basra. He judged that:

“... we have but one chance properly to configure and launch the PRT in order to maximise the chances of its success. For this reason we would wish to retain in theatre for as long as possible those resources that are already here ...

“... The key to the PRT’s capabilities will be the retention of a core of long-term civilian expertise in each envisaged work strand. Basra is our main problem and the notion of withdrawing valuable staff as the PRT gears up to tackle it is counter-intuitive.”

413. Mr Etherington advised that:

“The PRT, because of its integrated civil-military structure, has continued to function despite the difficult security environment. The military component is able to travel when the civilian component cannot ... In the event of a protracted deterioration in security terms, the PRT would also be forced to cease military capacity-building efforts in Basra; and it is probable that our Iraqi partners would be reluctant to continue meeting us. In these circumstances the PRT would have to suspend its work altogether until security was restored.”

414. In August and September 2006, the US Office of the Special Inspector General for Iraq Reconstruction (SIGIR) examined whether PRTs were “fully empowered, staffed and resourced to meet their mission, and to identify any other barriers impeding achievement of the PRT mission” (see Section 10.2).²⁸⁷

415. The SIGIR audit, published on 29 October, concluded that the creation of 10 PRTs and eight satellite offices was a “noteworthy achievement”, but that many obstacles to effective operation remained, including insecurity, a lag in funding, the difficulty of recruiting and retaining qualified civilian personnel, and the difficulty of integrating civilian and military personnel.

416. The audit stated that the unstable security situation in Basra meant that PRT members had not been able to interact personally with their Iraqi counterparts, significantly limiting the Basra PRT’s ability to achieve its mission. It questioned

²⁸⁶ Minute Etherington to [Cabinet Office junior official], 17 May 2006, ‘Basra PRT: challenges and opportunities’.

²⁸⁷ Office of the Special Inspector General for Iraq Reconstruction, 29 October 2006, *Status of the Provincial Reconstruction Team Program in Iraq*.

“whether the continued deployment of PRT personnel to ... Basra ... makes operational sense at this time”.

417. More widely, the report stated that, because of the US Government’s difficulties in recruiting civilians to serve in PRTs, a majority of positions were initially filled by military civil affairs personnel. In September 2006, of 128 positions allocated to civilians, 77 had been filled; of the 163 allocated to the military, just two were vacant.

418. The Inquiry has seen no evidence that the SIGIR audit was seen or considered by UK officials.

419. In a review of the first eight months of the Basra PRT commissioned by the PCRU and produced in March 2007, Mr Etherington made a number of recommendations, including:

- *Key staff should be held to a minimum of one year tours, with the requisite adjustments for welfare and travel.* The repeated and cyclical loss of experience in south-east Iraq [in] 2006 was damaging.
- *Where integrated bodies such as the PRT are raised in future, they should be recruited or sub-contracted by a single authority and to a single contractual template, with clear procedures established for grievance and misconduct. Ideally such groups would train together ... and move to theatre as a formed body. That single authority would also be financially and administratively responsible for the operating requirements of the group.”²⁸⁸*

420. Mr Etherington added:

“The lack of clarity regarding ownership of the PRT caused substantial administrative difficulty, for the PRT disposed of no assets of its own and no single department believed itself responsible for it ...

“Unlike other PRTs in Iraq, the UK-led team was assembled in large measure from existing effort ... While this conferred valuable operational momentum and expertise on a new team it significantly complicated administration, because the team had to merge a wide array of existing contracts, leave schemes, equipment, security procedures and cultures while lacking any defined mandate to do so.

“The administrative world which the PRT was forced to inhabit was always difficult, and verged in the early months on Kafka-esque. An FCO car in the Iraq support team at Kuwait airport would not pick up the inbound PCRU-contracted PRT office manager – or book her hotel – because she was ‘not an FCO responsibility’.”

²⁸⁸ Paper [unattributed], 26 March 2007, ‘The Establishment and Operation of the Basra Provincial Reconstruction Team (PRT), April 2006 – January 2007: Lessons Identified’.

421. Mr Etherington singled out staffing as the best illustration of the difficulties faced by the PRT:

“... the commercial company Enterplan fielded the bulk of consultants for DFID; which in turn seconded them into the PRT. Perhaps understandably, the consultants ... tended to look to either or both of their original employers for guidance and recourse; and this divided loyalty persisted because UK departments, upon whom the PRT concept had largely been forced, were lukewarm about the idea and seconded none of their civil servants into the team, preferring to retain separate departmental structures ... While this undoubtedly exposed companies like Enterplan to risk – after all, it was they who were contractually bound to individuals – it also allowed them undue influence in theatre and allowed the possibility that conflicts of interest might arise. In the only instance of the period in which misconduct proceedings were initiated these difficulties became obvious.

“The PRT consisted, at peak, of staff on seven different kinds of contract ... and the cumulative effect of managing ... [different] leave schemes, together with a range of other frictions, was to make the maintenance of momentum almost comically difficult.

“The sheer throughput of staff exacerbated this difficulty. This tended to be because parent agencies and departments tended to move ‘their’ people in and out of theatre without reference to PRT management ...

“PRT staff varied widely in calibre and disposition ...

“The Post-Conflict Reconstruction Unit (PCRU) contribution of core staff such as a communications and IT expert and office manager proved invaluable.”

422. PCRU support for the Basra PRT is addressed in Section 10.3.

Reassessment of risk and duty of care

423. At the end of May 2006, the FCO SOSA reviewed security in Baghdad and Basra with a DFID security official.²⁸⁹

424. Mr Andrew Noble, FCO Director of Security, reported the outcome to Mr Nigel Casey, Head of the IPU:

“The starting point for the review remains that the security risks to which our staff are exposed in Iraq are extreme by normal diplomatic standards. All plausible security measures are being put in place to provide as great a degree of assurance from attack as possible. But we are operating at the limits of what can be achieved, consistent with running a diplomatic mission. In such an extreme environment, the likely consequences of an accident or a piece of bad luck could make the difference between life and death. SMD’s [Security Management Directorate’s] clear

²⁸⁹ Minute SOSA to Patey, 13 June 2006, ‘Visit to Baghdad and Basra’.

assessment is that it is more a question of when there is a fatality amongst our diplomatic staff, rather than if. This assumption needs to be shared or challenged by the risk owners.”²⁹⁰

425. The main findings included:

- Significant deterioration in the security of UK posts: in Basra, because of insufficient military protection; in Baghdad, because of the increasing threat from extremists.
- An increasing threat of kidnap. FCO security officials were looking at providing key staff with transponders to detect their location in case they were captured.
- The SOSA’s judgement that senior staff were facing “undue political pressure to ‘produce the goods’ which could lead to the acceptance of inappropriate levels of risk”. Security managers and heads of close protection teams were “acting as a constraint on senior staff movements to risky areas”.
- Signs of speculation in other government departments about moving “off-shore” because of the “nearly impossible operating environment”.

426. On 12 June, Sir Michael Jay updated Mrs Margaret Beckett, who had succeeded Mr Straw as Foreign Secretary in early May 2006:

“We have always been aware of the risks of operating in Iraq. Because of the political importance to the UK of our work in Iraq, we have judged it acceptable to tolerate a higher level of risk there (and in southern Afghanistan) than elsewhere in the world. But our duty of care towards our staff, and towards those from other government departments who work in our posts, remains.

“We invest considerable resources in reducing as far as is possible the risk to our staff, and all those for whom we are responsible. We have in place robust structures to manage and mitigate risk, which are subject to constant review, in response to changes in the situation on the ground. We recognise, however, that there remains a residual level of risk in operating in such an extreme environment, against which we cannot wholly protect ourselves.”²⁹¹

427. Sir Michael listed the four conditions for any FCO member of staff working in Iraq:

- All staff must be volunteers;
- They must be fully aware of the security risks;
- We must do all we reasonably can to reduce the risks they face;
- Conditions on the ground must be such that staff are able to do their jobs effectively.”

²⁹⁰ Minute Noble to Casey, 6 June 2006, ‘Security of our Posts in Baghdad and Basra’.

²⁹¹ Minute Jay to Foreign Secretary, 12 June 2006, ‘Iraq: Security of Our Posts in Baghdad and Basra’.

428. Sir Michael informed Mrs Beckett that, in response to the SOSA's report, he had asked for another review to look at "the context for our operations in Iraq; our broad approach to the risks we face; the structures and procedures we have in place to manage the risks; the extent to which these are being observed in practice; and whether these satisfy our legal obligations towards our staff". He hoped that the review would "enable us to satisfy ourselves that an acceptable basis for continuing our operations in Iraq remains".

429. Sir Michael also advised Mrs Beckett that Mr Patey and Mr Lamb "both rejected entirely the suggestion that 'senior staff in our missions are facing undue political pressure to produce the goods'". Mr Patey was clear that the advice of professional security advisers on the ground had never been overruled.

430. Staff in Basra remained concerned about the unreliability of the Basra air bridge.²⁹² A visiting member of FCO HR Directorate reported that the air bridge was affecting people's ability to do their job, "adding to the angst" of decompression breaks and final departures:

"My own inward journey experience was 27 hours from leaving my hotel in Kuwait to arriving at Basra Palace with an overnight at Basra Airport. My previous trips by road to Basra usually took a morning. When I got to ... Basra Airport I found that there were several ... staff stuck waiting for a helicopter move – some had been waiting as long as four days ... The US have agreed that we can put staff on their weekly Chinook flight to/from Kuwait, but there are no guaranteed places ..."

431. On 18 June, a locally engaged (LE) member of staff at the British Embassy Office Basra was murdered. His wife, also an LE member of staff, was seriously injured.²⁹³

432. The murder raised concerns about the growing threat to local staff.

433. The FCO and DFID adopted different responses, reflecting the different roles and work patterns of their local staff.

434. DFID officials advised Mr Benn that, as a consequence of the murder, DFID's single LE member of staff in Basra was staying at home and DFID's five local contractors had been advised to avoid the Basra Palace site.²⁹⁴ Further advice would follow when more information was available from the FCO.

435. Mr Asquith updated Mrs Beckett on 21 June.²⁹⁵ He reported that the assumption was that the two LE staff had been targeted because they worked for the British

²⁹² Minute [FCO junior official] to Asquith, 4 July 2006, 'Visit by HR Manager to Basra 14-19 June 2006'.

²⁹³ eGram 25107/06 Basra to FCO London, 19 June 2006, 'Basra: Shooting of Consulate General Local Staff'.

²⁹⁴ Minute [DFID junior officials] to PS/Secretary of State [DFID], 20 June 2006, 'Iraq Security Update: Basra and Baghdad'.

²⁹⁵ Minute Asquith to Private Secretary [FCO], 21 June 2006, 'Assassination of Locally Engaged Staff in Basra'.

Embassy Office. UK and US LE staff were regularly intimidated in Baghdad and Basra. One US LE member of staff had been murdered in Basra on 4 June. Multi-National Force – Iraq (MNF-I) interpreters had also been killed.

436. Mr Asquith reported that Mr Lamb had advised LE staff not to come to work until further notice, although local labourers and support staff working for contractors on the premises had continued to come in. A number of steps were under consideration to improve LE staff security. The attack was not judged to have changed the security conditions for UK-based civilians and it was not, therefore, proposed to draw down UK staff.

437. DFID officials put further recommendations to Mr Benn on 23 June, drawing on advice from DFID Basra.²⁹⁶ Pending agreement from the FCO, which was expected imminently, officials recommended that:

- at his own request, the DFID LE staff member in Basra should leave the country as soon as possible on a two-month development attachment;
- the locally contracted administrative assistant for power projects should be relocated to Basra Airport; and
- two other locally contracted staff should work from home for two months.

438. On 14 July, DFID officials explained to Mr Benn that DFID and the FCO had adopted different approaches:

“FCO offered their office-based staff three months’ salary if they wanted to leave. We believe most have now accepted this offer. FCO is now deciding if and how to fill these positions with either UK or third country nationals ... Although far from ideal, this has so far had no significant impact on DFID’s work.

...

“We suggest that, where staff can work remotely (on project sites, at home, in town), we should continue to employ them on the same basis as before and that we maintain our position on this as originally planned despite it differing from the FCO approach. Our circumstances are different. FCO local staff are needed on a daily basis at the [Basra] Palace. Most of our local staff are not and the two administrative staff who were, have already resigned. All of our local staff know that they have the option to work flexibly, to take time off if they feel threatened and to leave if they feel it is too dangerous.”²⁹⁷

²⁹⁶ Minute [DFID junior official] to PS/Secretary of State [DFID], 23 June 2006, ‘Iraq Security Update: Basra and Baghdad’.

²⁹⁷ Minute MENAD [junior official] to PS/Secretary of State [DFID], 14 July 2006, ‘Information Note: Security Update – Iraq’.

439. The introduction of the Locally Engaged Staff Assistance Scheme in 2007 in recognition of the uniquely difficult circumstances faced by LE staff is addressed later in this Section.

440. The IPU review of security submitted to Sir Michael Jay on 30 June examined the FCO's approach to risk in Iraq, structures and procedures to manage that risk, the extent to which those structures and procedures were being observed in practice and whether they satisfied the FCO's legal obligations towards its staff.²⁹⁸

441. The IPU explained that other FCO departments had contributed to the review. DFID officials had also participated and would report to their Ministers separately.

442. The IPU stated that the FCO approach to risk derived from its "duty of care in law to take reasonable steps to prevent reasonably foreseeable harm to ... FCO employees (UK-based and locally engaged) as well as those who visit the premises of our missions and work from there eg from OGDs".

443. The description of the FCO's duty of care was derived from a paper prepared by FCO Legal Advisers as part of the 2004 FCO Security Review. The Legal Advisers stated:

"Whether a duty of care exists in particular cases depends on whether the death, injury or damage sustained was foreseeable, whether there was a relationship between the FCO and the claimant viewed by a court as one of 'proximity' and whether the court considers it fair, just and reasonable to impose a duty ...

"Even if a duty of care does exist in a particular case, the FCO is liable in law only if it is found to have breached that duty, ie to have fallen below a reasonable standard of conduct through negligent acts or omissions. The fact that an attack on a mission has succeeded does not necessarily mean that the FCO was at fault or has failed to act reasonably."

444. The IPU described the FCO's "basic approach" as "risk averse":

"... if we judge a situation exists whereby personnel are exposed to greater risk than the mitigating measures in place to deal with that risk, that task will not be undertaken ..."

445. Decision-making structures were reported to be in line with the recommendations of the 2004 review. London decision-makers were the Foreign Secretary, the PUS (and FCO Board of Management) and the Iraq Director, supported by the IPU. Advice was provided by the Director General Corporate Affairs and Director General Defence and Intelligence and their subsidiary departments, and by FCO Legal Advisers.

²⁹⁸ Minute IPU [junior official] to PS/PUS [FCO], 30 June 2006, 'Iraq: Review of Security' attaching Paper Iraq Policy Unit, June 2006, 'Review of Security of Staff and Missions in Iraq'.

446. The decision-makers in Iraq were the Heads of Post and Post Security Officers in Baghdad, Basra and Kirkuk, advised by their Overseas Security Managers (OSMs), Post Security Committees and the UK military.

447. The IPU set out the risk assessment procedures for posts in Iraq:

- daily assessment in each post of all operations in or out of compounds and daily contact between the FCO and posts;
- weekly meetings of Post Security Committees, with records copied to the FCO with recommendations as necessary;
- every six weeks “on average”, a London-based “Nuts and Bolts” meeting to review measures in place and agree next steps, involving relevant FCO officials and other government departments as necessary;
- quarterly visits to posts by a UK-based FCO OSA, who completed a risk assessment matrix in line with FCO worldwide procedures;
- immediate reviews of security measures in response to incidents or fresh intelligence; and
- regular reviews of contingency plans and business continuity planning.

448. The IPU concluded that those procedures were “closely observed” and that steps taken by the FCO to manage the risks to staff for whom it had a duty of care “could be used as evidence of a reasonable standard of conduct by the FCO”. More work was needed to:

- improve pre-deployment procedures for staff from certain departments;
- clarify with the MOD arrangements for the evacuation of third country nationals employed by the FCO as contractors; and
- clarify the status of UK civilian police in Iraq: “It remains unclear whether they are our employees or remain employees of their constabularies.”

449. In an annex to the review, the IPU summarised departments’ and organisations’ responsibilities for the security of local and UK-based staff and contractors. It stated that the FCO’s duty of care “would extend to any visiting FCO staff and staff seconded temporarily to the FCO or working directly under FCO supervision and control”. The FCO had “a similar duty of care” to employees of other government departments, foreign governments or international organisations “who live and/or work on or visit the relevant mission compounds”. In practice, measures to protect those personnel had to be the same as for FCO staff. “Inevitably”, pre-deployment or pre-visit training and medical clearance might vary, but in the case of other government departments it was “clearly desirable that close co-ordination occurs and that the same or equivalent measures are adopted”.

450. The annex also stated that the standard of care for contractors “may, in particular circumstances, be lower than that required for employees”. Those circumstances included where contractors had security expertise of their own and when it “may not

be unreasonable for the FCO to expect them to make their own assessment as to the risks to their own staff (eg while travelling to and from post)”. Contracts with such firms and agencies needed to be carefully vetted and contractors were required to have employers’ liability insurance.

451. The IPU recommended that as many members of the FCO Board as possible attend a meeting to discuss:

- the impact of the Iraqisation of Iraqi Security Forces on security in Baghdad;
- the impact of the withdrawal of UK military personnel on security in the South;
- a thorough review of staffing levels; and
- a contingency planning exercise on coping with an emergency in Iraq, to be attended by as many Board members as possible.

452. Sir Michael Jay agreed the IPU recommendations on 3 July.²⁹⁹ He asked for:

- the status of civilian police to be clarified quickly;
- confirmation that a number of specific issues were being addressed; and
- advice on measures to protect local staff should UK-based staff be evacuated.

453. The IPU responded on 19 July:

- Efforts were in hand to tighten DFID’s pre-deployment medical screening procedures for staff and contractors.
- Pre-deployment procedures for police officers would be brought in line with those for FCO personnel by 1 September.
- Concerns remained about arrangements for the evacuation of third country nationals employed by the UK. A UK military assumption that third country nationals would be evacuated was unsatisfactory and was being pursued with the MOD.
- The Home Office had challenged the FCO view that police officers on secondment from their home police force were not FCO employees. The issue was with lawyers. The status of retired police officers was also being discussed with lawyers.³⁰⁰

454. Dr Rosalind Marsden, the newly arrived British Consul General in Basra, sent a detailed assessment of the security situation to Mr Casey on 31 August:

“The following strikes me, as a newcomer:

- (a) how exposed the Basra Palace Compound (BPC) is. We abut the city: houses, parks and fishing boats crowd around our walls. The ‘badlands’ start about two hundred feet from my office ...
- (b) the risks our local staff run to work for us ...

²⁹⁹ Minute Jay to Asquith, 3 July 2006, ‘Iraq: Review of Security’.

³⁰⁰ Minute IPU [junior official] to PS/PUS [FCO], 19 July 2006, ‘Iraq: Review of Security’.

- (c) the fragility of our transport and supply links to the airport ... There are few helicopters in theatre, those that we do have are prone to breakdown (because they are worked so hard) and, when it comes to getting a seat, the military take priority over civilians;
- (d) the difficulty and danger involved in moving around Basra City ... Because we depend on the military for support, road moves have to be planned well in advance and are sometimes cancelled at the last moment because of other operational priorities ...
- (e) the vulnerability of the BPC to indirect fire (mortars and rockets) ...

“We need to accept that the risks for UK-based staff are high and do everything possible to mitigate them. For example, we have mitigated the major threats (IDF [indirect fire], EFP and kidnapping) to an acceptable extent by providing hardened living accommodation, limiting helicopter flights to the hours of darkness, varying routes, using Warriors or three vehicle convoys, as appropriate, requiring minimum movement outside after dark and full body armour and constantly reviewing our alert status in the light of the latest intelligence ...

...

“For LE staff the threat is much greater and, I judge, increasing. We and IPU are wrestling with the dilemma of how to justify continuing to employ a bare minimum of staff ... in the light of the current threat to them.”³⁰¹

455. Dr Marsden advised that the next six to nine months would be critical to Basra and the UK legacy. The UK needed “to maintain a big operation here during that period – and indeed somewhat expand it”. The level of risk was likely to increase in the short term with the planned military surge (Operation Salamanca, see Section 9.5), but the reinforcement of the UK military presence in the BPC from 430 to 600 with the arrival of an additional Warrior company would mean better patrolling and harassment of potential firing points.

456. On 1 September, Mr Casey sent Mrs Beckett a paper on staff and security issues in Iraq.³⁰² The paper stated that:

- LE staff and contractors were particularly vulnerable;
- intimidation of LE staff had led to severe staff shortages;
- the number of LE staff in Basra had been reduced to the bare minimum;
- restrictions to mitigate the risks to UK-based staff were observed, “but erode further staff’s quality of life (and options to do anything other than work)”;
- nurses were available in Baghdad and Basra to monitor staff health and welfare;

³⁰¹ Letter Marsden to Casey, 31 August 2006, ‘Basra: Post Security’.

³⁰² Minute Casey to Private Secretary [FCO], 1 September 2006, ‘Foreign Secretary’s Visit to Iraq, 4-6 September’ attaching Paper, ‘Foreign Secretary’s Visit to Iraq: Background Brief’.

- all FCO UK-based staff worked six weeks on with 10 days off;
- FCO staff served no more than 12 months in Iraq, with the option to extend in exceptional circumstances;
- high staff turnover and decompression breaks were a major challenge;
- it remained difficult to attract new staff, especially at lower grades, despite the incentives (high allowances and decompression breaks); and
- FCO staff who did take up postings found it rewarding and almost all the current complement had extended or would extend beyond their initial six months.

457. Sir Peter Ricketts chaired a meeting with FCO, DFID and MOD officials on 1 September to review security at UK posts in Iraq.³⁰³ He informed Mrs Beckett that the meeting had seen no need to change Sir Michael Jay's four conditions for any FCO member of staff serving in Iraq.

458. Sir Peter reported that there had been a roadside attack on an Embassy convoy in Baghdad on 31 August and a similar attack on a DFID convoy in Nasiriyah on 1 September. One CRG employee had been badly injured in the Nasiriyah attack. Other examples of the evolving threat and risks included increased indirect fire attacks on the compounds in Baghdad and Basra. As risks increased, security measures evolved to mitigate them, but Sir Peter had concerns about two issues:

- Pressure to accommodate increasing numbers of officials and/or military staff with space in Baghdad and Basra at a premium. Sir Peter had asked officials to consider whether any functions, particularly on the management side, could be outsourced or relocated.
- The vulnerability of the Basra Palace site. The helicopter air bridge was mission critical. Because of wider problems with MOD helicopter availability, the FCO had had to start the procurement process for a dedicated helicopter service paid for by the FCO.

459. Later in September, Mr Asquith, who had replaced Mr Patey as British Ambassador to Iraq, advised Sir Peter Ricketts that the two attacks on UK convoys demonstrated the effectiveness of the UK's risk management measures.³⁰⁴ The number of staff at post was evaluated continually to ensure they were able to contribute to post objectives.

460. Mr Asquith reported that space on the compound in Baghdad was at a premium, but the Embassy had not reached crisis point. He saw little scope for more outsourcing. Greater use of LE staff was the obvious option, but it was difficult to find Iraqi staff willing to work in the International Zone and, with no robust way of vetting new staff, there were questions of trust and security.

³⁰³ Minute Ricketts to Foreign Secretary, 1 September 2006, 'Iraq: Security of Posts'.

³⁰⁴ Letter Asquith to Ricketts, 20 September 2006, 'Iraq: Security of our Embassy in Baghdad'.

461. Mr Asquith ended with the recommendation that the UK effort be seen in context:

“After the US we have the largest investment and the largest presence. Others look to us for direction. A major reduction in our resources risks being misunderstood as a signal of reduced commitment. Every prospective six months has been billed as a key period. But we have between now and next spring a clutch of determining events: the Baghdad Security Plan, constitutional review, oil law, amnesty, de-Ba’athification, provincial elections, International Compact, security transition ... I will continue to evaluate the risk and the level of resources.”

462. In his response to Mr Asquith on 9 October, Sir Peter Ricketts concluded:

“... you ... are right to underline the importance that is attached here to your teams’ work. But your staff’s safety must remain our paramount concern. Please do tell us immediately if you ever feel you are being pressured to take a risk with which you or your OSMs are uncomfortable.”³⁰⁵

463. Participants at the Inquiry’s civilian outreach event commented that, by that time, London had an insatiable appetite for updates on progress, which, it was understood, had to be positive. They described a tension between reporting the situation as it was and maintaining morale.

The move from the Basra Palace site to Basra Air Station

464. On 22 September 2006, a US contractor working for the State Department was killed when a rocket hit non-hardened US accommodation on the Basra Palace site.³⁰⁶ The attack was the fourth on the compound in four days.

465. The IPU advised that, although all UK accommodation was hardened, it should not be considered mortar or rocket proof. During September, the proportion of rounds landing or exploding inside the compound had increased. The IPU reported that steps had already been taken to reduce staff exposure to the increased threat, including extended breaks from Basra. In view of the latest attack, it had had asked Dr Marsden to review those steps again and consider the scope for further drawdown.

466. DFID officials sent advice in parallel to Mr Benn.³⁰⁷

467. At DOP(I) on 12 October, Ministers expressed concern that the security situation in Basra meant UK staff were “in danger, and unable to function effectively”.³⁰⁸ There was “a serious question mark over whether or not HMG had the right to ask them to stay in

³⁰⁵ Letter Ricketts to Asquith, 9 October 2006, ‘Iraq: Post Security’.

³⁰⁶ Minute IPU [junior official] to Foreign Secretary, 22 September 2006, ‘Iraq: Basra Palace Compound: Security’.

³⁰⁷ Minute MENAD [junior official] to PS/Secretary of State [DFID], 22 September 2006, ‘Iraq: Basra – Security Incident’.

³⁰⁸ Minutes, 12 October 2006, DOP(I).

such circumstances”. Many local staff had been killed or injured, or had left because of security concerns.

468. On 20 October, DOP(I) agreed that the FCO would lead urgent work on the security of staff in Basra, identifying options, costs and risks for discussion at the next meeting.³⁰⁹

469. On 24 October, Mr Casey sent Mrs Beckett a paper³¹⁰ on the future of the UK civilian presence at the Basra Palace site, which, he explained, reflected “Ministers’ clear wish to take action immediately to draw down the number of civilian staff working from that site”.³¹¹

470. In the paper, the IPU stated:

“The threat to our civilian staff operating from the Basra Palace Compound (BPC) has risen steadily over the last year, progressively constraining our operations ... **We are now at the point where, without effective military action to reduce the IDF threat, our operations from BPC face an unacceptable level of risk.**

“We need to respond. We have four broad options:

- a) **Continue to run all our civilian operations from BPC ...**
- b) **Start a phased reduction in staff at BPC now ...**
- c) **Withdraw our entire civilian operation from BPC now**, moving only a very small number to BAS [Basra Air Station], and taking the bulk out of theatre ...
- d) **Withdraw our civilian presence from Southern Iraq altogether.**

“Until now we have recommended that we maintain our civilian operations at BPC, despite the deteriorating security situation. We have recently launched a major, integrated military and civilian effort in Basra – Op SINBAD/Better Basra [see Section 10.2] – which is designed to produce sustainable change in the city and to achieve transition to Iraqi-led security responsibility. The civilian component is critical to the success of this effort.

“But in the last month the security threat has become so acute that, **unless current trends can be reversed, in particular by direct action to reduce IDF**, the risks to our civilian staff in BPC can no longer be justified. We could suffer a catastrophic incident, as the US has, at any time. The US has just decided to scale back their BPC operation to a minimum.

“**We therefore recommend Option (b).** This will further constrain our work, with some negative impact on SINBAD/Better Basra ...

³⁰⁹ Minutes, 20 October 2006, DOP(I).

³¹⁰ Dated 25 October, one day later than the covering minute.

³¹¹ Minute Casey to Private Secretary [FCO], 24 October [2006], ‘DOP: Political Strategy & Basra Palace Site’.

“But it will help reduce our staff’s exposure, without completely abandoning the BPC – which in public terms, and our relations with Coalition allies, would be very damaging. By phasing the drawdown of police advisers in particular, we can largely preserve their critical contribution to SINBAD for the moment.”³¹²

471. The IPU proposed that, moving as quickly as practicable:

- a) All **FCO** staff other than a core of Consul General, Deputy CG, Arab media spokesman, Management Officer, Overseas Security Manager and Technical Works Supervisor would relocate to BAS;
- b) The **DFID** team at BPC would reduce to one;
- c) The entire **PRT** would be transferred to BAS. This will be a major logistical undertaking and will take time to effect;
- d) The **Police** team would reduce in the next month by around 14 officers. Three of these officers would relocate to BAS. The rest would leave theatre. This would retain just enough officers in the city to provide essential support to Op SINBAD ...
- e) The **Prisons** team would leave theatre, pending progress on the Basra Central Prison Project;
- f) The 25-strong **Control Risks** close protection team would be reduced, since all road moves will now be in Warriors;
- g) The 10-strong **KBR** [Kellogg Brown & Root] **life support** team would be reduced.

“Excluding the perimeter guard force ... this will mean a **reduction in the civilian headcount at BPC from 104 to around 35**. Some 35 staff would relocate to BAS.

“The 92-strong Kroll **perimeter guard force will have to remain**. As long as we have a civilian presence in BPC, the requirement to protect the perimeter of our part of the compound will remain.”

472. DFID officials put separate advice to Mr Benn, agreed with the FCO, on the implications of the FCO plan for DFID staff in Basra.³¹³

473. It is not clear whether the IPU paper was sent to DOP(I).

474. At DOP(I) on 26 October, Ministers stated that, because of increasing concern about the security of civilian staff in Basra, the FCO “would be consulting urgently” on recommendations for the phased withdrawal of staff from the Basra Palace site to both Basra Air Station and out of Iraq.³¹⁴

³¹² Paper Iraq Policy Unit, 25 October 2006, ‘Iraq: Basra Palace Site’.

³¹³ Minute MENAD [junior official] to PS/Secretary of State [DFID], 25 October 2006, ‘Iraq – Basra: Staff Security & Basra Palace Site’.

³¹⁴ Minutes, 26 October 2006, DOP(I).

475. At the ISG on 27 October, Mr Simon McDonald, FCO Iraq Director, reported that the security situation in Basra had deteriorated to the point where Mrs Beckett had decided it would be necessary to withdraw the majority of civilian staff from the Basra Palace site.³¹⁵ Mr Martin Dinham, DFID Director Europe, Middle East and Americas, explained that Mr Benn agreed with this view. Sir Nigel Sheinwald confirmed that Mr Blair would be content to accept Mrs Beckett's judgement on the matter.

476. On 29 October, 17 Iraqi interpreters working for a British company at the police training college in Shaiba were murdered.³¹⁶

477. Mr Blair was informed on 3 November that most UK staff had withdrawn from the Basra Place site, leaving a core team of six political officers and 15 police training contractors. MND(SE) was working hard to reduce the threat from indirect fire.³¹⁷

478. The wider implications of the withdrawal are addressed in Section 9.5.

479. On 16 November, Mrs Beckett informed DOP(I) that the withdrawal had been implemented more quickly than envisaged because of security conditions.³¹⁸

480. Mrs Beckett told the Inquiry:

“... we had our own internal advice and the relevant member of staff had been out to Basra and taken a look at the situation and had come back full of concerns. Concerns that were not totally shared by the people on the ground ...

“So Michael Jay came to see me and told me that he was concerned about the welfare of staff and we had quite a long conversation about it, and, of course, both felt that this was absolutely paramount and that we had to consider what we could and should do.

“In the process of that consideration ... we also took advice from the people on the ground ... they didn't take quite such a grim view of the situation. They felt that there was still a good deal they could contribute, that there were adjustments that they could make, that the security situation could be improved and they wanted to do that.”³¹⁹

481. An IPU paper, 'Basra: Objectives and Presence in 2007', was prepared for the 7 December DOP(I).³²⁰ Mr Casey explained to Mrs Beckett that the paper was intended to share FCO thinking with other departments, including the MOD, which had been asked to produce a note in parallel on the UK military posture in Basra in 2007.

³¹⁵ Minute [Cabinet Office junior official] to Sheinwald, 30 October 2006, 'Iraq Strategy Group, 27 October'.

³¹⁶ Minute Banner to Prime Minister, 3 November 2006, 'Iraq Update & Hadley Brief, 3 November'.

³¹⁷ Minute Banner to Prime Minister, 3 November 2006, 'Iraq Update & Hadley Brief, 3 November'.

³¹⁸ Minutes, 16 November 2006, DOP(I).

³¹⁹ Public hearing, 26 January 2010, pages 7-8.

³²⁰ Minute Casey to Private Secretary [FCO], 1 December 2006, 'Iraq: Future of our Presence in Basra'.

482. In the paper, the IPU explained that:

“The political and security context for our civilian operations in southern Iraq is changing significantly. The heightened security threat, which forced us to draw down staff from Basra Palace in October, shows no sign of abating. We expect security responsibility in Basra to be transferred to the Iraqis in spring 2007. And MOD are considering a major reposturing of UK forces in the coming months, with direct implications for civilian operations.

“... In the political and security environment we are likely to face, what can we realistically hope to deliver? What civilian resources do we need to deliver those objectives, and where should they best be deployed?”³²¹

483. The IPU strongly recommended that the UK “maintain a civilian effort in Basra province during 2007”. The intention was to co-locate as much as possible of the civilian effort with MND(SE) at Basra Air Station, where plans were being pursued to construct suitable hardened facilities, without closing off immediately the option of returning to the Basra Palace site in future.

484. The IPU explained that the current PJHQ proposal was to close all bases in Basra City by April 2007 and to consolidate at Basra Air Station. Two military bases would close during January/February. The Basra Palace base, which was essential for sustaining the civilian presence, would close by 1 March. If Ministers agreed those proposals, there would be just 12 weeks to move personnel and equipment from the Basra Palace site to Basra Air Station: “an extremely tight timetable, given the operational constraints in theatre”.

485. The IPU advised that there was no prospect of being able to recommend to Ministers a return to full staffing at the Basra Palace site in the near future. It was equally clear that there was “a powerful and urgent imperative for us to get our in-country civilian operations back up to strength as quickly as possible, to deliver in the critical period ahead”.

486. The IPU added that conditions for staff at Basra Air Station would be “much tougher” than at the Basra Palace site:

“Travel to/from Basra will become much harder. We are likely to face staff recruitment and retention challenges. Space will be limited. With only 54 hardened units of accommodation we will need to make difficult choices about priorities.

“But against that, there will be significant advantages in co-location with the military – making possible a more cohesive approach than is currently possible from different sites in Basra.”

³²¹ Paper IPU, 1 December 2006, ‘Basra: Objectives and Presence in 2007’.

487. Introducing the paper at DOP(I) on 7 December 2006, Mrs Beckett stated that the decision to drawdown from the Basra Palace site had been right.³²² Work in hand suggested that the majority of civilian staff should be relocated to Basra Air Station, but urgent work was needed to make it fit for purpose, and moving staff there would undoubtedly make it a more attractive target for insurgents. Whitehall departments needed to co-ordinate plans and engage with the US.

488. A joint PCRU/DFID report on refocusing civilian efforts in Basra, produced on 19 December 2006, stated:

“It is worth noting that the rapid (unavoidable) drawdown from Basra Palace did raise concerns among MND(SE) partners about civilian commitment and the physical move to Basra Air Station has required considerable time and attention ... Construction of hardened accommodation on the FCO site at BAS is under way ... but the pace of the build may slip ... Claims on accommodation must be seen in the ‘round’ of a total demand which exceeded supply.”³²³

489. Sir Peter Ricketts told the Inquiry:

“When it became clear that the Armed Forces would in due course be moving out of the Basra Palace in the centre of Basra, and that became increasingly clear in the latter part of 2006, I was clear that our Consulate [the British Embassy Office] had to either shut and go back to Baghdad or operate out of the Air Station.”³²⁴

Sustaining the UK civilian presence during 2007

490. On 22 January 2007, Dr Marsden reported that that the number of IDF attacks on the Basra Palace site had been high and steady since October, but January was set to be a record month.³²⁵ Attacks since 15 January had also been more accurate. Dr Marsden’s OSM and Post Security Officer felt that “we are beginning to push our luck”.

491. The FCO SOSA visited Baghdad and Basra from 23 January to 1 February.³²⁶ He reported that the security situation throughout Iraq had deteriorated significantly since the last visit by an OSA in September 2006.

492. In Basra, indirect fire on the Basra Palace site had reached record levels that month. Attacks on the Contingency Operating Base (COB, the renamed Basra Air Station) were increasing, but mainly inaccurate. The SOSA was “not overly concerned” about the security of the small UK COB compound as it was on a protected military

³²² Minutes, 7 December 2006, DOP(I).

³²³ Letter Foy to Marsden, 19 December 2006, ‘Refocussing civilian efforts in Basra in the run up to PIC’ attaching Paper Foy and DFID [junior official], ‘Refocussing civilian efforts in Basra in the run up to PIC’.

³²⁴ Public hearing, 2 February 2010, page 11.

³²⁵ Letter Marsden to McDonald, 22 January 2007, ‘Basra Palace: Response to Increased IDF Threat’.

³²⁶ Minute SOSA to Asquith, 5 February 2007, ‘Visit to Baghdad and Basra’.

base, but made a number of recommendations for improving security at the COB, the Basra Palace site and two other locations in central Basra.

493. In Baghdad, the SOSA's main concern was the security of the International Zone after the handing over of checkpoints to Iraqi control. The US would ensure that its Mission remained well protected and there was a danger that the UK compound would become the target by default. The SOSA recommended:

- that a more senior member of the Embassy staff (he suggested the Deputy Head of Mission) attend meetings of the US-led International Zone security committee; and
- implementation of a number of urgent steps to strengthen and harden physical security on the UK compound.

494. In Basra by 15 March, most staff had left the Basra Palace site and the move to the COB was on track for completion by the end of the month.³²⁷ The UK military were expected to remain at the Palace until 1 August.

495. Some DFID members of the PRT for whom there was insufficient hardened accommodation in the COB were based temporarily in a PRT office in Kuwait.³²⁸

496. Mr Casey informed Sir Peter Ricketts that the SOSA was content for the International Police Advisers (IPAs) employed by the contractor ArmorGroup to remain at the Provincial Joint Co-ordination Centre (PJCC) within the police headquarters, also known as the Warren, but confirmed that the arrangement would be kept under review because of concerns about the site's viability and the fact that it was co-occupied by the Iraqi Police.³²⁹ Because there was insufficient space in the FCO's new facilities for those IPAs located at the COB, they would be accommodated in a separate COB compound with a lower standard of overhead protection. Officials were satisfied that the arrangement met the FCO's duty of care obligations, subject to a written agreement with the company.

497. On 28 March, Sir Peter Ricketts informed the House of Commons Foreign Affairs Committee of the changes in location of the British Embassy Offices Basra and Kirkuk.³³⁰

498. Sir Peter described the chief benefits of relocation in Basra as consolidation of all major elements of the UK effort in southern Iraq in the same place and improved safety for staff.

³²⁷ Minute Casey to PS/PUS [FCO], 15 March 2007, 'Iraq: Post Security Issues'.

³²⁸ Minute MENAD [junior official] to PS/Secretary of State [DFID], 5 February 2007, 'Information Note: Security Update – Iraq'.

³²⁹ Minute Casey to PS/PUS [FCO], 15 March 2007, 'Iraq: Post Security Issues'.

³³⁰ Select Committee on Foreign Affairs Minutes of Evidence, 19 November 2007, *Letter to the Chairman from Sir Peter Ricketts, KCMG, Permanent Under-Secretary of State, Foreign and Commonwealth Office, 28 March 2007*.

499. The move from Kirkuk to a temporary site at the Khanzad Hotel in Erbil had been precipitated by the US decision to relinquish the site in Kirkuk on which the British Embassy Office had been located. One benefit for UK staff would be the better security environment in Erbil.

500. On 22 April, the Chief Overseas Security Manager (COSM) at the British Embassy Baghdad reported the first IDF attack in many months in which rounds had impacted inside the Embassy compound.³³¹ Basic procedures in the Embassy had worked well:

“The incident was well controlled by the Embassy Operations Room, staffed by CRG ... The Garda World Gurkha Guard Force were excellent in their cordon and search operation. All wardens should also be congratulated on the speedy manner in which they conducted the head count. I was therefore able to give the FCO Response Centre in London an accurate report that all were safe and well within 15 minutes of the first impact.”

501. The COSM concluded with a number of lessons to be learned locally, including the need for an urgent review of the provision of “Duck and Cover” shelters and for staff to be patient while searches were carried out.

502. The British Embassy Office site on the Basra Palace site was handed over to the UK military on 26 April.³³² Mr Robert Tinline, Deputy Consul General in Basra and Mr Etherington’s successor as Head of the Basra PRT, reported that over 1,200 rockets and mortars had been fired at the Basra Palace site since attacks had increased in September 2006 and that the site had been hit 70 times:

“We were fortunate that none of our staff were killed or injured. (Others in other parts of the compound fared less well.) But we also made our own good fortune. Four accommodation ‘pods’, the bar, the gym and both the main office buildings received direct hits – but because they were hardened, no serious injuries resulted. Six of the reinforced windows were hit by shrapnel – none gave way. Mortars landed one side of ‘Hesco’ sandbag walls, leaving people the other side unharmed.”

503. Mr Tinline explained that the whole Basra Palace site was scheduled to be handed back to the Iraqis in late summer. The Iraqi authorities were expected to assume full security responsibility for Basra province at about the same time.

504. On 21 May, Mr Des Browne, the Defence Secretary, requested additional funds from the Treasury for hardened accommodation to protect troops at the COB; April had seen a threefold increase in the number of IED attacks (see Section 14.1).³³³

³³¹ Email FCO [junior official] to All Staff [British Embassy Baghdad], 22 April 2007, ‘IDF Attack 21st April 2007 – Follow Up Actions’.

³³² eGram 17758/07 Basra to FCO London, 30 April 2007, ‘Basra: Move of the British Embassy Office’.

³³³ Letter Browne to Timms, 21 May 2007, ‘Urgent Operational Requirement: Hardened Accommodation in Iraq’.

505. Mr Stephen Timms, Chief Secretary to the Treasury, approved the request on 30 May, but asked Mr Browne to take a government-wide view of how to allocate the funds, working with Mrs Beckett and others.³³⁴

506. The next day, Mrs Beckett submitted a parallel request for additional funds for an urgent programme of security works at the British Embassy Baghdad to meet the increased threat that would follow Iraqisation of security in the International Zone.³³⁵ Mrs Beckett explained:

“The £23m work in Baghdad ... will only be affordable if other departments who use the compound are prepared to contribute their full share ... Of ‘teeth’ staff on the compound, and contractors involved in operational delivery (such as police advisers), fewer than 50 percent are FCO ... Of course, there are also large numbers of contractors who provide security and life support, which is a shared benefit.

“If we are not able collectively to make this investment, we would have to look hard at how we could continue to operate safely and sustainably, meeting our duty of care to all compound users and residents ...”

507. Mr Timms replied on 19 June. He welcomed FCO efforts to reduce and absorb costs and agreed that the FCO should “work with other departments to agree joint funding”.³³⁶ He expressed willingness to agree a request to use End-Year Flexibility³³⁷ “if, after agreeing contributions with other departments and taking all viable steps to reduce and absorb this pressure, the costs cannot be managed within your capital budget this year”.

508. The limited availability of hardened accommodation at the COB and the lack of space to build more caused growing concern as the frequency and accuracy of IDF attacks increased.³³⁸

509. On 20 April, the IPU explained to Sir Peter Ricketts that IPAs employed by the FCO contractor ArmorGroup were housed in the Skylink commercial caravan park, which offered a lower standard of protection from IDF attacks. The Skylink accommodation no longer presented an acceptable level of risk. In response, the FCO intended:

“... to continue to exert downwards pressure on overall civilian staff numbers in Basra, so as to allow us to move all our IPAs into our new compound as soon as possible ... To this end, we and post will continue to look critically at all civilian slots,

³³⁴ Letter Timms to Browne, 30 May 2007, ‘Hardened Accommodation in Iraq’.

³³⁵ Letter Beckett to Timms, 31 May 2007, ‘Urgent Security Works at the British Embassy Baghdad’.

³³⁶ Letter Timms to Beckett, 19 June 2007, ‘British Embassy Baghdad’.

³³⁷ In the period covered by the Inquiry, the Treasury allowed departments to carry forward unspent funds from one financial year to the next under the End-Year Flexibility (EYF) system. Unspent funds would otherwise have to be returned to the Treasury.

³³⁸ Minute IPU [junior official] to PS/PUS [FCO], 20 April 2007, ‘Accommodating ArmorGroup IPA at the Contingency Operating Base in Basra’.

and take an aggressive approach to further reducing our footprint wherever and whenever possible (including downsizing the IPA contingent itself).

“This is a difficult balancing act: our civilian staff play a critical role in securing the progress necessary to complete our overall mission. Pulling too many out too quickly will undermine our chances of success, and potentially prolong the need for our presence. But we will aim to get everyone into fully hardened accommodation by 31 July. In early August our military will leave Basra Palace and we can expect IDF rates at the Air Station [COB] to increase further, as it becomes the sole target for such attacks.”

510. The IPU explained that, in the meantime, the FCO was taking steps to reduce the risk to those accommodated on the Skylink site. If personnel based there were injured or killed, the FCO could be open to claims of negligence if it failed to demonstrate that it had fulfilled its duty of care obligations. The FCO Legal Advisers’ view was that the measures taken and ArmorGroup’s explicit written agreement to the arrangement would put the FCO on strong ground in refuting such claims.

511. The IPU warned that if the FCO was to stop use of the Skylink accommodation it would have to remove the vast majority of the IPAs from Basra or make “deep cuts” to other parts of the mission, severely disrupting work in Basra at a critical time.

512. On 30 April, there was a direct hit on the ArmorGroup IPA office.³³⁹ The unhardened room was not occupied at the time and there were no casualties. Two IPAs in the adjacent cabin were unharmed. On the basis of reports from the OSM, Mr McDonald issued instructions to Basra that all personnel under FCO duty of care should move to hardened accommodation immediately.

513. The British Embassy Office Basra sent proposals for a reduction in personnel “to a level that should provide adequate security and acceptable living conditions for all personnel operating from the COB, while maintaining operational effectiveness”. The FCO would reduce from 12 to 10 and the Control Risks security team from 32 to 24, subject to a review by the Overseas Security Adviser later in the month. Those reductions would allow the police teams to remain at existing levels and allow three members of the PRT to return to Basra, increasing its numbers from 11 to 14.

514. Mr Benn expressed concern to DFID officials that the appropriate levels of protection were not yet in place.³⁴⁰

515. Officials explained that all staff under DFID’s duty of care had been under hard cover for some time: a pre-condition for their move from the BPC to the COB. FCO and DFID staff were, however, still eating in the unhardened military dining facility.

³³⁹ Minute IPU [junior official] to PS/PUS [FCO], 1 May 2007, [untitled].

³⁴⁰ Email [DFID junior official] to Baugh, 2 May 2007, ‘Basra: Move of the British Embassy Office’.

The hardened dining area was due to be completed by mid-July, but contingency plans were being put in place should IDF attacks prohibit use of the military facility.

516. Ministers discussed security for civilian staff at DOP(I) on 11 May.³⁴¹ Mr Benn expressed concern that hardened dining facilities were not yet available.

517. In his valedictory report to Mr David Miliband, the Foreign Secretary, on 16 August, Mr Asquith paid tribute to the work of LE and UK-based staff.³⁴² LE staff had:

“... struggled daily to our offices, in Baghdad, Basra and when we were in Kirkuk, through the wreckage that Shock and Awe and subsequent decisions produces. They have risked their lives. Some have lost them. All have lost a friend or relation. All have suffered massive upheaval ... I hope that ... the decision will be the right one when eventually Ministers address collectively how to provide protection to those who supplicate us.”

518. On UK-based staff, Mr Asquith wrote:

“By the end of a tour in any one of our three posts in Iraq, an officer experiences what elsewhere takes three or four years. Their professionalism and fortitude is of the highest order. Their determination to secure a better future for Iraq, in the face of daily frustration and barbarity, is a source of wonderment – particularly against a background when resources and attention are being diverted elsewhere.”

519. In advance of a Ministerial meeting planned for 19 July, FCO and MOD officials produced a joint paper setting out the latest “assessments and plans on security transition and the associated reposturing and drawdown of UK troops in Basra” (see Section 9.6).³⁴³

520. The paper had been discussed, in draft, at the ISG on 9 July, where it was agreed that the departure from the Basra Palace site and the Warren should happen simultaneously.³⁴⁴

521. In the paper, officials explained that the next key decision for Ministers was the timing of the withdrawal from the Basra Palace site, the “most heavily mortared and rocketed place in Iraq”. This was complicated for a number of reasons, including the impact on the UK’s SSR effort in Basra, currently co-ordinated from the PJCC, where 100 UK troops and seven UK police advisers were based. The threat to those staff if there were no significant MND(SE) presence at the Basra Palace site would be impossibly high because “there would be no quick way to get reinforcements to the site or to evacuate UK personnel in an emergency”. Officials concluded that a withdrawal

³⁴¹ Minute [DFID junior official] to PS/Secretary of State [DFID], 16 May 2007, ‘Information Note: Security Update – Iraq’.

³⁴² Letter Asquith to Miliband, 16 August 2007, ‘Iraq: Valedictory’.

³⁴³ Paper FCO and MOD, 12 July 2007, ‘Iraq: transition in Basra’.

³⁴⁴ Minute Cabinet Office [junior official] to McDonald, 11 July 2007, ‘Iraq Strategy Group, 9 July’.

from the Basra Palace site would mean closing the UK base at PJCC, and so halting SSR work and losing “situational intelligence within Basra City”.

522. The UK military handed over the PJCC to Iraqi control on 26 August.³⁴⁵ The Basra Palace site followed on 2 September. Over 5,000 UK military, the British Embassy Office, the Basra PRT and the US Regional Embassy Office were now located at the COB.

523. In December 2007, FCO Iraq Group reviewed the status of the British Embassy Office Erbil.³⁴⁶ Mr Frank Baker, Head of Iraq Group, advised Dr John Jenkins, FCO Director Middle East and North Africa, that the British Embassy Office should remain at the Khanzad Hotel despite concerns about security and value for money. Mr Baker explained that the Khanzad office achieved a score well inside the “red zone” on the FCO risk matrix. Staff in Erbil would continue to look for better short-term alternatives while preparing the business case for a long-term presence in Erbil.

524. Dr Jenkins advised Dr Kim Howells, Minister of State for the Middle East, and Sir Peter Ricketts that it was “a tough call” whether to remain in Erbil:

“There is a serious duty of care issue. The costs of maintaining the consulate in Erbil flow from this. On the other hand it does a serious job of work. The French are looking to establish a mission there. My view is that we should accept the current level of risk and maintain our presence while actively looking for other sites (which may include co-location with the French).”

525. In the first week of December, Sir Peter Ricketts visited Baghdad and Basra with Mr Bill Jeffrey, the MOD PUS, and Ms Susan Wardell, DFID Director General Operations.³⁴⁷

526. On his return to London, Sir Peter advised Mr Miliband that the most important issue to resolve was the future of the UK presence in Basra. Mr Brown, now Prime Minister, had announced a continued UK military presence until late 2008 and Air Chief Marshal Sir Jock Stirrup, Chief of the Defence Staff, intended that the UK military should leave soon after that. Mr Brown had also set a high level of ambition for the UK contribution to economic regeneration, but the UK civilian presence was entirely dependent on the military for security and life support. Sir Peter warned: “If the military go, the civilians go, unless another very capable western military force replaces us.” He also warned that the Basra PRT was small and there was “a sense of planning blight” because of uncertainties beyond late 2008.

³⁴⁵ eGram 36335/07 Baghdad to FCO London, 4 September 2007, ‘Basra: British Forces Hand Over the Final Base in Basra City’.

³⁴⁶ Minute Baker to Howells, 5 December 2007, ‘Erbil: Consulate General’.

³⁴⁷ Minute Ricketts to Foreign Secretary, 10 December 2007, ‘Visit to Iraq’.

527. Without exaggerating the problem, Sir Peter also wanted Mr Miliband to be aware of:

“... tensions under the surface between some on the UK military side (more [Lieutenant] General [William] Rollo [Senior British Military Representative – Iraq] in Baghdad than [Major] General [Graham] Binns [GOC MND(SE)] in Basra)... who think that the civilians are moving too slowly and unimaginatively, and the UK PRT in Basra who feel that they have been turned on a sixpence from an expectation of closing down in the Spring of 2008 to a series of big new expectations, but not much more resources to deliver them. Des Browne has picked up this military view.”

528. Separately, Sir Peter Ricketts suggested to Mr Baker that improving conditions in Baghdad, though not Basra, called for a reassessment of policy on the length of postings.³⁴⁸ Many staff were highly motivated and able to cope with an extra six months, if not a second year: “Quite a head of steam is building up on this issue and it needs to be tackled.” Sir Peter also reported that Mr Christopher Prentice, British Ambassador to Iraq, had made a persuasive case for an increase in staff numbers as prospects improved and the pace of work began to increase.

529. Mr Miliband visited Baghdad, Basra and Erbil from 16 to 18 December.³⁴⁹ On return, he commented to Mr Brown: “I was struck in talking to members of our locally engaged staff in Baghdad how fearful for the future they remain – and how much they have personally borne and continue to bear.”

530. Mr Miliband was impressed by staff morale and the positive “can-do” attitude in all three UK posts. He suggested to Mr Brown that: “We should think about reflecting the role of our civilian staff more widely in future statements on Iraq to Parliament.”

531. Mr Tinline sent an annual review for the Basra PRT to the US Embassy in Baghdad on 19 December.³⁵⁰ He reported that:

“**Keeping going** has been a huge challenge. The team spent three months crammed four to an 8 metre x 2 metre pod and seven months under increasingly heavy rocket attack ... And for most of the year we did not know whether we would still be in Basra in six months’ time. The burden has been greatest on our local staff. Our legal assistant was killed in April, followed by his father the week after he attended one of our legal training events. Others have been threatened. They appreciate that the British assistance scheme [for LE staff] explicitly includes them. Throughout the spirit and support within the whole team has been tremendous.”

532. Mr Tinline added that one challenge lying ahead was putting staff on a “sustainable long term footing (several members have already done two years and we are carrying some gaps on the rule of law side)”.

³⁴⁸ Minute Ricketts to Baker, 12 December 2007, ‘Visit to Iraq: Administration Points’.

³⁴⁹ Letter Miliband to Prime Minister, 27 December 2007, ‘My Visit to Iraq: 16-18 December’.

³⁵⁰ Letter Tinline to Powers, 19 December 2007, ‘Basra Provincial Reconstruction Team in 2007’.

533. The Locally Engaged Staff Assistance Scheme is addressed later in this Section.

The Charge of the Knights and the UK military drawdown

534. Section 9.6 describes the changes brought about by the Charge of the Knights, the Iraqi military operation in March 2008 to drive Shia militias out of Basra.

535. Mr Keith MacKiggan, Head of the Basra PRT from the end of September 2008, was one of several witnesses to describe the operation's impact:

“... post-Charge of the Knights, really the only constraint on our movement around the city and the wider province was the availability of military assets ... over time, even that became less of a constraint.”³⁵¹

536. The FCO SOSA visited Baghdad with a DFID security co-ordinator and a second FCO official from 15 to 18 October 2008.³⁵² He reported that there had been a dramatic reduction in terrorist incidents after the US surge, but that the threat to civilian staff remained as before. Of particular concern was the use of the Improvised Rocket Assisted Mortar (IRAM), which was more effective and accurate than IDF from long range.

537. The SOSA advised that CRG was at the limit of its capacity. It was supporting 120 civilian staff with numbers intended for 80. If there was an increase in UK civilian staff or a change in security requirements because the US decided to withdraw from checkpoints in the International Zone as part of the transition to Iraqi security control, GRG assets would need to increase.

538. After visiting Basra from 19 to 21 October, the SOSA advised that the surge had led to a significant reduction in terrorist incidents, but that the threat to staff remained unchanged.³⁵³ He highlighted the threat of IED and IDF attacks and the “high possibility of kidnap”.

539. The visit raised concerns about the condition of DFID and FCO vehicles in Baghdad and Basra.³⁵⁴ The inspectors recommended regular spot checks and the installation of additional security equipment.

540. During October, the FCO and DFID reverted to local authorisation by the Consul General and the DFID Head of the Basra PRT of moves outside the COB.³⁵⁵ All moves had been authorised from London since the deterioration of the security situation in 2005.

³⁵¹ Public hearing, 7 January 2010, page 10.

³⁵² Letter SOSA to Prentice, 6 November 2008, ‘Visit to Baghdad’.

³⁵³ Letter SOSA to Haywood, 7 November 2008, ‘Visit to Basra’.

³⁵⁴ Minute Middle East and North Africa Department [junior official] to Brown, 6 November 2008, ‘Back to Office Report – Iraq Security Review’.

³⁵⁵ Minute Middle East and North Africa Department [junior official] to Lowcock, 13 October 2008, ‘Iraq: Movements Approval’.

541. In March 2009, with the departure of the DFID Head of the PRT and the transition to US leadership, DFID authority for moves off the COB was transferred to the Head of DFID Baghdad.³⁵⁶

542. Comments from witnesses who served in Iraq reinforced the impression of slowly improving transport provision.

543. Mr Tansley, Consul General in Basra from October 2005 to April 2006, told the Inquiry: “The thing that dominated our lives, was not money and people. It was helicopters.”³⁵⁷

544. Mr Asquith, British Ambassador to Iraq from August 2006 to August 2007, told the Inquiry that transport constraints inhibited movement between Baghdad and Basra:

“Not merely was it difficult to get down there, since we were dependent, at that stage, upon helicopter trips out of Baghdad to the airport and then to Basra, and the military facilities weren’t always ready for that ...

“It was also difficult to move around Basra ...”³⁵⁸

545. Ms Kathleen Reid, Head of DFID Basra from August 2007 to September 2008, explained that:

“[Major] General [Barney] White-Spunner [GOC MND(SE)] ... made a commitment ... that they were there to support. Whatever we needed in terms of assets, he would make that happen, and I have to say, always came good on that ...”³⁵⁹

546. Mr Prentice, British Ambassador from September 2007 to November 2009, stated:

“... if we wanted to get to Basra, we needed to have a military asset. Under our duty of care regulations, we couldn’t use the emerging commercial flights, which towards the end of my period were available ... So we had to depend on helicopters and military lift. But during my time we also had use of US civilian aircraft through the US Embassy. They kindly made those available to us occasionally. So physical movement to and from Basra I would say was improving during my time but was still difficult.”³⁶⁰

547. In October 2008, FCO officials started to consider the future of the UK’s network of posts in Iraq after the military drawdown in 2009.³⁶¹ The preferred option was to maintain the status quo in Baghdad and Erbil, with a reduced presence in Basra, in order to strike “the right balance between strategic policy delivery requirements and financial pressures”.

³⁵⁶ Minute Lowcock on Minute MacKiggan to Lowcock, 30 March 2009, ‘Iraq: Basra Off-COB Movements Approval’.

³⁵⁷ Private hearing, 22 June 2010, page 72.

³⁵⁸ Public hearing, 4 December 2009, page 28.

³⁵⁹ Private hearing, 24 June 2010, page 30.

³⁶⁰ Public hearing, 6 January 2010, pages 4-5.

³⁶¹ Paper Iraq Group, October 2008, ‘Iraq Strategy from 2009: Implications for FCO’.

548. Sir Peter Ricketts supported that conclusion “from the perspective of our relations with Iraq”, but asked that FCO Ministers be given the opportunity to “consider the relative importance of continuing very high levels of FCO spending in Iraq as against other priorities”.³⁶² Decisions should not be pre-empted by Whitehall processes before that had happened. The FCO’s corporate systems were “not well developed for making those decisions about relative priorities across the network”, but there would be an opportunity for the Board to look at the issue later at the end of November.

549. Sir Peter was “struck by the extremely high cost of maintaining a presence in Erbil”. He did not believe it was possible to justify on value for money grounds a large capital investment in the city. If the UK was to remain, it had to be on the basis of co-location with another EU country.

550. On Basra, Sir Peter expressed scepticism about what a very small post, with declining interest from other departments, could achieve. Ministers needed to be given the option of closure. If they would not accept that, the FCO should review after 12 months whether staff had been able to make any difference in Basra.

551. Officials informed Mr Miliband on 8 December that the FCO Board had decided on 28 November that Ministers should be presented with two options for Basra: a mini-mission within a secure US military perimeter, to be reviewed again in 2009, or closure when UK forces left.³⁶³ There was a strong case from a policy perspective for retaining the post, but Ministers would want to consider value for money in the light of wider cost pressures. Mr Brown and DFID and Department of Energy and Climate Change (DECC) Ministers were thought to be in favour of keeping Basra open.

552. Officials explained that NSID(OD)³⁶⁴ would discuss Iraq and Afghanistan on 9 December, but that there would not be time for substantive discussion of the post-drawdown Iraq strategy. Mr Brown would invite Mr Miliband to seek agreement by correspondence.

553. NSID(OD) discussed Iraq on 9 December 2008.³⁶⁵

554. Papers provided for the meeting included ‘Iraq: arrangements for transition’.³⁶⁶ On the network of posts, the paper stated:

“FCO will retain a substantial Embassy in Baghdad at roughly current levels (20-25 FCO UK-based staff), a small post in Erbil (4 UK staff – to be reviewed again in March 2009); and – subject to Ministers’ views – a small post in Basra (3-4 UK staff, down from 9 at present) until at least March 2010. Non-staff running costs in

³⁶² Minute Ricketts to Lyall-Grant, 10 November 2008, ‘Iraq Strategy from 2009’.

³⁶³ Minute IPU [junior official] to Private Secretary [FCO], 8 December 2008, ‘NSID, 9 December: Iraq: Steering Brief’.

³⁶⁴ The Overseas and Defence Sub-Committee of the Committee on National Security, International Relations and Defence (NSID(OD)) was the successor to DOP(I) as the principal forum for Ministerial discussion on Iraq.

³⁶⁵ Minutes, 9 December 2008, NSID(OD) meeting.

³⁶⁶ Paper Cabinet Office, 8 December 2008, ‘Iraq: arrangements for transition’.

Financial Year 2008/09 are £55m. These should reduce to below £50m in 2009/10. The majority of these are recovered by FCO from cost-sharers (other departments, programme budgets, tenants).”

555. On 13 January 2009, Mr Miliband’s Private Office circulated a draft strategy for “UK policy towards and relations with Iraq following military drawdown”.³⁶⁷ It had been agreed by officials from all interested departments and by Mr Miliband.

556. Annex C set out proposals for three posts in Baghdad, Basra and Erbil:

- Baghdad. Any significant disengagement would reduce the UK’s influence and be seen as an acknowledgement of failure. The FCO assessed that the security situation allowed road moves between the Embassy and the airport, rather than the RAF helicopter air bridge, but that Iraqiisation of security in the International Zone from 2009 would require additional investment in security measures.
- Basra. The FCO did not believe it would be cost-effective to maintain the same level of civilian presence after the departure of UK combat forces. The US was likely to become the public face of the Coalition in southern Iraq and the security situation did not yet permit travel between Basra and the COB without military assistance. The FCO proposed reducing the number of UK-based FCO staff from nine to three or four; DFID would not keep resident staff in Basra after June 2009, but would pay the cost of two “virtual” slots to guarantee accommodation for visiting staff.
- Erbil. The policy case for retaining a UK presence was strong, but the cost per head of operating in Erbil was extremely high and the location in the Khanzad Hotel was not sustainable on security grounds. The FCO intended to work on a more sustainable and cost-effective arrangement.

557. Mr Alistair Darling (the Chancellor of the Exchequer), Mr John Hutton (the Defence Secretary) and Mr Douglas Alexander (the International Development Secretary) all agreed to the proposed strategy.³⁶⁸

558. Mr Baker visited Basra from 15 to 18 February 2009.³⁶⁹ He reported to Dr Jenkins that the security situation continued to improve:

“I spent a day driving around Basra, including a visit to a date farm outside the town in an area we could not have thought of visiting even three months ago ... The improvement in security has been mirrored on the COB, where body armour is no longer required to be carried while on the base.

“While it is true that the key enabler for recent progress was Charge of the Knights, it was our reaction to those events which was critical. It would have been easy to

³⁶⁷ Letter Hickey to Catsaras, 13 January 2009, ‘Iraq: strategy’ attaching Paper ‘Iraq: a review of strategy’.

³⁶⁸ Letter Jordan to Hickey, 26 January 2009, ‘Iraq strategy’; Letter Ferguson to Catsaras, 29 January 2009, ‘Iraq: strategy’; Letter Wright to Catsaras, 5 February 2009, ‘Iraq strategy’.

³⁶⁹ Minute Baker to Jenkins, 19 February 2009, ‘Iraq: Visit to Basra’.

have taken that opportunity to disengage with Basra. Instead we recognised that we could take advantage of the improving security situation ...”

559. The UK handed over the command of MND(SE) to the US on 31 March.³⁷⁰

560. An unattributed FCO review of lessons to be learned from the UK’s experience in Basra from late 2008 included a number of observations on civilian personnel:

- “FCO (and other civilian departments) need to build on the frameworks for risk ownership and management which have been put in place over the last five years to allow maximum operational flexibility on the ground consistent with our duty of care, including through the provision at an early stage in the deployment of protective assts eg armoured transport.”
- “The FCO was unprepared for the sort of operation that was to be undertaken, with the result that, in the early stages (but almost six months after the invasion) FCO staff were being sent into the field without computers, communication equipment, satisfactory communications arrangements (personal email accounts were used throughout, though some classified communications became available during 2004) and so on. Their military and DFID counterparts were better provided for.”³⁷¹

Attracting volunteers

561. Between 2003 and 2009, departments faced a range of difficulties recruiting sufficient volunteers with the right skills and experience for civilian roles in Iraq.

Problems included:

- the absence of an established co-ordinating mechanism for UK civilian recruitment;
- the absence of a deployable reserve of experts in post-conflict stabilisation and reconstruction;
- a shortage of Arabic speakers;
- imprecise and changing job descriptions;
- high turnover of staff on short deployments;
- delays caused by pre-deployment training;
- concerns among potential volunteers, their families and friends about deteriorating security;
- extraction of volunteers from existing jobs;
- negative perceptions of the career impact of a posting to Iraq;

³⁷⁰ Minute Johnstone to PS/SofS [MOD], 1 April 2009, ‘CDS visit to Iraq (Basra) to attend the MND(SE) transfer of authority ceremony – 31 Mar 09’.

³⁷¹ Paper [FCO], [undated], ‘Iraq: What Went Wrong in Basra?’ attaching Paper, ‘Reflections on Basra and the lessons to be learned from the FCO’s experience in Iraq’.

- hostility in some departments to Iraq deployments; and
- Iraq fatigue.

562. In response to those constraints on recruitment:

- The Government took steps to establish a UK cadre of deployable civilian experts as part of a strategic review of the UK's approach to stabilisation and reconstruction. That process is addressed in Section 10.3.
- Individual departments introduced a range of ad hoc incentives to volunteer.

563. With the exception of problems associated with deploying volunteers from UK police forces, addressed in detail in Section 12.1, the Inquiry has seen no indication that difficulty attracting volunteers contributed to the delays in the deployment of UK civilians to Iraq in the early months of the CPA.

564. On 25 July 2003, Sir Michael Jay reported that, since his request for volunteers on 22 April, the Government had trained and deployed “over 100 civilian staff from sixteen different branches of government”, an exercise he described as having “no modern precedent”.³⁷²

565. A Treasury official recalled in mid-2004 that he had been very impressed by the turnout at an early meeting in the Treasury for people thinking of volunteering to go to Iraq:

“We had some 60 or so people arrive for that meeting – a very high quality response – in fact such a good response that we couldn't meet everyone's desire to go out to Iraq at that point.”³⁷³

566. By autumn 2003, as Ministerial pressure to deploy greater numbers of civilians grew, departments faced increasing difficulty attracting volunteers. Ministers and officials considered a range of incentives to aid recruitment.

567. The AHMGIR on 6 November 2003 discussed the need for CPA(South) to be staffed “properly and quickly” and requested a report on recruitment.³⁷⁴

568. Mr Desmond Bowen, Head of the Cabinet Office Overseas and Defence Secretariat (OD Sec), advised:

“It has not proved easy to recruit staff to serve in Iraq, despite financial inducements. Successful candidates need to have the right technical skills, aptitude for building Iraqi capacity and willingness to work in a difficult environment.”³⁷⁵

³⁷² Letter Jay to Turnbull, 25 July 2003, ‘Iraq: UK support for reconstruction’.

³⁷³ Paper Radio Technical Services, 19 July 2004, ‘Transcript of Treasury Seminar Held in London on Monday, 19 July 2004’.

³⁷⁴ Minutes, 6 November 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

³⁷⁵ Letter Bowen to Owen, 14 November 2003, ‘Iraq: CPA (South) Staff’.

569. Mr Bowen reported that: “Extracting people from current jobs, security training and the logistics of deployment often take longer than we would want.”

570. In November 2003, the FCO Iraq Operations Unit (IOU) advised Sir Michael Jay that recruitment and succession planning were “difficult”.³⁷⁶ A number of volunteers had dropped out in recent weeks. Staffing requirements were “just about manageable” but would become more difficult if security deteriorated.

571. At a meeting with Sir Michael Jay on 25 November, Sir Hilary Synnott reported vacancies in “key areas” in Basra and advised that, unless there was “a more positive approach to recruitment, the whole policy risked failure”.³⁷⁷

572. Sir Hilary reported that he had discussed the issue with Mr Straw, who had suggested that “the [FCO] administration (and by extension other departments in Whitehall) should try to encourage people by pointing out the career advantages”. Sir Hilary had suggested paying people more.

573. Sir Michael Jay told Sir Hilary Synnott there were drawbacks to those proposals:

“The strong view hitherto in Whitehall had been that all postings to Iraq should be volunteers. Andrew Turnbull had also taken the view that we should not try to pay people the market rate to get them there. This would work for the private sector, but not for us with our duty of care to staff, which was uppermost in the minds of a number of my Permanent Secretary colleagues ... It was important to maintain Whitehall solidarity if possible.”

574. On 5 December, Sir Hilary Synnott advised that recruitment had been made more difficult by “the widely held perception that secondment to Basra might involve danger, discomfort and long hours with little reward (although seen from here, some of these concerns are exaggerated)”.³⁷⁸ Sir Hilary expressed sympathy with the view put in London that imprecise and changing job descriptions presented an additional obstacle, but argued that tasks could not be defined until there was an expert on the ground:

“We should not become mesmerised by job descriptions. The main thing is to have relatively expert people on the ground in sufficient numbers and quickly. Resourceful officers will find plenty to do for themselves. Contracts need to be sufficiently flexible to allow for this.”

575. In his valedictory on 26 January 2004, Sir Hilary Synnott expressed frustration at the slow deployment of staff, complicated by the short tours which constantly led to gaps between appointments:

“... it was brought home to me that officials could not be deployed like the military, despite notional mobility obligations; that the contracting processes to employ

³⁷⁶ Minute Parham to PS/PUS, 25 November 2003, ‘Iraq – Sir H Synnott’s call on the PUS today’.

³⁷⁷ Minute Jay to Parham, 25 November 2003, ‘Iraq: Call by Sir Hilary Synnott’.

³⁷⁸ Telegram 51 Basra to FCO London, 5 December 2003, ‘South Iraq: Before and After Transition’.

non-official civilians were lengthy; that these had to be followed by pre-deployment training which was only intermittently available; and that, crucially, departments' duty of care constrained recruitment ... [I]n these circumstances, "as fast as possible" was simply not fast enough."³⁷⁹

576. In his memoir, Sir Hilary described the shortage of human resources and expertise as "the greatest single deficiency of our civilian operation":

"It is now clear that there were two main reasons for this. Partly it was a result of the excessive priority which was, and still is, placed on the security of civilian public servants ...

"But a more fundamental reason for the short supply of personnel and other resources stemmed from a lack of political direction ... The Army could, as always, be relied upon to find solutions for themselves, albeit cut according to their overstretched means. But in the civilian domain, Blair's exhortations and verbal commitments were not reflected in exceptional measures such as identifying and encouraging volunteers by means of trawls of Embassies around the world, fast-track recruitment procedures, or new management and co-ordination systems across government departments."³⁸⁰

577. Mr James Tansley, Consul General in Basra from October 2005 to April 2006, told the Inquiry:

"Under our current terms and conditions of service you can't tell someone in the Foreign Office to go to Basra. It's a voluntary thing, and that was the Foreign Office's policy. No matter how you present it, being told you are going to be sitting in a fortified camp, being mortared every evening and probably not seeing daylight for a number of – not so much daylight, but not seeing the outside world for six weeks at a time, is not a particularly good sell, particularly if you feel that no one in London appreciates what you are doing."³⁸¹

578. Asked whether he had the right team to do what was needed, Mr Tansley replied: "The incentives weren't there."

579. Ms Lindy Cameron, Deputy Head of DFID Baghdad from January to November 2004 and Head of DFID Iraq from November 2004 to August 2005, told the Inquiry:

"Late 2003 before I got there and early 2004, it was quite hard for us to get the right people. It's important not to underestimate the impact that the bombing of the Canal Hotel had on willingness of staff to come and work in Iraq ... I recall having to brief staff before they arrived that they had to be aware that friends and family would be

³⁷⁹ Telegram 10 CPA Basra to FCO London, 26 January 2004, 'Basra Valedictory' [Parts 1 and 2].

³⁸⁰ Synnott H. *Bad Days in Basra: My Turbulent Time as Britain's Man in Southern Iraq*. I B Tauris & Co Ltd., 2008.

³⁸¹ Private hearing, 22 June 2010, page 72.

quite aggressive with them about why it was they wanted to put themselves at risk to do something that many people considered to be something which was a mistake.”³⁸²

580. Mr Tim Foy, Head of DFID Iraq from August 2005 to August 2006, told the Inquiry:

“Generally speaking, I think we did reasonably well in terms of acquiring core staff from DFID, certainly in the early years. I think it’s got progressively harder as the engagement has progressed because the lustre of going has gone there.”³⁸³

581. The recruitment of UK police officers for deployment to Iraq faced additional obstacles.

582. CC Kernaghan, holder of the International Affairs portfolio for the Association of Chief Police Officers (ACPO) from 2001 to 2008, told the Inquiry that the impact of a posting to Iraq on police officers’ careers had been a significant obstacle to effective recruitment and deployment. He had considered it his responsibility to point out to potential recruits that Iraq might not be a good career move.³⁸⁴

583. CC Kernaghan added that the police experience had not been entirely negative. After a while, the positive testimonies of returning officers had started to encourage potential recruits: “I actually found it marginally easier to deploy people. They were not affected by the big picture.”

584. Former Chief Superintendent Dick Barton, UK Chief Police Adviser in Iraq from 2006 to 2007, told the Inquiry that “it was made quite clear to me that there were no guarantees regarding postings or jobs on my return”.³⁸⁵

585. The resource cost to the contributing police force was also a constraint on recruitment. ACC Smith told the Inquiry: “Some forces, particularly the larger metropolitan, refused to allow serving officers to deploy.”³⁸⁶

586. Government departments took a number of steps to encourage staff to volunteer for Iraq, including:

- financial allowances;
- decompression breaks;
- assistance with post-Iraq job placements; and
- temporary promotion.

587. Incentives to attract UK volunteers were not introduced uniformly across government. Differences in the terms and conditions applied by different organisations persisted throughout the Iraq campaign.

³⁸² Private hearing, 22 June 2010, page 79.

³⁸³ Private hearing, 22 June 2010, page 67.

³⁸⁴ Public hearing, 23 July 2010, page 68.

³⁸⁵ Statement, 7 June 2010, page 2.

³⁸⁶ Statement, 25 June 2010, page 11.

588. In November 2003, FCO officials started to consider additional incentives to attract the growing number of volunteers needed to fill civilian roles in Iraq and to be able to replace them every few months for the foreseeable future.

589. On 3 November 2003, the IOU informed Sir Michael Jay that civil service secondees in Iraq received allowances worth about £1,500 a month, depending on grade.³⁸⁷ By comparison, FCO and DFID contractors earned up to £1,000 a day. The IOU advised:

“There is no sign, yet, that money is a significant factor in finding civil service volunteers for Iraq. But we may have to consider some improvement in the financial terms if we find it increasingly difficult to recruit the civil service staff we need over the next few months.”

590. DFID’s November 2004 ‘Guide to Overseas Terms and Conditions for Long-term Assignments in Iraq’ explained:

“DFID’s work in Iraq is very high profile and has assumed major corporate importance. Working in Iraq is dangerous and the conditions are difficult. We need staff with appropriate skills, e.g. programme management, and a high degree of self-motivation to carry out this work. So, we have devised a package of allowances and benefits specifically to attract such people and meet their needs.”³⁸⁸

591. The details provided covered financial, travel and leave entitlements, health care, insurance, accommodation and security.”

592. Hardship allowances for Iraq were said to be high compared with other countries, at £26,900 per annum in November 2004.

593. Participants at the Inquiry’s civilian outreach event who served in Iraq between mid-2004 and mid-2007 viewed the financial package available to civilians positively, but expressed some resentment towards “overpaid” private sector contractors on “extraordinary” daily rates.

594. In 2003 the FCO introduced the “Golden Ticket” for staff deployed to Iraq for three months or longer.³⁸⁹ The Golden Ticket gave the holder priority over other applicants when applying for their next job. It remained valid until a substantive job was secured.

595. The November 2004 text of the standard letter issued to FCO staff posted to diplomatic missions in Iraq stated: “HR and the wider Office value the contribution you have made, and we hope that this will go some way to recognising that.”³⁹⁰ It also

³⁸⁷ Minute Parham to PS/PUS, 3 November 2003, ‘Iraq: Civilian Staffing’.

³⁸⁸ Paper DFID, 1 November 2004, ‘Working for DFID: Guide to Overseas Terms and Conditions for Long-term Assignments in Iraq’.

³⁸⁹ Paper Foreign and Commonwealth Office, 25 October 2004, ‘Iraq Pre-Deployment Brief’.

³⁹⁰ Letter [FCO junior official], 17 November 2004, ‘Posting to British Diplomatic Missions in Iraq’.

explained that a posting to Iraq would not be counted as one of the maximum of two overseas postings usually allowed by the FCO before staff had to return to London.

596. The Golden Ticket policy remained unchanged in 2005.³⁹¹

597. An official from the FCO HR Directorate told Mr Asquith in June 2006 that staff in Basra had asked whether the Golden Ticket really meant anything.³⁹² The official had explained to staff that the ticket was not a guarantee of a dream posting but “an added extra”. It was important that staff obtained timely, good quality appraisals of their performance in Iraq to support job applications.

598. The Golden Ticket was still on offer in January 2008, with an additional caveat:

“You will be able to ‘cash in’ your ticket when you next bid for jobs. A Golden Ticket will give your bid priority over other officers’ bids *provided you are considered equally credible in the job in other respects.*”³⁹³

599. In August 2008, an official in the FCO Human Resources Directorate informed DFID that although the Golden Ticket had not been abolished formally, “we recognise that it is increasingly difficult to deliver and the staff in post also recognise this”.³⁹⁴

600. Participants at the Inquiry’s civilian outreach event who had been posted to Iraq during the CPA period commented that some people had been “pressured” to volunteer for tours in Iraq with the offer of a Golden Ticket, but nobody knew of anyone rewarded with a favourable posting on their return. Some said they had not had jobs held open for them during their absence because of cost-saving pressures.

601. Members of the group also commented that many in their home departments did not want to hear about their experiences on return from Iraq because of the negative perceptions of the conflict in departments and the wider public.

602. Participants who served in Iraq from mid-2004 to mid-2007 said that the career impact of a posting to Iraq was often more negative than positive. There was a perception that human resources departments did not recognise adequately the skills acquired and that the career benefits had been oversold during recruitment. Some returnees felt their departments saw them as something of a problem. The MOD was a notable exception, where skills had been recognised and there had been a positive career impact.

603. Some non-MOD participants also commented that performance in jobs following an Iraq posting was often poor. Possible contributory factors included low motivation and lack of understanding by subsequent managers of what staff had been through.

³⁹¹ Paper [unattributed], 25 November 2005, ‘Terms and Conditions: Temporary Duties to Iraq’.

³⁹² Minute [FCO junior official] to Asquith, 4 July 2006, ‘Visit by HR Manager to Basra 14-19 June 2006’.

³⁹³ Paper FCO, January 2008, ‘Terms, Conditions and Allowances in Iraq’.

³⁹⁴ Email FCO [junior official] to FCO [junior official], 8 August 2008, ‘Think piece on post-Iraq jobs’.

604. The Inquiry has seen evidence that temporary promotion was widely used in the MOD as an additional incentive for recruitment of volunteers.

605. In late 2007, Mr Jon Day, MOD Director General Operational Policy, commented unfavourably on the large number of MOD civilians given “T&G [temporary and geographical] promotion well above their grade”.³⁹⁵

606. Participants at the civilian outreach event suggested that, between 2007 and 2009, it had become more difficult to recruit suitable candidates. There was concern that availability rather than suitability became the deciding factor, and that some posts had been overgraded to attract applicants.

607. The US also experienced difficulty filling positions in Iraq.

608. In June 2004, the US General Accounting Office (GAO) reported that the CPA “had generally operated with about one-third of its direct positions vacant”.³⁹⁶ Reasons suggested for the shortfall included the hardship of the posting, the security situation and budgetary constraints.

609. The RAND history of the CPA stated that the CPA suffered severe shortages of trained and experienced personnel throughout its existence, with a number of sectors, including police and justice, “chronically undermanned”.³⁹⁷ Contributory factors included rapid staff turnover, the CPA’s inability to keep track of the staff it had, and its failure to identify requirements still to be met.

610. In January 2006, the Office of the Special Inspector for Iraq Reconstruction concluded that a number of circumstances had inhibited effective workforce planning, including:

- the wide-ranging role of the CPA;
- the CPA’s temporary status;
- deteriorating security;
- inaccurate pre-conflict assumptions about Iraq’s bureaucracy;
- limited sources of personnel;
- constantly changing requirements; and
- inconsistent inter-agency co-ordination.³⁹⁸

³⁹⁵ Minute DG Op Pol to 2nd PUS [MOD], 9 November 2007, ‘MOD Civilians in Operational Theatres’.

³⁹⁶ *Rebuilding Iraq. Resource, Security, Governance, Essential Services, and Oversight Issues*, US General Accounting Office Report to Congressional Committees, June 2004, page 39.

³⁹⁷ Dobbins J, Jones SG, Runkle B & Mohandas S. *Occupying Iraq: A History of the Coalition Provisional Authority*. RAND Corporation, 2009.

³⁹⁸ Special Inspector General for Iraq Reconstruction, January 2006, *Iraq Reconstruction, Lessons in Human Capital Management*.

Seniority

611. Ministers and officials frequently expressed concern about the difficulties faced by the UK in deploying the right people to positions where they would be able to exert UK influence in a US-dominated environment and achieve lasting impact in Iraq.

612. The issue arose in a number of different contexts. It appears not to have been addressed systematically.

613. The appointment of Major General Tim Cross as the senior UK member of ORHA in February 2003 is addressed earlier in this Section.

614. Section 9.2 describes the appointment of his successor, Mr Andy Bearpark.

615. In the Annotated Agenda for the AHMGIR on 22 May 2003, officials advised that Mr Bearpark needed to be given the right job to “maximise UK influence in ORHA”.³⁹⁹

616. Mr Bearpark was subsequently appointed CPA Director of Operations and Infrastructure. He arrived in Baghdad on 16 June.

617. Section 9.2 describes how, although UK officials in Whitehall regarded Mr Bearpark as the UK’s senior representative in the CPA, Mr Bearpark saw his primary loyalty as lying with the CPA and Ambassador Bremer.

618. Several weeks after Mr Bearpark’s arrival in Baghdad, the Government agreed that a senior UK figure should be appointed to head CPA(South).

619. On 10 July, the AHMGIR agreed that:

- Secondments to the CPA should be maintained at “approximately the current level”, but matched more closely to requirements, with more specialist than policy staff.
- The UK effort in CPA(South) should be increased “as required”, including through the appointment of a “suitably strong UK figure” to replace Ambassador Olsen.⁴⁰⁰

620. On 11 July 2003, Ms Hewitt advised Mr Blair of the need “to ensure that we are seconding sufficiently senior people to the CPA”. It was noticeable that the US was sending more senior people than the UK.⁴⁰¹

621. Shortly afterwards, the IPU put forward recommendations for CPA staffing based on the principle that the UK should seek to exert influence at “all levels”.

These included:

- filling gaps, including at a senior level, in UK coverage of SSR, the economic ministries and the oil ministry;

³⁹⁹ Annotated Agenda, 22 May 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

⁴⁰⁰ Minutes, 10 July 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

⁴⁰¹ Letter Hewitt to Prime Minister, 11 July 2003, ‘Report of My Visit to Baghdad’.

- appointing a senior figure to lead CPA(South), where there were already 15 UK secondees; and
- leadership of four of the 18 CPA GTs scheduled to begin operations in September, with deployment starting in late August.⁴⁰²

622. On 25 July, Sir Michael Jay informed Sir Andrew Turnbull and Permanent Secretaries that Ministers had decided the UK would maintain “approximately the current level of overall commitment” with a focus in Baghdad on Security Sector Reform, the economic ministries and the oil sector, a “stronger lead” in CPA(South) and leadership of four CPA GTs.⁴⁰³

623. Sir Hilary Synnott arrived in Basra as Head of CPA(South) on 30 July.⁴⁰⁴

624. On 24 September, Sir Jeremy Greenstock, the Prime Minister’s Special Representative on Iraq, commented that the UK “has not yet put the intensity of resources into the civilian side of our operation, in terms of both personnel and project money, to convince the Americans that our analysis ... has to be listened to” (see Section 10.1).⁴⁰⁵

625. Sir Andrew Turnbull and Mr O’Donnell discussed the seniority of UK secondees to the CPA on 11 November.⁴⁰⁶ They observed that the recent reorganisation of the CPA (see Section 10.1) had left the UK with no UK officials at Director level and concluded that: “It was difficult to continue to send staff as secondees if they were left with low level roles only.”

626. Although the Treasury and Bank of England deployed only junior officials to Iraq, they were noticeably effective (see Section 10.1).

627. A Treasury official speaking at a Treasury seminar in July 2004, said that securing people with the right skills had been “paramount” in Iraq:

“... we didn’t have many people to deploy so we took care to second people who could add value, and we are very fortunate in having a skill set within the Treasury that was able to deploy effectively in the circumstances.”⁴⁰⁷

628. Seniority was not a guarantee of influence.

629. In August 2003, officials informed Ministers that the UK was “seeking to engage the US Administration and CPA leadership over oil sector issues in order to gain influence

⁴⁰² Annotated Agenda, 17 July 2003, Ad Hoc Group on Iraq Rehabilitation meeting attaching Paper Iraq Policy Unit, 14 July 2003, ‘Ad Hoc Ministerial Meeting: 17 July, (Annex C) Future Staffing of the CPA’.

⁴⁰³ Letter Jay to Turnbull, 25 July 2003, ‘Iraq: UK support for reconstruction’.

⁴⁰⁴ Synnott H. *Bad Days in Basra: My Turbulent Time as Britain’s Man in Southern Iraq*. I B Tauris & Co Ltd., 2008.

⁴⁰⁵ Teleletter Greenstock to Sheinwald, 24 September 2003, [untitled].

⁴⁰⁶ Minute [unattributed and undated], ‘Sir Andrew Turnbull’s Bilateral with Gus O’Donnell 11 November 2003’.

⁴⁰⁷ Paper Radio Technical Services, 19 July 2004, ‘Transcript of Treasury Seminar Held in London on Monday, 19 July 2004’.

over decisions and policy” (see Section 10.1).⁴⁰⁸ Two “senior people” were joining the CPA Oil Team, including Mr Terry Adams as the CPA Oil Technical Expert. The CPA had welcomed Mr Adams’ appointment, but had been “less than enthusiastic” about the second UK appointment.

630. TPUK informed Mr Blair on 10 October that the DTI’s efforts to understand and influence CPA policy on oil and gas had been “consistently unsuccessful” until Mr Adams’ arrival. Mr Adams’ appointment had improved the DTI’s understanding to some extent, although officials believed that the CPA had restricted Mr Adams’ access to information and decision-making meetings.⁴⁰⁹

631. On 14 October Ministers were informed that Mr Adams was “routinely excluded from some meetings”.⁴¹⁰

632. A further instance of US resistance to senior UK appointments occurred in January 2004, when the Iraq Senior Officials Group concluded that, given the US lead in the media sector, there was little scope for UK involvement, and that the US was resisting the secondment of senior UK staff (see Section 10.1).⁴¹¹

633. At the end of January 2004, the US asked for UK help in staffing the Program Management Office (PMO) that had been set up to oversee CPA reconstruction funds (see Section 10.1).⁴¹²

634. UKTI contracted two individuals to work in the PMO, initially for three months. The first deployed in early March 2004, the second in early April.⁴¹³

635. In early June, UKTI began considering whether to continue to fund the two contractors.⁴¹⁴

636. A UKTI official set out the arguments for Mr Mike O’Brien, FCO Parliamentary Under Secretary of State, on 21 June:

“We can claim indirect benefit to UK plc from these consultants, but it is difficult to quantify any direct commercial benefit. PMO procurement still (rightly) has to go through a full competitive process ... But these consultancies have earned us a great deal of goodwill from PMO senior management, ensured a UK voice at the highest levels of the organisation, and [have been] a useful but unacknowledged source of commercial information.”⁴¹⁵

⁴⁰⁸ Annotated Agenda, 7 August 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

⁴⁰⁹ Letter Zimmer to Rycroft, 10 October 2003, ‘Iraq: Update on Commercial Issues’ attaching Paper UKTI, 10 October 2003, ‘Iraq: Update on Commercial Issues’.

⁴¹⁰ Annotated Agenda, 14 October 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

⁴¹¹ Letter Cabinet Office [junior official] to Sheinwald, 8 January 2004, ‘Iraq: senior officials group’.

⁴¹² Minute UKTI [junior official] to PS/Sir Stephen Brown, 2 July 2004, [untitled].

⁴¹³ Minute UKTI [junior official] to PS/O’Brien, 21 June 2004, [untitled].

⁴¹⁴ Minute Lusty to Fletcher, 9 June 2004, ‘Iraq: UKTI consultancy support for the PMO’.

⁴¹⁵ Minute UKTI [junior official] to PS/Mr O’Brien, 21 June 2004, [untitled].

637. The official recommended that, given the difficulty in identifying any direct commercial benefit to the UK and the high cost of the contractors, UKTI should not agree to the US request to extend the contractors' contracts.

638. Discussions within UKTI and between UKTI, the FCO and DFID failed to identify further funding for the posts.⁴¹⁶

639. In November 2004, in response to Mr Blair's suggestions that the UK needed to find more effective ways of getting the US to spend its funds more quickly and with greater impact, Mr Benn explained that Mr Bill Taylor, the US head of the Project Contracting Office (PCO), which had taken over some of the functions of the PMO after the transfer of sovereignty in June 2004, "has declined our offer of a senior reconstruction specialist but we are offering technical help instead" (see Section 10.2).⁴¹⁷

640. Witnesses to the Inquiry offered contrasting views on the success of the UK's effort to deploy the right people to the right positions in Iraq.

641. Sir David Richmond told the Inquiry that the CPA generally received the people it needed from the UK:

"I think we did pretty well on that ... [T]here was a sort of little bit of a generation gap, perhaps inevitably, given the security circumstances, in that you got a large tranche of relatively young people, because they were single and didn't have families and children to worry about ... We also had quite senior people, whose families had grown up, again less concerned. So there was sort of a missing middle to some extent, but I think that's probably inevitable in the situation."⁴¹⁸

642. Mr Bearpark was less sanguine. He highlighted the effect of the imbalance between military and civilian numbers. Because civilians could not cover all the meetings taking place each day that were relevant to their work, "99 military planners are going away saying, 'DFID is useless' and only one of them is admitting that DFID does actually know what it is talking about". That systemic problem had been resolved very quickly in Bosnia in 1994 and 1995:

"... whatever your limited civilian resource is ... it must match exactly into where you insert it into the military machine. If you can only afford one person, that person has to be the equivalent of the Commanding General. If you can afford three people, you can place them two ranks down, and if you can only afford one junior person, that person must be on the personal staff of the Commanding General."⁴¹⁹

⁴¹⁶ Minute UKTI [junior official] to PS/Mr O'Brien, 13 August 2004, 'UK secondees in the Project and Contracting Office (PCO) Baghdad'.

⁴¹⁷ Letter Benn to Blair, 10 November 2004, [untitled].

⁴¹⁸ Public hearing, 26 January 2011, page 78.

⁴¹⁹ Public hearing, 6 July 2010, page 97.

643. In his valedictory as Head of the IPU in May 2005, Mr Crompton criticised the FCO's "inability (or unwillingness)" to redeploy senior staff at short notice:

"In summer 2003 we carried short gaps in both Baghdad and Basra at critical times, absences which damaged our reputation around Whitehall ... If the FCO aspires to be the lead on post-conflict issues, it needs to be willing to redeploy senior staff immediately from other positions, leaving gaps if necessary."⁴²⁰

644. Mr Tinline, who served in Basra from 2007 to 2008, told the Inquiry that recruitment was less of a concern than it might have been because of the security situation:

"... if the security constraints had been less, I think a lot of these things would have been far bigger issues. Because the security constraints were such, we didn't actually need that much staff. We couldn't actually do that much. So the sort of lost opportunity was in fact minimal."⁴²¹

Skills

645. Between 2003 and 2009, UK Ministers and officials expressed concern about a shortage of UK Arabic speakers and of expertise in a number of fields associated with reconstruction and stabilisation.

646. The Government's response to the shortage of reconstruction and stabilisation expertise is addressed in Section 10.3, which considers the creation of the Post-Conflict Reconstruction Unit and its successor, the Stabilisation Unit.

647. Several witnesses to the Inquiry commented on the shortage of Arabic speakers deployed to Iraq throughout the period covered by the Inquiry.

648. Sir Mark Lyall-Grant, FCO Political Director from February 2007 to October 2009, who was not an Arabic speaker, explained that he had three experts on the Middle East working for him who were Arabic speakers: Mr McDonald, Dr Jenkins and Mr Prentice.⁴²²

649. Mr Tansley, Consul General in Basra from October 2005 to April 2006, told the Inquiry that he was the only Arabic speaker at the British Embassy Office Basra during his time there.⁴²³ He explained that, not only was living in Basra more restrictive than in Baghdad, but there was also:

"... a view, in purely career terms that the high profile work ... was being done up in Baghdad, liaising with ministers, most of whom spoke English and were all western educated and quite smooth, suave and sophisticated, compared with the politicians we had to deal with down in Basra.

⁴²⁰ Minute Crompton to Sawers, 4 May 2005, 'Iraq: Reflections'.

⁴²¹ Private hearing, 24 June 2010, page 89.

⁴²² Public hearing, 20 January 2010, page 5.

⁴²³ Private hearing, 22 June 2010, pages 70-72.

“So in many ways it was a certain sort of person who would have enjoyed his time or her time in Basra. I think there were those who did. I think I would have liked it if the Foreign Office could have come up with another Arabist.

...

“As I said, I think we could have had more impact in terms of personnel if we had people who were a bit more specialist in the region and who spoke Arabic, and if we could have got people to come at the time when I most needed them.”

650. Mr Nigel Heywood, Consul General in Basra from April 2008 to August 2009, told the Inquiry that he had one UK-based Arabic-speaking slot on his staff and a locally engaged political adviser who acted as interpreter.⁴²⁴ Mr Heywood suggested that there was a competitive advantage to be gained from having Arabists in an environment like Iraq, where other countries did not have any on their staff.

651. Mr MacKiggan, Head of the Basra PRT from 2008 to 2009, did not speak Arabic, and worked through interpreters.⁴²⁵ He told the Inquiry that it was necessary to prioritise skills and that it was difficult to find the person who had all the skills you were looking for in an environment like Iraq.

652. Shortage of Arabic language skills was also a consistent theme among participants at the Inquiry civilian outreach event.

653. The Inquiry has seen no evidence that any Kurdish speakers were deployed, or available to be deployed, by either the FCO or the MOD between 2003 and 2009.

654. In March 2002, FCO Research Analysts hosted a discussion on Middle Eastern and Islamic studies in the UK involving representatives of industry and the academic community.⁴²⁶ The event raised concerns about the shortage of Arabic speakers in a range of institutions, including the FCO, and the decline in the teaching of Middle Eastern studies and languages in the UK. Some Middle Eastern languages, including Kurdish, were not being taught at all in the UK. Participants warned that, when money was tight, language teaching was often the first area to suffer.

655. In 2007, the FCO closed its Language Centre.⁴²⁷ The British Academy’s 2013 report on languages in UK diplomacy and security described the closure as “the low point of what had been a gradual decline in language skills amongst diplomats”. The decline had been particularly marked among languages that were difficult to learn, including Arabic.

⁴²⁴ Public hearing, 7 January 2010, page 55.

⁴²⁵ Public hearing, 7 January 2010, page 56.

⁴²⁶ *The Middle East Quarterly*, Volume 10, Number 2, Spring 2003, *Middle Eastern Studies in the United Kingdom*.

⁴²⁷ British Academy, *Lost for Words: The Need for Languages in UK Diplomacy and Security*, November 2013.

656. In 2011, Mr William Hague, the Foreign Secretary, told the Foreign Affairs Committee (FAC) inquiry into the role of the FCO in UK government that he wanted language expertise and regional knowledge to be “re-accentuated” in the FCO.⁴²⁸

657. Two witnesses to the FAC inquiry argued that there was a disjuncture between Mr Hague’s emphasis on language skills for UK diplomats and decisions to cut government support for the teaching of modern languages in UK universities.⁴²⁹

658. Dr Christian Turner, FCO Director Middle East and North Africa, informed the FAC that the FCO had taken a number of steps to improve Arabic language skills:

- restoration of the length of full time Arabic training to 18 months;
- more opportunities for staff in London to learn Arabic and maintain existing skills; and
- a 40 percent increase in “Arabic speaker capacity” in Middle East and North Africa posts compared to 2010.⁴³⁰

659. In its 2012 report on British foreign policy and the Arab Spring, the FAC concluded that the FCO had “significantly degraded” its language capacity by 2010, but had since recognised the need to improve Arabic language skills.⁴³¹

660. At the opening of the new FCO language school on 19 September 2013, Mr Hague described expertise in a foreign language as “one of the fundamental skills of our diplomats”:

“It makes them vastly more effective at communicating the viewpoint of the United Kingdom. And it is vital to understanding the political mood in different countries and to spotting trends or anticipating crises.

...

“It helps us, for example to identify and influence individuals and groups playing a significant part in shaping events, such as in the context of the Arab spring. Arabic is the fastest growing language on social media platforms globally, and we need good language skills to tap into this rich conversation and to put across the UK position.

“Language skills are invaluable when trying to understand and predict the behaviour of countries that do not have transparent, democratic political systems, and where reliable information is harder to come [by] but vitally important to British companies or to our security interests.

⁴²⁸ Seventh Report from the Foreign Affairs Committee, Volume I, Session 2010-2012, *The Role of the FCO in UK Government*, 12 May 2011, page 70.

⁴²⁹ Seventh Report from the Foreign Affairs Committee, Volume I, Session 2010-2012, *The Role of the FCO in UK Government*, 12 May 2011, page 70.

⁴³⁰ Foreign Affairs Committee, Session 2012-2013, *Written Evidence from Dr Christian Turner, Director, Middle East and North Africa Directorate, Foreign and Commonwealth Office*, 7 July 2011.

⁴³¹ Second Report from the Foreign Affairs Committee, Session 2012-2013, *British Foreign Policy and the ‘Arab Spring’*, 19 July 2012, pages 22-23.

...

“With 40 classrooms we have space here to train up to 1,000 full and part-time language students over the course of 12 months, in up to 80 different languages from Arabic to Zulu. We will be offering 70,000 hours of teaching each year, not just for the men and women of the Foreign Office, but to those of other government departments if they wish to take advantage of our services.

...

“So we are also increasing the number of jobs overseas for which language skills are required in key parts of our overseas network. We’ve brought in a 20 percent increase in the number of posts for speakers of Latin American Spanish, Portuguese and Arabic, and a 40 percent increase in the number of Mandarin speakers.”⁴³²

661. In his speech, Mr Hague described the new language facility as just one part of “the biggest drive to enhance the diplomatic skills of the Foreign Office that the department has ever seen”. A stronger culture of learning and expertise was part of a “quiet revolution” that included “a greater emphasis on history and the retention and sharing of knowledge and expertise”. Changes included moving the FCO’s historians “back into the heart of the Foreign Office” and attaching greater importance to the work of Research Analysts.

662. The British Academy welcomed the opening of the new FCO language school, but warned that significant work was needed to embed the changes and reverse the decline.⁴³³

663. By November 2003, the UK military was also facing a shortage of Arabic speakers and interpreters.⁴³⁴

664. The Chiefs of Staff raised the shortfall in the number of linguists available at their meeting on 16 July 2003.⁴³⁵ General Sir Michael Walker, Chief of the Defence Staff, directed Lieutenant General Robert Fry, Deputy Chief of Defence Staff (Commitments), to establish the exact requirement and where the linguists might be found.

665. In December 2003, MOD officials informed Lt Gen Fry that, in addition to “tactical linguist requirements” in military units, Op TELIC had a requirement for 39 linguists on six-month deployments.⁴³⁶ By November 2003, officials expected that requirement would last three to four years.

⁴³² Foreign & Commonwealth Office and the Rt Hon William Hague MP [from *GOV.UK*], 19 September 2013, *Foreign Secretary opens Foreign Office language school*.

⁴³³ British Academy, *Lost for Words: The Need for Languages in UK Diplomacy and Security*, November 2013.

⁴³⁴ Minute ACDS(Ops) to All TLB Holders, 19 November 2003, ‘Provision of Arabic Interpreters for Op TELIC’.

⁴³⁵ Minutes, 16 July 2003, Chiefs of Staff meeting.

⁴³⁶ Minute DJtCts-DCMCDACSO1 to DCDS(C), 3 December 2003, ‘Op TELIC – Augmentation of Linguists’.

666. Officials explained that the search for Arabic speakers across the three services had exhausted the pool of suitably qualified regular soldiers, and the mobilisation of reserves had exhausted the pool of linguists in the Territorial Army (TA). Training individuals to the level required for the 39 core posts took 10-12 months.

667. MOD officials explained that allocating 18 of the 39 posts to civilians offered a partial solution, but there was still a need to fill the remaining 21 posts every six months for the foreseeable future. Proposals included:

- an increase in the provision of training by the Defence School of Languages;
- expansion of the pool of TA linguists;
- further civilianisation;
- a request for FCO assistance, judged unlikely to succeed because of the FCO commitment to the CPA; and
- redeployment of Arabic-speaking Defence and Military Attachés at British Embassies, thought likely to damage relations with FCO staff in those Embassies and affect working relationships with host countries.

668. It is not clear from the papers seen by the Inquiry which, if any, of those recommendations was implemented during Op TELIC.

669. In early 2004, the press reported that several language students at UK universities were putting their degrees on hold to work in Iraq as interpreters and translators for the UK military.⁴³⁷ By mid-February, 16 students had been employed, with five already working in Iraq.

670. MOD guidance on the military contribution to peace support operations published in June 2004 made only passing references to language skills. It stated:

“The ability to negotiate and mediate will place a premium on basic language skills. However, working through interpreters is currently more usual and therefore should be practised before deployment.”⁴³⁸

671. The absence of clear UK military doctrine on language capability was addressed in 2013.⁴³⁹ A Joint Doctrine Note on linguistic support to operations stated that the military:

- had only “a modest standing language capability ... not well placed to support operational planning or high readiness deployment needs”; and
- had been “inherently slow to build capability for enduring operations”.

⁴³⁷ *The Guardian*, 18 February 2004, *Language students to help army in Iraq*.

⁴³⁸ Ministry of Defence, *Joint Warfare Publication 3-50: The Military Contribution to Peace Support Operations*, June 2004.

⁴³⁹ Ministry of Defence, *Joint Doctrine Note 1/13: Linguistic Support to Operations*, March 2013.

672. In 2013, the growing recognition of the importance of language skills was reflected in the opening of the new Defence School of Language and Culture 2013.⁴⁴⁰

673. The British Academy's 2013 report on the need for languages in UK diplomacy and security attributed the MOD's change of approach directly to lessons learned in the Iraq and Afghanistan campaigns.

674. Both the FCO and the Armed Forces failed to anticipate or prepare for the surge in demand for Arabic speakers in Iraq.

675. In its 2013 report, the British Academy described some of the steps taken by the MOD to generate language capacity quickly, but stated that, of the organisations consulted, only the secret intelligence agencies appreciated the need for and difficulty of ensuring sustainability of supply and surge capacity, especially for rare languages.⁴⁴¹

676. The British Academy added that there appeared to be "little co-ordination across government to identify language needs and no overall strategic approach to enable future needs to be met." The report proposed more flexible working across departments, allowing staff with language skills to be seconded for specific projects, such as engaging with hard to reach groups. The new FCO language centre was identified as a significant opportunity for pooling resources.

Tour length and continuity

677. The difficult working conditions for civilians in Iraq were reflected in short tour lengths and frequent leave breaks. Different departments adopted different arrangements throughout the Iraq campaign.

678. Officials expressed concern about the impact of those arrangements, including:

- breaks in continuity;⁴⁴²
- loss of momentum;⁴⁴³
- lack of institutional memory;⁴⁴⁴ and
- insufficient local knowledge.⁴⁴⁵

679. Participants at the Iraq Inquiry civilian outreach event also referred to reduced credibility with external interlocutors.

⁴⁴⁰ British Academy, *Lost for Words: The Need for Languages in UK Diplomacy and Security*, November 2013.

⁴⁴¹ British Academy, *Lost for Words: The Need for Languages in UK Diplomacy and Security*, November 2013.

⁴⁴² Telegram 10 CPA Basra to FCO London, 26 January 2004, 'Basra Valedictory' [Parts 1 and 2].

⁴⁴³ Minute Etherington to [Cabinet Office junior official], 17 May 2006, 'Basra Provincial Reconstruction Team (PRT): Challenges and Opportunities'.

⁴⁴⁴ Telegram 77 Basra to FCO London, 12 July 2004, 'Basra: Creating and Supporting a new Consulate'.

⁴⁴⁵ Minute Hatfield to Loudon, 25 April 2005, 'Visit to Iraq'.

680. An initial tour length of three months for the first wave of secondees to the CPA was extended to six months in July 2003.⁴⁴⁶

681. The FCO pre-deployment letter for November 2004 stated that: “In light of the dangers and discomforts a posting to Iraq is six months with the option of a further six months thereafter.”⁴⁴⁷ In addition to the FCO’s normal and overseas leave, staff would be entitled to an extra 10 days’ leave each year.

682. DFID’s November 2004 ‘Guide to Overseas Terms and Conditions for Long-term Assignments in Iraq’ explained that DFID postings were for up to 12 months with a rota of six weeks on, two weeks off, away from Iraq.⁴⁴⁸

683. In April 2005, the MOD considered introducing longer tours to mitigate some of the effects of the short tour length (six months with a 10-day break half way through).⁴⁴⁹ Mr Richard Hatfield, MOD Personnel Director, reported that many MOD staff in Iraq were willing to do a second tour, or suggesting that slightly longer tours might be more effective, if more difficult to sell to potential volunteers. Mr Hatfield recognised the possible advantages of longer tours, particularly where continuity or local knowledge was at a premium. He proposed that the MOD take “a slightly more ‘mix and match’ approach about tour patterns, taking account of both the individual’s circumstances/ desires and the nature of the post”.

684. In May 2006, Mr Mark Etherington, Basra PRT Team Leader, reported that:

“The military component of the PRT – roughly a third – is invaluable, but cannot act as a repository of expertise because tour lengths are short. This civilian core must be large enough to withstand the turbulence of the six-and-two week leave system ... or we risk a loss of momentum.”⁴⁵⁰

685. In December 2007, Sir Peter Ricketts called for a reassessment of policy on the length of postings to Baghdad.⁴⁵¹ Many staff were able to cope with an extra six months, if not a second year: “Quite a head of steam is building up on this issue and it needs to be tackled.”

686. Tour lengths remained unchanged. The January 2008 version of the FCO terms and conditions for postings to Iraq stated:

“In light of the associated dangers and discomforts of living in Iraq, a posting to Iraq is six months with the option of a further six month extension. As you know, Iraq

⁴⁴⁶ Minutes, 10 July 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

⁴⁴⁷ Letter [FCO junior official], 17 November 2004, ‘Posting to British Diplomatic Missions in Iraq’.

⁴⁴⁸ Paper DFID, 1 November 2004, ‘Working for DFID: Guide to Overseas Terms and Conditions for Long-term Assignments in Iraq’.

⁴⁴⁹ Minute Hatfield to Loudon, 25 April 2005, ‘Visit to Iraq’.

⁴⁵⁰ Minute Etherington to [Cabinet Office junior official], 17 May 2006, ‘Basra Provincial Reconstruction Team (PRT): Challenges and Opportunities’.

⁴⁵¹ Minute Ricketts to Baker, 12 December 2007, ‘Visit to Iraq: Administration Points’.

remains a dangerous place, but the FCO has taken measures to minimise the risks to its staff, and will keep those measures under constant review. This is a volunteer only posting.

...

“Extensions beyond 12 months are rare and only granted if there are compelling operational reasons.”⁴⁵²

687. Staff were not permitted to bid for consecutive jobs in Iraq and/or Afghanistan with a combined duration of over 12 months “while these posts are at a security level warranting close protection teams and decompression breaks”.

688. The 2008 terms and conditions also stated that the length and frequency of decompression breaks were linked to the security situation and could change during a posting. The interval between decompression breaks was set at between six and seven weeks. In special circumstances, staff could seek authority to spend eight weeks at post without a break.

689. The Inquiry received a range of views on the merits of different models.

690. Mr MacKiggan, Head of the Basra PRT from 2008 to 2009, told the Inquiry:

“I think nine to 12 months should be the norm, perhaps even the minimum, because it takes time to develop relationships ... It is partly relationships with ... locals ... It is also about relationships between different parts of government.”⁴⁵³

691. Mr Tansley endorsed the MOD model:

“Comparing terms and conditions of service between the FCO and the political advisers who were attached to MND(South East), I would have preferred perhaps an arrangement that the POLADs had, which I thought was more effective than what the FCO was doing, both in terms of the level on health and safety reasons, what they could and could not do, in terms of how often they had their decompression breaks.”⁴⁵⁴

692. All three working groups at the Inquiry’s civilian outreach event debated the merits of different tour lengths, including the impact on civilian-military relations, business continuity, relationships with external partners and the impact on individuals and their families.

693. Participants who had served in Iraq during the CPA period commented that 12 months was the maximum time during which personnel could remain effective. Six weeks on and two off (6+2) was seen as an effective model. Tours were complicated

⁴⁵² Paper [unattributed], January 2008, ‘Terms, Conditions and Allowances in Iraq’.

⁴⁵³ Public hearing, 7 January 2010, page 51.

⁴⁵⁴ Private hearing, 22 June 2010, page 71.

by the difficulty of getting out of Iraq, resulting in people not taking their leave, and by the shortage of staff to cover work while people were on leave.

694. Those who had been in Iraq between mid-2004 and mid-2007 commented that covering absences under the 6+2 model required a much higher degree of flexibility than was normal for the civil service, and that two-week absences had a negative impact on civilians' credibility with external interlocutors, including the UK military. 6+2 had the advantage that it allowed those with families to deploy and made it possible to sustain tours of one to two years, providing greater continuity than the six months (with a one-week break) served by MOD civilians.

695. There was also thought to have been an impact on relationships with Iraqi interlocutors, who were frustrated with frequent and apparently ill-planned changes of UK personnel. In some cases there was a suspicion that Iraqis had exploited the situation, for example by misrepresenting what had been agreed previously.

696. Some individuals who had been in Iraq from mid-2007 suggested that, at least initially, departments were too rigid about tour lengths. Those wanting to extend beyond 12 months had been forced by their departments to return. Different tour lengths for MOD civilians continued to inhibit business and the building of relationships during this period. The group concluded that different jobs called for different tour lengths.

Learning operational lessons

697. Between 2003 and 2009, departments debriefed some civilian staff returning from Iraq in order to learn operational lessons from their experience.

698. Departments took steps to improve the debriefing process, but do not appear to have established a comprehensive or consistent approach.

699. At the AHMGIR on 24 July 2003, Mr Straw asked the Cabinet Office and the IPU to devise a debriefing system for secondees to Iraq.⁴⁵⁵

700. On 7 August, officials informed the AHMGIR that the IPU was debriefing the first wave of returning UK secondees to the CPA.⁴⁵⁶

701. The FCO drew on the contributions of returning secondees for its November 2003 review of pre-deployment training and terms and conditions for civilian staff, described later in this Section.⁴⁵⁷

702. Separately, the Cabinet Office Corporate Development Group (CDG) began assessing the benefits of CPA secondments to staff and departments. The aim was

⁴⁵⁵ Minutes, 24 July 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

⁴⁵⁶ Annotated Agenda, 7 August 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

⁴⁵⁷ Letter Jay to Chakrabarti, 11 November 2003, 'Security of UK Civilian Secondees in Iraq' attaching Paper, 'Iraq: Civilian Staff: Training, Briefing, Security and Insurance'.

to report to Ministers in November, drawing on responses to a questionnaire to be given to secondees within a month of their return from Iraq.⁴⁵⁸

703. Mr Straw told Cabinet on 27 November that he had spoken to some 60 UK staff at CPA headquarters in Baghdad, whose “extraordinary stoicism”, commitment and contribution should be recognised.⁴⁵⁹ There was, however, a sense that staff from departments that did not normally send people on overseas postings were not properly appreciated by those departments, either while in Iraq or on their return. Mr Straw asked colleagues to ensure Permanent Secretaries were “managing and supporting” their seconded staff and suggested that regular contact should be maintained between departmental top management and their secondees.

704. On 1 December, Mr John Barker, a Director in the Cabinet Office Corporate Development Group, updated Sir Andrew Turnbull on responses to the questionnaire given to returning UK secondees to the CPA.⁴⁶⁰ Mr Barker reported:

“So far we have only had eight questionnaires returned. Although they have raised a small number of niggles for example in relation to visa problems in Kuwait delaying travel arrangements and to difficulties in getting help to arrange flights home, the overall response has been positive. Volunteers have enjoyed the experience, learned from it, felt proud to have been involved, enjoyed the comradeship and will be happy to recommend others to go out there. None of the questionnaires mention concerns about treatment on return to their department.

“There may of course be people who have not let us know of difficulties ...”

705. Mr Barker proposed that Sir Andrew Turnbull write to Permanent Secretaries, reminding them that:

“... colleagues are doing a splendid job in very trying circumstances and will be developing their competences in many of the areas we would want them to. We should ensure that their contribution is recognised and that they do not have grounds for believing that their careers have suffered because of being there.”

706. Sir Andrew Turnbull wrote to Permanent Secretaries on 3 December.⁴⁶¹ He reported that Ministers greatly appreciated the “courage, persistence and determination” of staff in Iraq and felt more could be done to recognise what they were achieving:

“Please encourage your Human Resources and Communications teams to address this, for example by generating reports for your house journals, sending messages

⁴⁵⁸ Minute Dodd to Barker, 4 August 2003, ‘Iraq: feedback from secondees’.

⁴⁵⁹ Cabinet Conclusions, 27 November 2003.

⁴⁶⁰ Minute Barker to Turnbull, 1 December 2003, ‘Iraq Volunteers’.

⁴⁶¹ Letter Turnbull to Phillips, 3 December 2003, ‘Iraq: Civilian Staffing’.

of support and appreciation to secondees, and feeding stories to local newspapers and radio stations (as our military colleagues often do so well) ...

“We should also ensure that the experience gained by secondees in Iraq is valued properly, and reflected in their appraisals and future career development ...”

707. In July 2004, after the disbanding of the CPA, the Treasury held a seminar to learn lessons from the UK’s contribution to the rehabilitation of Iraq’s economic and financial administration during the CPA period.⁴⁶² Treasury and Bank of England secondees to the CPA spoke at the seminar, which was attended by Mr Brown, Mr Boateng, Sir Michael Jay and Mr O’Donnell.

708. After the seminar, Mr O’Donnell saw the secondees to the CPA “to talk about their time there and the lessons we can have”.

709. Several participants at the Inquiry’s civilian outreach event said that the Inquiry’s event was the first time they had been asked to talk about their experiences. Most of those who had served in Iraq during the CPA period felt let down. They felt that departments had not tried to make use of the knowledge they had acquired or to bring them into strategy discussions. Most of the participants had not had a post-tour debriefing. There was a feeling at the civilian outreach event that the Whitehall approach to human resources, leaving individuals to look after themselves, was not appropriate for this sort of expeditionary civilian deployment.

710. After a visit to Iraq in April 2005, Mr Hatfield reported that the MOD needed:

“... to make more active use of operational veterans to sell the prospect of a deployed tour to potential volunteers – their enthusiasm is catching and they are well placed to supply answers about both the real and imaginary concerns people may have about what is involved.”⁴⁶³

711. Mr Hatfield also reported that:

“The Ambassador [Mr Chaplin] was ... interested in our arrangements for debriefing – which at present it seems the FCO do not do. I suspect that we need to be a bit more systematic here, too. Debriefing is therapeutic as well as potentially informative – and may also help to identify any individuals with aftercare needs.”

Staff welfare

712. The FCO, the MOD and DFID provided different pre-deployment training for staff posted to Iraq.

⁴⁶² Paper Radio Technical Services, 19 July 2004, ‘Transcript of Treasury Seminar Held in London on Monday, 19 July 2004’.

⁴⁶³ Minute Hatfield to Loudon, 25 April 2005, ‘Visit to Iraq’.

713. Periodic efforts to synchronise approaches did not produce consistency across departments.

714. In October 2003, COBR commissioned an FCO-led review of training, security and insurance for UK civilians serving in Iraq to “ensure that there is consistency across all government departments seconding staff and consultants”.⁴⁶⁴

715. Sir Michael Jay sent the findings to Permanent Secretaries and the heads of organisations with secondees in Iraq on 11 November 2003.⁴⁶⁵

716. The paper stated that, before deployment to Iraq, staff from the FCO and other government departments (excluding DFID), and individuals contracted by the FCO, attended a security-focused training course at the Reserves Training and Mobilisation Centre in Nottingham (Chilwell). The initial course included:

- “• Medical and dental examination
- Inoculations
- Intelligence Brief
- NBC [nuclear, biological and chemical] kit issue and familiarisation
- Foreign Weapon familiarisation
- Issue of body armour and helmet, boots, kit bag etc
- Conduct after Capture
- Law of Armed Conflict
- Mine Awareness.”

717. The course had been “improved and adapted” at FCO request to include:

- “• Cultural Awareness Brief
- Hostage Situations
- Environmental Health
- Combat First Aid.”

718. The course also included a briefing by the FCO Iraq Directorate on working and living conditions, including a “preliminary security briefing”. Modules on NBC, “Conduct after Capture” and “Law of Armed Conflict” had been dropped.

719. The paper stated that, when no course was available at Chilwell, secondees attended an equivalent course provided by a private sector company. In a few cases, including that of Sir Jeremy Greenstock, the requirement for pre-deployment training had been “overridden”, but it was Iraq Directorate’s “firm policy to insist that all secondees receive such training”.

⁴⁶⁴ Minute OD Secretariat to Sheinwald, 28 October 2003, ‘Iraq: Review of Security Arrangements for UK Staff’.

⁴⁶⁵ Letter Jay to Chakrabarti, 11 November 2003, ‘Security of UK Civilian Secondees in Iraq’ attaching Paper, ‘Iraq: Civilian Staff: Training, Briefing, Security and Insurance’.

720. The paper also stated that the MOD arranged its own training and briefing. For recent deployments, that had matched the FCO arrangements, although MOD staff continued to receive NBC training.

721. DFID training followed the same principles, but was provided by the private sector because those courses were more frequent.

722. The paper stated that debriefing of secondees on their return from Iraq indicated that they received good preparation “now that some deficiencies in the Chilwell course ... have been dealt with”. Feedback from staff still in Iraq “confirms that the training has been useful and appropriate”.

723. Concerns about the Chilwell course resurfaced in the MOD in 2005. After visiting Iraq in April 2005, Mr Hatfield reported that the course did not seem to be working:

“Apart from the cultural brief, hardly a good word was said about it. To be fair, it was not designed for civil servants. As a result of my discussions with our Ambassador [Mr Chaplin], I think the solution might be to join with the FCO who have their own preparatory course.”

724. In June 2006, the MOD established the Support to Operations (S2O) programme in response to lessons learned from the deployment of civilians on Op TELIC.⁴⁶⁶ The programme’s aim was “to develop a more capable deployable civilian workforce, to reduce the risk to deployed civilian staff and to ensure MOD is meeting its duty of care to those deployed”.

725. S2O was designed as a “single portal” for all deployed civil servants and visitors to operations, to ensure they had been adequately trained, were medically fit and had the appropriate equipment before deployment.⁴⁶⁷

726. The MOD told the Inquiry that S2O oversaw both pre- and post-deployment processes, with much emphasis on the support to families.⁴⁶⁸

727. Mr Martin Howard, MOD Director General Operational Policy, visited Basra and Baghdad from 17 to 20 January 2007.⁴⁶⁹ He reported to Vice Admiral Charles Style, DCDS(C), that the MOD POLAD team in Basra and the MOD training team in Baghdad were in “good spirits” and found their roles challenging and interesting, but felt that:

- pre-deployment training and briefing were not adequate;
- their accommodation and support package was not comparable to that received by FCO and DFID staff;
- succession planning was not adequate; and

⁴⁶⁶ Paper Support to Operations, 23 November 2007, ‘Project Management Plan’.

⁴⁶⁷ Minute [unattributed] to PS/PUS [MOD], 4 December 2007, ‘TELIC Visit – Support to Operations Brief’.

⁴⁶⁸ Paper [unattributed and undated], ‘MOD Operational Deployment Frameworks for MOD Civilians for the period 2003-2009’.

⁴⁶⁹ Minute DG OP POL/IRAQ to DCDS(C), 26 January 2007, ‘DG OP POL’s Iraq Visit Report’.

- they were not valued on return and did not get enough assistance finding a new position.

728. Mr Howard undertook to write to PJHQ about those issues.

729. The Inquiry has not seen any further material addressing those issues.

730. Participants at the civilian outreach event described the setting up of the S2O programme as a significant turning point for the MOD, rectifying problems with the previous system under which there had been no centralised unit for managing MOD civilian deployments.

731. Those deployed during the CPA period characterised training and the issuing of personal security equipment as ad hoc, with practice varying between departments. Several mentioned that military body armour was too big and heavy for people not used to it, and compared it unfavourably with the lighter armour issued to the media and some US civilians.

732. Participants who served in Iraq between 2004 and 2007 described pre-posting arrangements as ad hoc and haphazard. The MOD was felt to have performed better than the FCO, particularly after the creation of S2O in 2006. FCO participants were particularly critical of FCO workforce planning, including line managers' responsibility for recruiting their own staff, which did not work well when they were in theatre.

733. Participants at the outreach event who had been in Iraq between 2007 and 2009 saw no consistency in the pre-deployment preparation offered by different departments, but commented that there had been improvements to the security course at Chilwell.

734. Living conditions for personnel seconded to ORHA in April and May 2003 were difficult. Maj Gen Cross told the Inquiry:

“The reality was the living conditions [for ORHA personnel] were pretty atrocious, and although somebody like myself who had done a number of operations was relatively comfortable, for a lot of people just surviving was pretty hard work.”⁴⁷⁰

735. As early as June 2003, concerns emerged that civilian personnel deployed to Iraq were not prepared for the conditions they would encounter.

736. A DFID contractor seconded to CPA(South) asked the DFID Iraq Directorate to inform new consultants of the conditions in Basra, in particular the challenges of the working environment, climate and conditions.⁴⁷¹ One consultant had serious health issues and no medical insurance.

737. The PJHQ recruitment notice for civilian postings to Iraq published in July 2005 stated that applicants would need to be “fit and healthy, often to a higher standard than

⁴⁷⁰ Public hearing, 7 December 2009, page 50.

⁴⁷¹ Email [DFID contractor] to DFID [junior official], 14 June 2003, ‘Secondments to CPA S’.

would be needed for a sedentary job in the UK ... Unfortunately individuals with Type 1 or Type 2 diabetes ... and individuals who have severe allergies cannot be deployed.”⁴⁷²

738. The November 2005 version of the FCO terms and conditions for postings to Iraq advised that the FCO had contracted a private company, Frontier Medical, to provide primary health care services at posts in Iraq.⁴⁷³ Secondary care was managed by International SOS using the 24-hour FCO Healthline. Close protection personnel were all first aid trained.

739. The terms and conditions stated: “The onus is on you to behave responsibly whilst at post with regard to your own health, in order to make sure you are as fit as possible at all times.” Failure to act on the advice of the OSM, security personnel or Frontier Medical would be dealt with in a “firm manner”.

740. On 16 February 2006, the FCO Human Resources Directorate (HRD) reviewed procedures for hostile environment training and medical clearance in response to “concerns that some FCO personnel on posting to, or visiting, Iraq are not capable of meeting the physical requirements”.⁴⁷⁴ Officials agreed a number of procedural changes, including new requirements that:

- the FCO Medical Examiner would confirm whether an officer was fit to go to Iraq before, not after, the posting board made the appointment; and
- hostile environment course instructors would comment on whether an officer was fit to deploy.

741. On 26 February, Mr Robert Gibson, Deputy Head of Mission at the British Embassy Baghdad, expressed concern about civilian staff already at post: “We judge subjectively that their fitness levels are low and their lack of speedy mobility might pose a danger to themselves and others.”⁴⁷⁵

742. In June 2006, as part of its review of the security of staff and missions in Iraq, the IPU updated Sir Michael Jay on the measures in place to assess the health of FCO staff before, during and after deployment to Iraq:

- All potential applicants were required to complete a pre-posting fitness questionnaire. Their applications would not be processed until occupational health doctors had confirmed applicants’ suitability.
- Successful applicants were required to attend hostile environment training. If the course organisers had concerns about an individual’s ability to cope with “extreme conditions”, the posting could be cancelled.

⁴⁷² Paper PJHQ, July 2005, ‘Defence Instructions and Notices: PI 70-05: Short Operational Tours (SOTs) – Appointments on Behalf of Chief of Joint Operations (CJO)’.

⁴⁷³ Paper [unattributed], 25 November 2005, ‘Terms and Conditions: Temporary Duties to Iraq’.

⁴⁷⁴ Minute IPU [junior official], 16 February 2006, ‘Iraq Hostile Environment Training & Medical Clearance: Record of the Meeting Held on 16 February 2006’.

⁴⁷⁵ Email Gibson to [FCO junior official], 26 February 2006, ‘Staff: fitness levels’.

- “[H]ealth surveillance” was carried out on arrival in Iraq and at quarterly intervals “in liaison with Frontier Medical, Capita and HRD”.
- Three months after completion of the tour, Capita interviewed the officer to assess the impact of the posting.⁴⁷⁶

743. The IPU explained that pre-posting procedures were “rigorously followed” for FCO staff, but it had been “unable to confirm this to be the case ... for other government departments”. There had been a few cases where individuals the FCO would not consider medically fit to serve in Iraq had arrived at post or medical teams had identified their medical problems at post at the last minute.

744. The IPU advised that the FCO did not have the resources to carry out medical screening and hostile environment training for all government staff deployed to Iraq. Instead it would:

“... write to those departments and contractors most concerned, setting out our procedures and recommend that they either institute something similar or ensure their staff sit the Offshore Operators Association Medical. This is a rigorous medical required for staff working on oil rigs ...”

745. In June 2006, a member of the FCO HR Directorate briefed two Frontier Medical staff in Basra on the FCO’s process for pre-posting medical clearance.⁴⁷⁷ During the discussion, it emerged that concerns persisted about the fitness of some contractors working for the FCO and other departments. The Frontier Medical staff also suggested that non-FCO personnel should have to pass a medical similar to that required for FCO staff as a condition of employment in Iraq. The FCO Iraq Directorate was reported to be pursuing the issue.

746. In July 2006, DFID officials explained to Mr Benn that, although DFID staff were covered by FCO procedures in most areas, that was not the case for pre-deployment procedures.⁴⁷⁸ In the light of FCO concerns about the physical fitness of some DFID contractors, DFID had taken a number of steps, in consultation with the FCO, to tighten up pre-deployment medical fitness clearance and hostile environment training, including:

- asking staff to complete the FCO-led fitness pre-assessment form for postings to Iraq;
- discussing with the firms recruiting contractors the possibility of all staff undergoing a pre-assignment medical with a specialist organisation, rather than obtaining medical clearance from their GP;

⁴⁷⁶ Minute IPU [junior official] to PS/PUS [FCO], 30 June 2006, ‘Iraq: Review of Security’ attaching Paper Iraq Policy Unit, June 2006, ‘Review of Security of Staff and Missions in Iraq’.

⁴⁷⁷ Minute [FCO junior official] to Asquith, 4 July 2006, ‘Visit by HR Manager to Basra 14-19 June 2006’.

⁴⁷⁸ Minute MENAD [junior official] to PS/Secretary of State [DFID], 14 July 2006, ‘Information Note: Security Update – Iraq’ attaching Paper, ‘DFID planned improvements to pre-deployment procedures July 2006’.

- considering the possibility of introducing additional psychological assessments;
- making available a number of counsellors with security clearance; and
- improving Iraq-specific hostile environment training to include a fitness assessment.

747. In November, a representative of Frontier Medical in Iraq responded to concerns expressed by a junior official in DFID about medical fitness requirements.⁴⁷⁹ He reported that: “Despite our frequent requests the FCO has still not clarified any set criteria for medical fitness for deployment to this theatre.” In contrast, DFID had “instigated quite strict medical assessments prior to deployment ... undertaken by an independent company, who have so far proved to be excellent”.

748. Departments also provided psychological support to civilians deployed to Iraq.

749. On 5 March 2004, Mr Philip Parham, Head of the FCO Iraq Operations Unit (IOU), sent Sir Michael Jay a contingency plan for the FCO’s response in the event of an attack that incapacitated the senior UK leadership in Baghdad or resulted in the death or injury of five or more UK civilian staff in Iraq.⁴⁸⁰ The plan built on existing FCO procedures. Objectives included:

- ensure that all civilian staff in Iraq are promptly informed of what has happened, what remedial action is being taken, and what services and options are available to them;
- assess the attack’s psychological impact on staff and advise whether staff should remain or be withdrawn.”

750. The October 2004 version of the FCO pre-deployment briefing pack for staff from all departments and contractors referred to the availability of a trauma risk management (TRiM) interview for those exposed to “specific events”.⁴⁸¹ The briefing also listed the range of medical and counselling services available, some of them 24 hours a day, and gave contact details for the information network set up “to inform and support” the relatives and friends of people serving in Iraq.

751. During the drawdown from the Basra Palace site in October 2006, the FCO confirmed that TRiM assessment was open to staff from other departments and contractors.⁴⁸²

⁴⁷⁹ Email [Frontier Medical] to [DFID junior official], 30 November 2006, ‘Medical Fitness Requirements for Baghdad’.

⁴⁸⁰ Minute Parham to PS/PUS, 5 March 2004, ‘Iraq – Contingency Plan’.

⁴⁸¹ Paper Foreign and Commonwealth Office, 25 October 2004, ‘Iraq Pre-Deployment Brief’.

⁴⁸² Email Middle East and North Africa Department [junior official] to Anderson, 27 October 2006, ‘Basra drawdown’.

752. At the same time, DFID introduced its own counselling service for civilians returning from fragile states.⁴⁸³

753. DFID officials recommended that service in November when approached by consultancy firms asking what counselling or debriefing was available to staff recently withdrawn from the Basra Palace site.⁴⁸⁴

754. Details of the new service were sent to DFID staff in London and Iraq on 28 November.⁴⁸⁵ Staff would be expected to attend debriefing counselling sessions as part of existing security and medical procedures, in order to complement pre-deployment medical clearance and the facilities provided in Iraq by Frontier Medical.

755. DFID's Procurement Group agreed that the service should be made available to contractors on an exceptional basis, reflecting the particular conditions in Iraq, and should not set a precedent for other countries.⁴⁸⁶

756. Participants at the Inquiry's civilian outreach event commented on the range of security and welfare support offered by different departments before, during and after deployment.

757. Non-MOD participants who had served in Iraq between mid-2004 and mid-2007 reported that support in Iraq was poor. Staff were not briefed on what to expect psychologically and there was criticism of the fact that Deputy Heads of Mission were not trained as TRiM assessors or taught actively to look for stress warning signs in their staff. Non-MOD staff had to take the initiative to find support if they needed it. Participants also commented that there seemed to be no structured post-deployment follow-up, although there was some suggestion that the FCO support had improved by the first half of 2007.

758. Participants also commented on the serious damage caused to staff morale when senior staff without the right interpersonal skills were deployed to Iraq. FCO staff suggested that the "can do" approach of FCO senior management limited its ability to recognise when tasks might be impossible and to provide appropriate support to staff.

759. Dr Nemat Shafik, DFID Permanent Secretary from March 2008 to March 2011, told the Inquiry:

"When we select people for these postings, we do look at ... their personal qualities and their emotional resilience, and they do get pre-deployment training and a bit

⁴⁸³ Email [DFID junior official] to [DFID junior official], 2 November 2006, 'Welfare – Basra – DFID Consultants'.

⁴⁸⁴ Email [DFID junior official] to [PA Consultants], 6 November 2006, 'Counselling services for DFID Basra Enterplan consultants'.

⁴⁸⁵ Email [DFID junior official] to Iraq Programme Team London, 28 November 2006, 'New procedures & services – Staff Welfare – Iraq'.

⁴⁸⁶ Email [DFID junior official] to Baugh, 5 June 2007, 'Welfare arrangements for consultants – Cost management'.

of psychological profiling, to see if they have the tenacity and resilience to be able to work in such tough environments.

“We also make sure to support them when they are there. So – particularly after security incidents, we make sure that our welfare people and our counselling services are available to them to deal with any concerns that they have, but it is providing emotional support.”⁴⁸⁷

760. Civil servants deployed to Iraq were covered for death and injury by the provisions of the Civil Service Pension Scheme.⁴⁸⁸

761. In June 2003, Treasury Solicitors advised DFID that its duty of care in Iraq did not extend to “the provision of personal accident insurance against special risks arising out of postings or travel overseas or, for that matter, advising employees to obtain appropriate insurance cover”.⁴⁸⁹

762. In October 2003, COBR commissioned an FCO-led review of training, security and insurance for UK civilians serving in Iraq to “ensure that there is consistency across all government departments seconding staff and consultants”.⁴⁹⁰

763. On 11 November, Sir Michael Jay reported to Permanent Secretaries and the heads of other organisations with personnel serving in Iraq that the review had found “no material gaps or inconsistencies” between departments, except in the case of insurance, where there was a difference between arrangements for MOD civilians and other civil servants.⁴⁹¹

764. Sir Michael enclosed a paper summarising the death and injury provisions of the Civil Service Pension Scheme and the advice on life insurance offered to secondees by the FCO, the MOD and DFID. The paper explained that the FCO advised secondees from the FCO and other government departments (excluding DFID and the MOD) to check whether their life insurance policies covered death in Iraq. If insurers required an extra premium to provide cover under an existing policy, the FCO would cover that cost for maximum life cover of four times the officer’s salary. If insurers were unwilling to provide cover, the FCO recommended taking out a new policy, on which the Iraq Directorate could offer advice. As long as the policy had a term of at least 10 years, the FCO would cover the costs on the same terms as for those paying extra premiums for existing policies.

765. The paper stated that DFID offered its staff the same support.

⁴⁸⁷ Public hearing, 13 January 2010, page 30.

⁴⁸⁸ Letter Jay to Chakrabarti, 11 November 2003, ‘Security of UK Civilian Secondees in Iraq’ attaching Paper, ‘Iraq: Civilian Staff: Training, Briefing, Security and Insurance’.

⁴⁸⁹ Letter Treasury Solicitors [junior official] to Department for International Development [junior official], 25 June 2004, ‘Duty of care to staff in Iraq’.

⁴⁹⁰ Minute OD Secretariat to Sheinwald, 28 October 2003, ‘Iraq: Review of Security Arrangements for UK Staff’.

⁴⁹¹ Letter Jay to Chakrabarti, 11 November 2003, ‘Security of UK Civilian Secondees in Iraq’ attaching Paper, ‘Iraq: Civilian Staff: Training, Briefing, Security and Insurance’.

766. The MOD provided additional cover. If an insurer rejected a claim on a secondee's life policy solely because the secondee was deployed to Iraq or travelling in an MOD aircraft, the MOD would pay the beneficiaries whatever sum they would otherwise have received from the insurer. The MOD would indemnify a secondee injured in Iraq on the same basis, but to a maximum of £50,000. Those indemnities were standard terms of MOD deployment to operational areas and not Iraq-specific.

767. The paper listed two discrepancies not mentioned in Sir Michael Jay's covering letter:

- DFID alone had encouraged staff to increase death benefit by making additional voluntary contributions to the Civil Service Pension Scheme.
- FCO and DFID contracts required contractors to take out personal accident and travel insurance before deployment. The full cost was reimbursed by the FCO and DFID up to a maximum death benefit of £300,000 (FCO) or £250,000 (DFID).

768. In May 2004, DFID reviewed insurance provisions for its staff working in or visiting dangerous locations.⁴⁹² The absence of adequate provision was said to be discouraging some existing staff from continuing to contribute to reconstruction in Iraq and Afghanistan. Financial incentives were not thought to be an issue.

769. The review stated:

“Ministry of Defence research suggests that there is no significantly greater risk of death for service personnel embarking on operational deployment to dangerous locations compared to working in the UK. Our own discussions with the Government Actuary Department and the Office of National Statistics suggest that the probability of death or injury in Iraq or Afghanistan is too random to predict.”

770. DFID officials believed that there was a limited and, arguably, small additional risk of death and injury. DFID staff were generally “less exposed to the same risks as service personnel in Iraq/Afghanistan”. In line with its duty of care obligations, DFID had taken all reasonable steps to protect staff:

“However, in the prevailing circumstances in Iraq and Afghanistan, it is understandable that staff have reviewed their insurance cover ... And insurance companies have responded to the increased perception of a higher risk of death and injury ... by substantially increasing premiums ...”

⁴⁹² Minute MacDonald to PS/Suma Chakrabarti, 13 May 2004, ‘Insurance for DFID Personnel Working [in] or Visiting Dangerous Locations, Particularly Iraq and Afghanistan’.

771. The arguments for DFID providing additional cover were:

- to respond to “a partly irrational, but understandable, fear amongst our staff”: if DFID did not give them what they wanted, they would not go; and
- to allow for the difficulties and/or expense they faced in getting additional cover.

772. DFID officials discussed options with FCO and MOD counterparts and with the Treasury. Among the changes proposed was the introduction of the MOD policy of indemnifying secondees where an insurer rejected a claim. The FCO was reported to be considering the same options, but had put a decision on hold while it waited for the outcome of consideration by the Criminal Injuries Compensation Board of a compensation payment for two employees killed in the bombing of the British Consulate General in Istanbul in 2003.

773. The Treasury approved the DFID proposals, but urged officials to continue discussions with the FCO and MOD “in the interests of joined-up government”.

774. Revised DFID provisions, including indemnity cover to a maximum of £300,000, were incorporated into the DFID terms and conditions for long-term assignments in Iraq published in November 2004.⁴⁹³

775. Participants at the civilian outreach event described a striking and persistent diversity of security and welfare support provided by different departments.

776. On 22 December 2006, Mr Bill Jeffrey, MOD PUS, sent Sir Peter Ricketts and Mr Chakrabarti an MOD study on the deployment of civil servants in operational theatres.⁴⁹⁴ The letter was also sent to Sir Gus O’Donnell, the Cabinet Secretary.

777. Mr Jeffrey reported that the study had looked in particular at co-ordination between different departments, their security advisers and providers. It had become apparent that:

“... there were different practices in different locations, both within and between departments ... but there must be scope for identifying and spreading best practice. For example, it may be useful for all to see the results of the risk assessment which the MOD has undertaken for each of the roles in which our civilian staff deploy.”

778. The paper recommended sharing best practice and taking advantage of economies of scale on pre-deployment training.

⁴⁹³ Paper DFID, 1 November 2004, ‘Working for DFID: Guide to Overseas Terms and Conditions for Long-term Assignments in Iraq’.

⁴⁹⁴ Letter Jeffrey to Ricketts, 22 December 2006, ‘Deployment of Civil Servants in Operational Theatres’ attaching Paper S2O, 30 November 2006, ‘A Report on Safety & Security of MOD Civil Servants on Operations’.

779. Mr Jeffrey explained that the paper proposed “a formal standing cross-Government group” on security and reported that he had agreed to create a new Directorate of Operational Deployment Capability in PJHQ to provide a single focus within the MOD.

780. Mr Jeffrey visited Iraq with Sir Peter Ricketts and Ms Susan Wardell, DFID Director General Operations, from 4 to 7 December 2007.

781. Mr Jeffrey’s briefing included a paper from Mr Jon Day, MOD Director General Operational Policy, about the use of MOD civilians in operational theatres.⁴⁹⁵ Mr Day expressed concern about “whether we are right to continue the current course in high risk environments such as Iraq and (increasingly) Afghanistan”. Concerns about security had led the FCO to spend £37 million per annum on close protection for their “relatively small number” of staff in Iraq. The security threat had also:

“... introduced a risk averse culture which is preventing MOD civilians embedded in the Embassy and working in the Iraqi MOD from doing their jobs effectively – to such an extent that I am increasingly inclined to start pulling them out.

“... [T]he growing difficulty we are having in filling posts suggests that some – many – will not be as suitable as we would wish. I am not at all sure that all of the civilians I met in Iraq would pass the new S2O fitness and health tests ...”

782. Mr Jeffrey described much of what was being done by MOD civilians in Iraq as “a legacy of the more benign environments of the Balkans and post-TELIC 1 euphoria”. Nobody appeared to be auditing the roles filled by civilians against the much more hostile conditions that had prevailed until recently in Iraq. Mr Jeffrey cited the example of civilian finance staff, whose roles could be taken by appropriately trained service personnel. The MOD should minimise the number of non-essential civilian posts in operational theatres. A small number of posts would have to be filled by civilians – POLADs and perhaps scientific and contracts staff – but the right people would not volunteer “simply for the money”. The MOD should “listen to what the current generation say will continue to motivate them”.

783. Mr Jeffrey advised discussing a coherent and sustainable approach to duty of care with the FCO, observing that “at present we are less risk aware than the FCO in Iraq but more risk aware in Afghanistan!”.

784. Mr Benn told the Inquiry:

“... you need to have a common approach for everybody, not a difference between departments and that includes a responsibility of the duty of care you have for consultants and contractors whom you have asked to come and work”.⁴⁹⁶

⁴⁹⁵ Minute DG Op Pol to 2nd PUS [MOD], 9 November 2007, ‘MOD Civilians in Operational Theatres’.

⁴⁹⁶ Public hearing, 2 February 2010, pages 43-44.

785. The Inquiry received conflicting evidence about whether those differences had been resolved.

786. Dr Shafik told the Inquiry:

“Peter Ricketts, the Permanent Secretary of the Foreign Office, and Bill Jeffrey, the Permanent Secretary at the Ministry of Defence, and I, had a series of conversations about this over 2008 and we worked very hard to see whether we could develop a common duty of care regime for all civilians, and the security teams, particularly in the MoD and the FCO, worked very hard on this, and I’m sure they could give you more detail, but in the end of that process, we realised that our civilians are doing such different things that it didn’t make sense to have identical regimes.”⁴⁹⁷

787. Mr Bowen told the Inquiry:

“Duty of care was a problem, but it was a problem actually that was gripped, or we tried to grip it at a very senior level. Permanent secretaries were engaged in this, and tried to resolve issues.”⁴⁹⁸

788. Sir Suma Chakrabarti identified two key lessons about duty of care:

“One is about unifying our lengths, and the other is about trying to unify terms and conditions around staff security and duty of care. The latter has happened. So FCO and DFID have the same standards.”⁴⁹⁹

789. Sir Gus O’Donnell told the Inquiry that, after a trip to Helmand Province in Afghanistan with the FCO and MOD PUSs, he said to one of them: “One of the issues we really need to sort out here is terms and conditions for people sent abroad and duty of care issues.”⁵⁰⁰ Sir Gus concluded that terms and conditions were “not completely harmonised”. The process was “not finished yet, but I think it has made a lot of progress”.

790. In additional evidence to the Inquiry, Sir Gus O’Donnell stated:

“The FCO and MOD use different systems of risk assessment and management, reflecting the different roles, purposes, and levels of training for their personnel when deployed to high threat environments (DFID follow FCO arrangements). In all locations, security arrangements for military and civilian personnel are determined according to the threats present, and assessed on a case by case basis. There is no “standard” or “standards” of duty of care as the practical discharge of duty of care is case and context specific.

⁴⁹⁷ Public hearing, 13 January 2011, page 35.

⁴⁹⁸ Public hearing, 16 December 2009, page 76.

⁴⁹⁹ Public hearing, 22 January 2010, page 36.

⁵⁰⁰ Public hearing, 28 January 2011, page 85.

“The Building Stability Overseas (BSO) Board, made up of MOD, DFID and FCO Directors (including the previous Stabilisation Unit Board) oversees ongoing discussions between departments on duty of care, seeking to provide the best possible security arrangements for delivering coherent HMG effect and exploring opportunities for greater flexibility where circumstances allow ...

“However there do remain key differences between the FCO and MOD practices. In Afghanistan, FCO civilians use close protection bodyguards, while MOD civilians rely on military protection. Pay and allowances, duration of postings, R&R arrangements as well as compensation and insurance arrangements vary across all departments, often reflecting differing roles of personnel. As noted earlier, in all locations, security arrangements are determined according to the threats present, and assessed on a case by case basis.”⁵⁰¹

The Iraq Reconstruction Service Medal

791. In May 2004, Mr David Blunkett, the Home Secretary, wrote to Mr Straw as Chair of the AHMGIR to propose that UK police officers and other civilians seconded to Iraq should be eligible for the Iraq campaign medal or a civilian equivalent.⁵⁰² Home Office officials had advised the police that UK police officers seconded to Iraq might be eligible for the Iraq Campaign Medal, but had since been advised by the Cabinet Office Ceremonial Secretariat that it was a military medal for which police officers were not eligible. Mr Blunkett suggested that would have been a reasonable position were the campaign medal awarded solely to members of the Armed Forces, but civilians serving directly with the Armed Forces in support of Op TELIC were also eligible. It was “abundantly clear that our civilians in Iraq run risks to their own lives often comparable to those faced by the military, and certainly probably [sic] greater than in civilian deployments almost anywhere in the world”.

792. Mr Blunkett warned that the repercussions for the police, who had been given to understand that they were eligible, “could be very serious”. He recommended that the eligibility criteria be changed or a new medal created.

793. Mr Straw commended Mr Blunkett’s letter to Mr Douglas Alexander, Minister for the Cabinet Office, and sent it to Mr Blair. Mr Straw stated: “I believe that the recognition of all personnel serving directly in support of government policy in Iraq, whether serving in Jordan or Iraq, should be appropriately rewarded.”⁵⁰³

794. Sir Andrew Turnbull put three options to Mr Blair:

- extending the Iraq campaign medal to include other civilians, which was not supported by the military;

⁵⁰¹ Letter O’Donnell to Aldred, [undated], ‘Iraq Inquiry’ attaching Paper Cabinet Office, 7 March 2011, ‘Iraq: Inquiry further questions for the Cabinet Secretary’.

⁵⁰² Letter Blunkett to Straw, 17 May 2004, [untitled].

⁵⁰³ Letter Straw to Alexander, 8 June 2004, ‘Honouring Service in Iraq’.

- a new medal to recognise civilian service in Iraq, which would create pressure for a series of other medals, including for past campaigns; and
- use of the Humanitarian Service Medal, approved in principle by the Queen in 1999, which could provide appropriate means for rewarding civilian service in Iraq and have longer-term application.⁵⁰⁴

795. Mr Benn supported the idea of a separate civilian medal.⁵⁰⁵ He also requested either greater flexibility in the allocation of honours to DFID, which, he said, only received a small number, or an additional special list for Iraq.

796. Mr Hoon told Mr Blair that he had “no difficulty with marking the contribution made by civilians abroad”, but could not support use of the military campaign medal.⁵⁰⁶ He recommended an urgent review by the Cabinet Office Honours and Decorations Committee of ways to provide wider recognition of civilian service “appropriate to the fast moving situations in which we are increasingly likely to find ourselves”.

797. Mr Blair asked the FCO to seek approval from the Queen for a special civilian medal for Iraq and endorsed Mr Hoon’s separate proposal for a wider review.⁵⁰⁷

798. Mr Blair announced the Queen’s approval of the new medal in Parliament on 30 June:

“We should pay tribute ... to the many British public servants, policemen and women and volunteers, so ably led by David Richmond, the UK Special Representative, who played a crucial role in helping the Iraqi people to rebuild their lives under difficult and stressful conditions. Her Majesty the Queen has graciously agreed that their extraordinary contribution should be recognised with the award of a special civilian medal.”⁵⁰⁸

799. FCO officials explained to Sir Michael Jay in July 2004 that eligibility criteria, periods of qualifying service and details of the medal design were still to be worked out.⁵⁰⁹ Late October 2004 was suggested as a possible date for a further public announcement, because of the “not inconsiderable work required to produce the Civilian Iraq Medal from scratch”.

800. The first set of eligibility criteria proposed by the FCO Iraq Directorate in January 2005 excluded locally engaged staff and sub-contractors not directly employed by the UK Government.⁵¹⁰

⁵⁰⁴ Minute Turnbull to Prime Minister, 11 June 2004, ‘Recognition for Service in Iraq’.

⁵⁰⁵ Letter Benn to Alexander, 16 June 2004, [untitled].

⁵⁰⁶ Letter Hoon to Blair, 17 June 2004, ‘Recognising Non-military Service in Iraq’.

⁵⁰⁷ Letter Quarrey to Owen, 21 June 2004, ‘Recognition For Civilian Service in Iraq’.

⁵⁰⁸ House of Commons, *Official Report*, 30 June 2004, column 285.

⁵⁰⁹ Minute Protocol [junior official] to APS/PUS [FCO], 12 July 2004, ‘Iraq: Special Honours List and Special Civilian Medal’.

⁵¹⁰ Minute Iraq Directorate [junior official] to PS [FCO], 18 January 2005, ‘Iraq Civilian Medal’.

801. Sub-contractors, who included guards employed by Control Risks Group and ArmorGroup, were excluded on the grounds that the numbers involved would “very significantly increase production costs” and “risk devaluing the medal”. The Iraq Directorate also observed that most sub-contractors “already receive considerable financial reward for their efforts”.

802. The proposal also excluded UK police officers employed at the Jordan International Police Training Centre. While recognising that the police officers who set up the centre had volunteered for service in Iraq, were expecting to be deployed there, and worked, initially, in physically difficult conditions, the Iraq Directorate advised that service in Iraq had carried an entirely different level of risk.

803. A revised proposal, including sub-contractors, was put to Mr Straw in February.⁵¹¹ Officials advised that:

“Although these guards are well paid for their work, we believe that the risks that they undertake merit their inclusion. They are an essential part of our operation. Posts argue strongly that to exclude them would damage morale and create divisions.”

804. Mr Straw was “generally content” with the proposal, but asked whether a “blanket exception” for LE staff was fair.⁵¹²

805. The paper prepared by the FCO for the Cabinet Office in July 2005 included sub-contractors, but not LE staff.⁵¹³

806. The FCO paper listed the “risks and rigours” facing civilians who had served in Iraq since 2003:

“RISKS

- Overall a high risk to personnel both on and off duty.
- High risk of rocket and mortar attack on all civilians, both in office and staff accommodation.
- High risk of attack by IED (improvised explosive devices), VBIED (vehicle borne improvised explosive devices) and suicide car bombers, when travelling in official transport on the ground.
- High risk of attack by individual suicide vest bombers.
- High risk of attack from surface to air weapons when travelling in either RAF or Army helicopter flights.
- High risk of kidnapping.

⁵¹¹ Minute Iraq Directorate [junior official] to PS [FCO], 16 February 2005, ‘Iraq Civilian Medal’.

⁵¹² Manuscript comment Siddiq to Crompton, 24 February 2005, on Minute Iraq Directorate [junior official] to PS [FCO], 16 February 2005, ‘Iraq Civilian Medal’.

⁵¹³ Paper FCO, July 2005, ‘Memorandum by the Foreign and Commonwealth Office: Iraq Civilian Medal’.

- High risk of injury/fatality from becoming involved in civil disturbances or violent attacks, including muggings.
- High risk of contraction of endemic diseases. Extensive range of inoculations required. Malaria prophylaxis required in many areas (mosquitoes present throughout Iraq).

RIGOUR

- Basic infrastructure lacking, damaged or in disrepair.
- Personnel required constantly to live and work in an extremely hostile and dangerous environment.
- Constant requirement to carry or wear heavy, restrictive and uncomfortable body armour and helmet.
- Personnel required to work and live in hardship conditions, (until recently in Basra, but still in Baghdad: shared accommodation and communal washing/toilet facilities) in unsocial circumstances, with very limited amenities and near non-existent social facilities.
- Severe restrictions on movement. All movements outside secure area are in armoured vehicles with armed Close Protection Teams.
- Hostile climate, with high temperatures sometimes in excess of 50 degrees Celsius in the summer. Frequent sandstorms, which further impede movement of personnel.”

807. The FCO estimated that the number eligible, which was likely to increase as new personnel were deployed, was approximately:

- 550 civilian public servants;
- 60 contractors not involved in the provision of security, mostly employed by the FCO and DFID;
- 850 security-related contractors; and
- 80 police officers.

808. The Ceremonial Secretariat of the Cabinet Office and the MOD raised questions about the absence of any reference to NGOs and aid or charity workers.⁵¹⁴

809. In December 2005, FCO officials advised Ministers that the award, now referred to as the Iraq Reconstruction Service Medal (IRSM), should not be given to aid workers and NGO personnel on the grounds that it could compromise their independence and have a negative impact on their security. NGOs and aid organisations working in Baghdad would be encouraged to consider nominating individuals for the six-monthly honours lists.

⁵¹⁴ Minute Iraq Directorate [junior official] to PS [FCO], 15 December 2005, 'Iraq Reconstruction Service Medal (IRSM)'.

810. Officials also recommended that LE staff employed at the British Embassy Baghdad and British Embassy Offices Basra and Kirkuk since May 2003 should receive a certificate commending each individual's contribution to the reconstruction of Iraq.

811. Mr Benn recommended that, before Ministers took a final decision, the main NGOs should be contacted to confirm that they did not want their personnel to receive the award.⁵¹⁵ That consultation process, which was carried out by DFID and took several months, reaffirmed the FCO's advice that individuals working for NGOs should not be eligible.

812. Dr Howells approved the FCO's eligibility criteria for the IRSM on 19 May 2006.⁵¹⁶

813. In April 2006, with the details of the medal still not agreed, Acting ACC Barton, Chief Police Adviser – Iraq (CPA-I), reported that awards to UK police officers serving in Iraq remained a “bone of contention”.⁵¹⁷ Several staff had commented that police officers and FCO staff did not receive the Op TELIC campaign medal. ACC Barton proposed to award every member of staff who served three months in Iraq a Contingent Commander's Certificate of Merit. Commendations would be reserved for outstanding commitment or acts beyond the call of duty. Serving officers would also receive a letter to their Chief Constable. Retired officers would be sent a testimonial letter.

814. The Cabinet Office submitted the July 2005 FCO paper to the Committee on the Grant of Honours, Decorations and Medals in August 2006, after the negotiation of a number of amendments.⁵¹⁸

815. The Secretary to the Committee explained in a covering note that:

“No civilian medal has ever been awarded for civilian service in a war zone. It is therefore important that this case is considered carefully. It is essential that members of the military who have been awarded the military medal should not feel that they are disadvantaged by the application of less rigorous standards to a parallel medal for civilians and members of the military in non-operational roles.

“The situation in Iraq has been unprecedented in terms of the number of civilians who have been involved in reconstruction and the transition to democracy ...

“These civilians have volunteered for this work. The work has been generally well-rewarded financially. A concern of the MOD is the fact that the military have been haemorrhaging personnel who leave the forces to become highly paid security contractors in Iraq. There is some discomfort over the prospect of these people becoming eligible for a medal on the same basis as their former colleagues.”

⁵¹⁵ Minute Iraq Directorate [junior official] to PS/Dr Howells, 17 May 2006, 'Iraq Reconstruction Service Medal (IRSM)'.

⁵¹⁶ Manuscript comment [Dr Howells' Private Office] on Minute Drake to PS/Dr Howells, 19 May 2006, 'Iraq Reconstruction Service Medal (IRSM)'.

⁵¹⁷ Report Barton, 20 April 2006, 'Situational Review of the United Kingdom Civilian Police Mission in Iraq'.

⁵¹⁸ Paper Ceremonial Secretariat [junior official], 9 August 2006, 'Iraq Reconstruction Service Medal'.

816. The IRSM was introduced in January 2007.⁵¹⁹ It was decommissioned in 2013.⁵²⁰

817. The FCO told the Inquiry that “around 4,100” medals were awarded.⁵²¹

818. A small number of recipients criticised the administration of the medal.

819. In June 2008, Sir Peter Ricketts received an email from a recipient of the IRSM, who believed that the medal’s value as a good way of honouring those who served in Iraq had been “somewhat diminished by the manner in which it is administered”.⁵²²

The individual recognised that work was in hand in the FCO to improve administration of the medal, but criticised the fact that individuals had to fill out an application form, received the medal in a Jiffy bag, and that there was no presentation ceremony.

820. Sir Peter commented to the IOU: “I don’t want any medals sent in Jiffy bags unless staff specifically ask for that.”⁵²³

821. In his reply to the original email, Sir Peter explained that the application form provided the FCO with important documentation for auditing purposes.⁵²⁴ Presentation of the medal was complicated by the need to balance the wishes of those who wanted to receive theirs quickly, without great ceremony, and those preferring to wait for a more formal ceremony, at post or in London. Dr Howells and Sir Peter had hosted a reception for London-based recipients of the first batch of medals in 2007. A second reception was planned for later in 2008.

822. There were some critical comments about the medal from participants at the Inquiry’s civilian outreach event, including that it had been sent in a rolled up brown envelope, addressed to “Dear Colleague” and not even signed by the Permanent Secretary. One participant had refused to accept a medal on the grounds that the qualification was simply to have been in Iraq for a minimum period.

Locally engaged staff

823. UK government departments and the UK military employed Iraqi citizens in various capacities from 2003 onwards, including as supervisors of reconstruction projects, interpreters and office staff.

824. As security deteriorated and the mobility of UK personnel became increasingly constrained, locally engaged (LE) staff and contractors became critically important to the UK reconstruction effort.

⁵¹⁹ Foreign & Commonwealth Office, *The Iraq Reconstruction Service Medal*, January 2007, Cm 7000.

⁵²⁰ Foreign & Commonwealth Office [from GOV.UK], 1 July 2013, *Iraq Reconstruction Service Medal to be decommissioned*.

⁵²¹ Email FCO to Iraq Inquiry, 15 March 2016, ‘Iraq Reconstruction Service Medal’.

⁵²² Email FCO [junior official] to Ricketts, 4 June 2008, ‘Iraq Reconstruction Medal’.

⁵²³ Email FCO [junior official] to FCO [junior official], 13 June 2008, ‘Iraq Reconstruction Medal’.

⁵²⁴ Email FCO [junior official] to FCO [junior official], 17 June 2008, ‘Iraq Reconstruction Medal’.

825. Concern about the safety of LE staff emerged in September 2003.⁵²⁵

826. On 18 September, during a visit to Baghdad, Mr Benn was told by UK secondees to the CPA that “there was increased nervousness amongst Iraqi staff about doing their jobs. Daily lives were difficult and the UN bombing [on 19 August 2003] had increased these tensions.”⁵²⁶

827. Mr Dinham told the Inquiry that, during 2006 and 2007, access to a number of infrastructure projects was so difficult that “we had to arrange to work through local contractors ... taking videos, taking digital images, contacting us by email, meeting them in safe locations so we could actually supervise at one remove”.⁵²⁷

828. Sir Suma Chakrabarti paid tribute to the bravery of local staff:

“Some quite innovative project management techniques had to be applied when staff could not get out of the Consul General’s office to go and monitor progress on some of the infrastructure programmes. I have to say something about the courage of our Iraqi staff, actually, in helping with a lot of that until they also faced threats as well and then we had to stop employing them.”⁵²⁸

829. On 20 April 2006, Mr Robin Lamb, British Consul General in Basra, reported that law and order in Basra had deteriorated over the preceding few weeks and that:

“Most of our critical local staff (ie those who interpret or conduct external business for us) now consider it too dangerous to come into work ...

“We are taking steps to manage LE staff’s perceptions. We judge that the risk to them is probably lower than they believe, and we have designed ways of working to lower their exposure (flexible patterns, shifts, rotations). But it is hard to argue with the facts on the ground. Murders have spiked in the last three weeks and there is evidence that interpreters associated with MND(SE) and the wider Coalition have been targeted.

...

“We judge that local staff will feel safe to return to work when the Council boycott [see Section 9.4] is lifted ... Local staff tell us that they think it will be easier for them once relations with the Council are restored ...

“DFID see their situation slightly differently ... Although two of DFID’s local partners have been threatened, the risks to them are not as great as to our permanent local

⁵²⁵ Minute [DFID junior official] to Drummond, 25 September 2003, ‘Hilary Benn’s Meeting with UK Secondees to CPA-HQ in Baghdad, 18 September’.

⁵²⁶ Minute [DFID junior official] to Drummond, 25 September 2003, ‘Hilary Benn’s Meeting with UK Secondees to CPA-HQ in Baghdad, 18 September’.

⁵²⁷ Public hearing, 17 December 2009, page 43.

⁵²⁸ Public hearing, 22 January 2010, pages 33-34.

staff ... Key local government politicians and officials are more willing to engage with DFID than with the UK military and FCO.”⁵²⁹

830. On 25 April, DFID officials advised Mr Benn that two LE staff working for the UK at the Basra Palace site had left Iraq in fear of their lives after being followed home from work.⁵³⁰ The incident had caused concern among other LE staff, who had been given the remainder of the week off. All local staff continued to have “standing permission not to come to work if they felt unsafe”. The situation was to be reviewed once it was clearer how many local staff considered it safe to return to work and it was possible to assess the impact on the DFID programme.

831. Mr Benn commented: “The right approach – our local staff have shown a lot of courage and deserve all our support.”⁵³¹

832. On 18 June, an LE member of staff at the British Embassy Office Basra was murdered. His wife, also a local member of staff, was seriously injured.⁵³²

833. On 29 June, local staff working for the British Embassy Office Basra were advised that they could take the available severance package if they no longer felt safe working there.⁵³³ They were told there might come a point when their employment would have to be terminated because of the risk to their safety, but the Embassy Office judged that point had not yet been reached.

834. During the second half of 2006, FCO and DFID officials exchanged views on departments’ duty of care to LE staff.

835. Ms Diana Brookes, FCO Legal Counsellor, advised FCO officials:

“The important point is that even if they [LE staff] have accepted the risks involved this does not absolve the FCO from liability in terms of duty of care in an individual case. If the view is taken that the risk is so great that LE staff should not continue working at this time then I do not see how we could be meeting our duty of care to them by allowing them to turn down the voluntary severance package. If the risk is that high then the severance package should be made compulsory for all LE staff, otherwise we risk the possibility of liability for breach of our duty of care if a further incident were to happen.”⁵³⁴

⁵²⁹ Letter Lamb to IPU [junior official], 20 April 2006, ‘Basra: Security and Drawdown’.

⁵³⁰ Minute DFID [junior official] to PS/Secretary of State [DFID], 25 April 2006, ‘Basra Security and Staffing’.

⁵³¹ Manuscript comment Benn on Minute [DFID junior official] to PS/Secretary of State [DFID], 25 April 2006, ‘Basra Security and Staffing’.

⁵³² Minute Asquith to Private Secretary [FCO], 21 June 2006, ‘Assassination of Locally Engaged Staff in Basra’.

⁵³³ Email [Basra junior official] to [FCO junior official], 29 June 2006, ‘Local Staff’.

⁵³⁴ Email Brookes to [FCO junior official], 29 June 2006, ‘Local Staff’.

836. Ms Liz Davis, DFID Human Resources Director, advised DFID officials:

“It is our responsibility to ensure the health, safety and welfare of our staff. A failure to do so is a breach of our responsibilities in law and potentially a failure of our common law duty if we act negligently. This framework is not the same for the military. The test at law will be:

- have we assessed the risks,
- controlled those risks as far as possible,
- trained staff where appropriate,
- and monitored the issues.”⁵³⁵

837. Those responsibilities would normally be confined to “working time”, an approach Ms Davis did not believe to be reasonable in Iraq. Ms Davis advised that, as an employer, DFID could not be held responsible for the overall security situation, but that the picture was clouded by the wider role of the UK Government.

838. A table prepared by the British Council in July itemised some of the differences between the packages offered by the FCO and DFID (and the British Council), including grievance procedures, “security leave” and entitlement to termination benefits.⁵³⁶

839. By October 2006, all but one of the Iraqi civilian staff working at the Basra Palace site had been replaced by third country nationals because of “a growing campaign of intimidation at the hands of extremists.”⁵³⁷

Table 1: FCO LE staff in Baghdad and Basra, 2004-2008⁵³⁸

	2004/05	2005/06	2006/07	2007/08
Baghdad	370	34	34	35
Basra	251	22	2	2
Total	621	56	36	37

The Locally Engaged Staff Assistance Scheme

840. In August 2007, faced with a further deterioration in security and growing press interest in LE staff,⁵³⁹ officials sought to establish “a coherent cross-Whitehall approach” to LE staff.⁵⁴⁰

⁵³⁵ Email Davis to Dinham, Foy, Shafik, 30 June 2006, ‘Local Staff’.

⁵³⁶ Email Shafiq to Gibson, 26 July 2006, ‘TACOS for Iraq’.

⁵³⁷ Paper Iraq Policy Unit, 25 October 2006, ‘Iraq: Basra Palace Site’.

⁵³⁸ Letter Fraser to Aldred, 22 July 2013, ‘Iraq Inquiry: Deployment of Civilian Personnel: Statistics, Annex C – Iraq: Activity Recording – Schedule 5 Summary’.

⁵³⁹ *BBC News*, 7 August 2007, *Interpreters ‘abandoned’ in Iraq*; *Times Online*, 7 August 2007, *Abandoned – the 91 Iraqis who risked all*.

⁵⁴⁰ Minute IPU [junior official] to Private Secretary [FCO], 1 August 2007, ‘Iraq: Locally Engaged Staff’.

841. Mr Giles Lever, Head of the IPU, advised Mr Miliband that officials in the FCO, MOD, DFID, Home Office and Cabinet Office had found it difficult to agree a common approach:

- The FCO saw a strong moral, reputational and operational case for doing more to assist Iraqi staff facing security threats and those who had been forced to leave UK government employment due to security. The FCO had around 27 LE staff in Baghdad and estimated no more than 100 current and former staff in Basra would be eligible.
- DFID, with a very small number of LE staff, broadly shared the FCO view.
- The MOD had directly employed around 15,000 Iraqi citizens since 2003, and tens of thousands more through international or local contractors. It was “nervous about the resource implications for any commitment to do more for Iraqi staff”. The MOD was also concerned that any promise of assistance to LE staff (for example, asylum in the UK) would be “a catalyst for an exodus of staff” and “would undermine MND (SE)’s ability to operate effectively”.
- The Home Office was “predictably unwilling to contemplate any relaxation of the asylum/immigration rules for Iraqis who have worked for HMG, especially in view of MOD’s numbers”. It was also concerned that any change in policy “could act as a pull factor for a large number of Iraqis”.⁵⁴¹

842. On 7 August, the Cabinet Office advised Mr Brown that the numbers involved were large, policy differed between the FCO/DFID and the MOD, and “our current immigration/asylum policies mean that there are few straightforward options”.⁵⁴² The two principal alternatives were resettlement and financial assistance.

843. Three options were put forward for reducing the number of eligible staff to more manageable levels:

- Distinguishing between LE staff directly employed by the UK and those hired on a casual basis or via contractor. More than 15,000 Iraqi citizens would still be eligible, but a large number hired through international or local contractors would be excluded.
- Establishing a minimum level of service of perhaps 12 or 24 months. Depending on the timeframe, about 330 or 230 Iraqi citizens would be eligible.
- Prioritising interpreters and other white collar staff on the grounds that professional staff were mission critical and more closely identifiable with the UK. Questions of fairness could arise. Around 120 (12-month minimum service) or 100 (24-month minimum service) were estimated to be eligible.

844. Mr Brown asked the Cabinet Office to co-ordinate a Whitehall-wide review, reporting to the Defence, Foreign and Home Secretaries.⁵⁴³ The review should establish

⁵⁴¹ Minute IPU [junior official] to Private Secretary [FCO], 1 August 2007, ‘Iraq: Locally Engaged Staff’.

⁵⁴² Minute Turner to Prime Minister, 7 August 2007, ‘Iraq: Locally Engaged Staff’.

⁵⁴³ Letter Turner to Carver, 8 August 2007, ‘Iraq: Locally Engaged Staff’.

a minimum threshold for assistance and consider whether more could be offered to a subset of Iraqi employees, against clear criteria and with possible resettlement in third countries. It should also consider the implications for UK operations in Iraq and elsewhere, and for UK asylum policy.

845. The ‘Review of Locally Engaged Staff’, written by the FCO with input from other departments, was sent to Ministers on 1 October.⁵⁴⁴ The review recommended the establishment of “discrete schemes to assist sub-sets of a) serving and b) former Iraqi LE staff”. Objective criteria, such as the length of service should be the main method for deciding which staff should be eligible.

846. The review stated:

“Because records of former staff, in particular the estimated 20,000 employed by MOD, are incomplete, it is extremely difficult to assess with any certainty the numbers of former staff who might be ... eligible ...”

847. Ministers agreed on 3 October that “the best solution was to offer assistance as an ex-gratia package, not as a reward for service, but with the implicit recognition that the uniquely difficult circumstances formed part of the justification for that package”.⁵⁴⁵

848. Ministers also agreed to set a minimum of 12 months’ service for serving staff and that for former staff, only the “professional cadres” would be eligible. The package would include financial assistance, resettlement in third countries and resettlement via the Gateway Protection Programme.⁵⁴⁶ On funding, the Home Office would offer £6 million from the annual Gateway budget. Additional costs should be met where possible by employing departments. In the MOD’s case that would entail a call on the Reserve.

849. Ministers met again on 8 October to reach agreement on whether existing staff should be offered the additional option of Exceptional Leave to Enter the UK direct from Iraq and, if so, how that would be funded.⁵⁴⁷ Ministers agreed that the MOD should be able to claim up to £20 million from the Reserve and would provide up to a further £5 million from its existing budgets.

850. Mr Brown announced the scheme to Parliament later on 8 October:

“I would ... like to take this opportunity to pay tribute to the work of our civilian and locally employed staff in Iraq, many of whom have worked in extremely difficult circumstances, exposing themselves and their families to danger. I am pleased therefore to announce today a new policy which more fully recognises the

⁵⁴⁴ Paper Cabinet Office, 1 October 2007, ‘Ministerial Meeting on Iraq Review of Locally Engaged Staff, Iraq: Locally Engaged Staff’.

⁵⁴⁵ Minutes, 3 October 2007, Ministerial Meeting on Iraq – Review of Locally Engaged Staff.

⁵⁴⁶ The Gateway Protection Programme, introduced in 2004, is operated by the UK Government in partnership with UNHCR. It offers a legal route for a fixed number of refugees from different countries to settle in the UK each year.

⁵⁴⁷ Minutes, 8 October 2007, Ministerial Meeting on Iraq – Review of Locally Engaged Staff.

contribution made by our local Iraqi staff, who work for our armed forces and civilian missions in what we know are uniquely difficult circumstances. Existing staff who have been employed by us for more than 12 months and have completed their work will be able to apply for a package of financial payments to aid resettlement in Iraq or elsewhere in the region, or – in agreed circumstances – for admission to the UK. Professional staff, including interpreters and translators, with a similar length of service who have left our employ since the beginning of 2005 will also be able to apply for assistance.”⁵⁴⁸

851. Mr Miliband gave a fuller explanation in a Parliamentary Written Statement the next day.⁵⁴⁹

852. Neither the MOD nor the FCO was able to provide precise figures for the number of Iraqi citizens employed since 2003 and likely to be eligible under the scheme.⁵⁵⁰

853. At a Ministerial meeting to discuss LE staff on 18 September, Lord Drayson, Minister of State for Defence Equipment and Support, conceded that the MOD “had not done a good job on record keeping”. In discussion, Ministers commented that further work on the issue was “unlikely to deliver much more clarity given the nature of the records”.⁵⁵¹

854. On 30 October, Mr Miliband gave more detail on eligibility, the package on offer and application procedures:

“Both fairness and realism demand that we focus on that sub-set of staff who have had the closest and most sustained association with us, in circumstances which we judge to be uniquely difficult. We have therefore established clear and transparent eligibility criteria which are, as far as possible, objective in nature.

“... We need to preserve our ability to recruit and retain qualified staff ... Both the overall policy, and the design of the scheme in respect of serving staff have been designed with this in mind.

“Finally, we have taken into account the need to ensure that any assistance ... is practical, realistic and preserves the integrity of wider immigration and asylum policy ...

“The assistance ... is offered ex-gratia and goes above and beyond the confines of what is lawfully or contractually required.”⁵⁵²

855. On 19 December, Mr Tinline reported that implementation of the scheme was starting to work. All precedent-setting cases were referred to MND(SE) and London.

⁵⁴⁸ House of Commons, *Official Report*, 8 October 2007, column 23.

⁵⁴⁹ House of Commons, *Official Report*, 9 October 2007, column 27WS.

⁵⁵⁰ Minute [Cabinet Office junior official] to McDonald, 7 September 2007, ‘Iraq Senior Officials Group’.

⁵⁵¹ Minutes, 18 September 2007, Ministerial Meeting on Iraq – Review of Locally Engaged Staff.

⁵⁵² House of Commons, *Official Report*, 30 October 2007, column 30WS.

Many applications were “obviously inadmissible”, but a surprising number raised difficult questions. A number of principles had informed decisions:

- Individuals on Letters of Appointment who did not fulfil the “Eligibility criteria for former staff” were not eligible.
- Those still on the payroll on 8 August 2007 but not currently working because of threats should be counted as current staff.
- Those meeting the job criteria for only a brief period, such as providers of “occasional interpreting”, were not eligible, however long they had worked for the UK.

856. The first 18 “current staff” arrived in the UK from Basra on 8 April 2008.⁵⁵³ By 22 May, the UK had received 1,138 applications for assistance, of which 503 had been assessed as eligible, with almost half the successful applicants opting for the financial package.

857. In March 2009, Mr Miliband informed Ms Jacqui Smith, the Home Secretary, that an assessment of the Locally Engaged Staff Assistance Scheme by Home Office, FCO, MOD, DFID and Cabinet Office officials had concluded that it was “working well” and only “minor adjustments” were needed.⁵⁵⁴ Mr Miliband explained that he had agreed a recommendation to set a cut-off date after which new applications from “former” staff would not be accepted. He sought Ms Smith’s agreement to continue the scheme for serving staff, with a review of its future in September 2009.

858. On 23 March, Mr Miliband announced to Parliament that the scheme was “popular and effective” and would remain unchanged, but new applications from “former” staff (those who had left their jobs before 7 August 2007) would not be accepted after 19 May.

859. The scheme was closed to all applicants on 16 January 2011.⁵⁵⁵

860. The total number of individuals who have taken up the option to be resettled in the UK under the Locally Engaged Staff Assistance Scheme is 1,389 (see Table 2).⁵⁵⁶

Table 2: Iraqi citizens settled in UK under the Locally Engaged Staff Assistance Scheme

	Gateway	Direct entry
Principal applicants	183	186
Dependants	413	607
TOTAL	596	793

⁵⁵³ Letter Felton to Acland-Hood, 22 May 2008, ‘Locally Engaged Iraqi Staff Scheme: Progress and Next Steps’.

⁵⁵⁴ Letter Miliband to Secretary of State for Home Affairs, 11 March 2009, ‘Iraq: Locally Engaged Staff Assistance Scheme’.

⁵⁵⁵ House of Commons, *Official Report*, 16 September 2010, column 58WS.

⁵⁵⁶ Email FCO to Iraq Inquiry, 15 February 2016, ‘Locally Engaged Staff Assistance Scheme’.

UK civilian deployments to Iraq: statistics

- 861.** The Inquiry asked government departments to provide quarterly data on the numbers, roles and location, of civilian staff and contractors deployed to Iraq between 2003 and 2009.⁵⁵⁷
- 862.** In the case of the FCO, the request included information on secondees from other government departments for whom the FCO had duty of care responsibilities.
- 863.** None of the three principal departments responsible for the deployment of civilians (the FCO, the MOD and DFID) was able to provide data in the form requested.
- 864.** FCO data were drawn principally from the department's human resources (HR) database, Prism. An initial return covering the period from March 2003 to June 2009 was submitted to the Inquiry in 2011.⁵⁵⁸ In 2013, the FCO updated the figures for March 2004 to June 2009.⁵⁵⁹
- 865.** The Prism figures indicate the number of FCO staff deployed to bilateral FCO missions in Iraq, but do not include FCO contractors, staff from other government departments for whom the FCO was responsible, or FCO staff seconded to ORHA or the CPA.
- 866.** The FCO supplemented the Prism material with miscellaneous data from other sources, including telephone lists and policy documents, which provided occasional snapshots of overall numbers of civilians deployed by the FCO and other departments, excluding support for Op TELIC.
- 867.** Sir Simon Fraser, the FCO PUS from 2010 to 2015, told the Inquiry that the FCO had learned lessons from the experience of Iraq and that “the current recording system in FCO is both more robust, more complete and more accurate than was previously the case”.⁵⁶⁰
- 868.** The MOD provided average quarterly figures for three groups of civilians deployed in support of Op TELIC: MOD staff; staff from other government departments; and contractors.⁵⁶¹
- 869.** The figures for 2003 to 2006 are drawn from returns compiled by individual military units and based on physical counts of civilians present. The returns were collated by PJHQ.

⁵⁵⁷ Letter Aldred to Heads of Iraq Inquiry Departmental Liaison Units, 8 April 2011, 'Iraq Inquiry – Role of Civilians in Iraq'.

⁵⁵⁸ Letter FCO to Iraq Inquiry, 27 May 2011, 'Iraq Inquiry – Role of Civilians in Iraq' attaching Table, [untitled].

⁵⁵⁹ Letter Fraser to Aldred, 22 July 2013, 'Iraq Inquiry: Deployment of Civilian Personnel: Statistics'.

⁵⁶⁰ Letter Fraser to Aldred, 22 July 2013, 'Iraq Inquiry: Deployment of Civilian Personnel: Statistics'.

⁵⁶¹ Letter Ministry of Defence to Iraq Inquiry, 31 May 2013, 'Civilian Roles in Iraq'.

870. In 2006, the requirement to produce a combined total for the three groups of civilians lapsed, resulting in large gaps in the record for the later period. Figures for 2006 onwards were compiled for the Inquiry by the MOD from units' individual returns.

871. Mr Jon Thompson, the MOD PUS from 2012 to 2016, told the Inquiry:

“... I do not see any prospect of our being able to provide you with figures which we can guarantee to be comprehensive. I am at least assured that systems now in place would enable us to provide the current data for Afghanistan without difficulty.”⁵⁶²

872. The information provided by DFID was compiled from a number of sources, including duty of care sheets, contractors' records and medical spreadsheets.⁵⁶³

873. Mr Mark Lowcock, the DFID Permanent Secretary since 2011, explained that “achieving 100 per cent accuracy in this data would require a disproportionate amount of staff time (if it was possible at all)”, but expressed confidence that “the trends present in the data are reliable”.⁵⁶⁴

874. The Inquiry has produced a set of graphs and tables, drawing mostly on the data submitted by the FCO, the MOD and DFID, that gives a broad indication of overall numbers and trends.

875. Because of the limitations of the source material and the variety of sources used, the numbers quoted are approximate and, in some cases, are inconsistent with each other and cannot be reconciled.

876. Unless stated otherwise, all statistics in this Section exclude UK police officers deployed to Iraq in support of the SSR programme. The deployment of police officers is addressed in more detail in Section 12.1.

877. Figure 1 shows FCO,⁵⁶⁵ MOD⁵⁶⁶ and DFID⁵⁶⁷ civilian deployments to Iraq between March 2003 and June 2009.

878. The underlying data, reproduced in Table 7 at the end of this Section, show that between March 2003 and June 2009:

- The MOD deployed an average⁵⁶⁸ of 320 civilians to Iraq in support of Op TELIC at any one time.

⁵⁶² Letter Thompson to Aldred, 8 July 2013, [untitled].

⁵⁶³ Email DFID to Iraq Inquiry, 5 May 2011, 'Iraq Inquiry – Role of Civilians in Iraq'.

⁵⁶⁴ Letter Lowcock to Aldred, 24 June 2013, [untitled].

⁵⁶⁵ Letter FCO to Iraq Inquiry, 27 May 2011, 'Iraq Inquiry – Role of Civilians in Iraq' attaching Table, [untitled]; Letter Fraser to Aldred, 22 July 2013, 'Iraq Inquiry: Deployment of Civilian Personnel: Statistics, Annex B – Iraq: FCO Staff in post on the last day of each quarter, 2003-04 to 2009-10'.

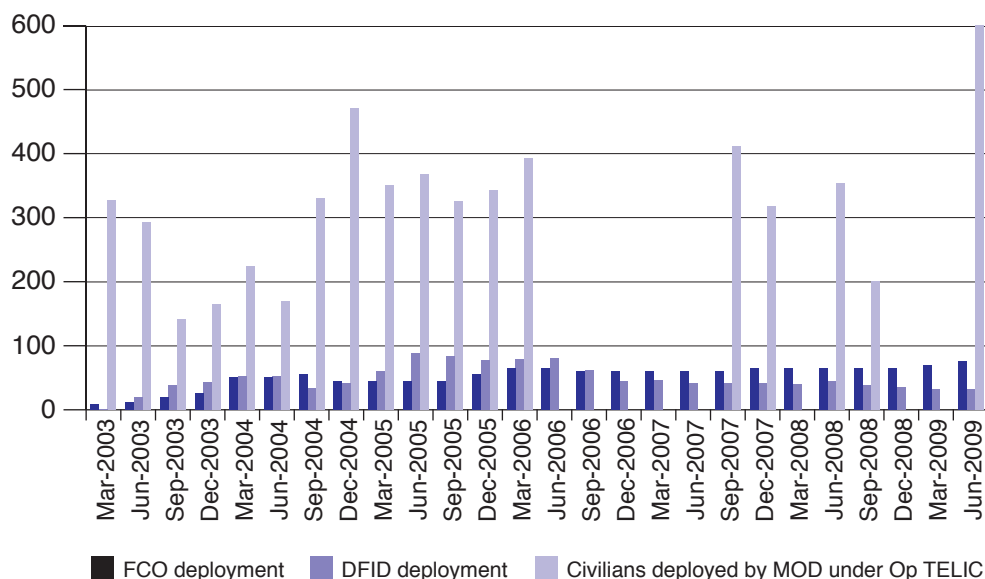
⁵⁶⁶ Letter Ministry of Defence to Iraq Inquiry, 31 May 2013, 'Civilian Roles in Iraq'.

⁵⁶⁷ Letter Lowcock to Aldred, 24 June 2013, [untitled] attaching Table, [untitled].

⁵⁶⁸ All averages quoted in this Section are arithmetic means.

- The FCO and DFID deployed a combined average of 100 civilians (including DFID contractors, but excluding police, security contractors and officials from other government departments) for post-conflict reconstruction and the UK's bilateral representation in Iraq.
- There were two peaks in DFID's contribution to reconstruction:
 - 53 personnel from March to June 2004, towards the end of the CPA period; and
 - 88 personnel in June 2005.
- The number of DFID personnel fell significantly in the face of deteriorating security in late 2006.
- The number of FCO staff deployed to Iraq reached 50 towards the end of the CPA period and climbed to 75 in mid-2009.

Figure 1: Civilians deployed to Iraq by the FCO,⁵⁶⁹ DFID⁵⁷⁰ and the MOD,⁵⁷¹ 2003-2009



879. Table 3 shows estimates of the number of UK police officers deployed in Iraq on selected dates between July 2003 and April 2009 for which data are available.⁵⁷²

880. Section 12.1 also includes data on the number of UK police officers deployed to train Iraqi police at the police training facility in Jordan.

⁵⁶⁹ Letter FCO to Iraq Inquiry, 27 May 2011, 'Iraq Inquiry – Role of Civilians in Iraq' attaching Table, [untitled]; Letter Fraser to Aldred, 22 July 2013, 'Iraq Inquiry: Deployment of Civilian Personnel: Statistics, Annex B – Iraq: FCO Staff in post on the last day of each quarter, 2003-04 to 2009-10'.

⁵⁷⁰ Letter Lowcock to Aldred, 24 June 2013, [untitled] attaching Table, [untitled].

⁵⁷¹ Letter Ministry of Defence to Iraq Inquiry, 31 May 2013, 'Civilian Roles in Iraq'.

⁵⁷² This is an edited version of Table 6 in Section 12.1. Sources are explained in Section 12.1.

Table 3: UK police officers deployed to Iraq, 2003-2009

Date	Estimated total in Iraq
July 2003	4
October 2003	10
November 2003	10
December 2003	34
January 2004	34
March 2004	43
September 2004	43
October 2004	46
November 2004	44
May 2005	47
October 2005	47
December 2005	35
February 2006	33
April 2007	12
July 2007	17
November 2007	11
February 2008	5
March 2008 – April 2009	14

The UK civilian deployment during the CPA period, May 2003 to June 2004

881. During the CPA period⁵⁷³ the UK deployed:

- an average of 220 civilians in support of Op TELIC on any given day;
- 61 civilians to the CPA in May 2003, rising to 260 in April 2004;
- two police officers in support of the UK's SSR programme in Iraq in July 2003, rising to 37 in March 2004; and
- between four and eight staff to the British Office Baghdad.⁵⁷⁴

882. Table 4 shows the number and location of UK civilian secondments to the CPA between May 2003 and April 2004. In the absence of continuous data covering the whole period, the figures have been taken from four summaries prepared for senior officials and Ministers between May 2003 and April 2004.

⁵⁷³ The available data do not match precisely the dates of the CPA. Some earlier figures describe deployments to ORHA, before its absorption into the CPA.

⁵⁷⁴ All figures in this list exclude security contractors.

883. Secondments to the CPA appear to have peaked in April 2004, with approximately 260 UK civilians working for the organisation across Iraq.⁵⁷⁵

Table 4: UK secondments to the CPA

	22 May 2003 ⁵⁷⁶	25 July 2003 ⁵⁷⁷	14 January 2004 ⁵⁷⁸	21 April 2004 ⁵⁷⁹
Total UK secondments to the CPA	61	100	143	260
Baghdad	50	65	50	120
<i>percentage of UK total</i>	82	65	35	46
South	11	30	72	120
<i>percentage of UK total</i>	18	30	50	46
Other CPA	0	5 ⁵⁸⁰	21	20
<i>percentage of UK total</i>	0	5	15	8

884. The British Office Baghdad opened on 5 May 2003.⁵⁸¹ Originally staffed by a team of four, by late summer 2003 it had eight UK-based staff.

885. Information on the location of personnel outside Baghdad and Basra during the CPA period is sparse.

886. A contact list for UK personnel present in Iraq on 30 December 2003 listed 51 people (civilian and military) deployed to the CPA Governorate Teams (GTs) across Iraq:

- Basra 22 (including a UK military close protection team);⁵⁸²
- Dhi Qar 4;
- Wasit 6;
- Ta'Mim (Kirkuk) 7;
- Maysan 10 (including a UK military close protection team);
- Muthanna 1; and
- Erbil 1.⁵⁸³

⁵⁷⁵ Letter Tebbit to Turnbull, 21 April 2004, [untitled].

⁵⁷⁶ Annotated Agenda, 22 May 2003, Ad Hoc Group on Iraq Rehabilitation meeting, 'Annex C, UK Secondees to ORHA'.

⁵⁷⁷ Letter Jay to Turnbull, 25 July 2003, 'Iraq: UK support for reconstruction'.

⁵⁷⁸ Letter Jay to Turnbull, 14 January 2004, 'Iraq – Civilian Staffing' attaching Paper, 'Iraq: Civilian Staffing'.

⁵⁷⁹ Letter Tebbit to Turnbull, 21 April 2004, [untitled].

⁵⁸⁰ Inquiry estimate. No figure was given by Sir Michael Jay, who referred to "small numbers" in CPA regional offices in central and northern Iraq.

⁵⁸¹ Minute IPU [junior official] to PS [FCO], 'Iraq: Briefing for Visit – 25-26 November 2003' attaching Paper [unattributed], 'Background on Other Issues'.

⁵⁸² The Basra Governorate Team was not part of CPA(South).

⁵⁸³ Paper [unattributed], 12 January 2004, 'UK Personnel Deployed (As at 30 Dec 03)'.

887. Excluding 27 members of UK military close protection teams and the CPA Regional Co-ordinator in Erbil, who was not a member of a GT, the total number of personnel deployed to the CPA GTs was 23:⁵⁸⁴ five in the Basra GT and 18 elsewhere.

888. Most of the 23 were from the MOD (a mix of civilian and military personnel), DFID and the FCO. The Governorate Co-ordinator for Dhi Qar was from the Department for Environment, Food and Rural Affairs (DEFRA).

889. There is no continuous set of data for the number of civilians deployed during the CPA period by UK government departments and organisations other than the FCO, the MOD and DFID.

890. A snapshot produced for the AHMGIR on 22 May 2003 listed 13 organisations other than the FCO, MOD and DFID with staff seconded to ORHA, and 11 “miscellaneous” secondees:

MOD	13
DFID	8
FCO	6
Department of Health (DoH)	6
Department of Trade and Industry (DTI)	5
No.10 Communications Information Centre (CIC)	2
British Council	1
Department of Culture, Media and Sport (DCMS)	1
HM Customs and Excise (HMCE)	1
HM Treasury (HMT)	1
Highways Agency	1
Lord Chancellor’s Department (LCD)	1
Maritime and Coastguard Agency	1
Northern Ireland Office (NIO)	1
Office of the Deputy Prime Minister (ODPM)	1
Office of Telecommunications (OfTel)	1
Miscellaneous	11
Total	61 ⁵⁸⁵

⁵⁸⁴ Sir Michael Jay quoted a figure of 21 personnel deployed to the GTs in his update for Permanent Secretaries on 14 January 2004. This is the figure quoted in Table 4.

⁵⁸⁵ Annotated Agenda, 22 May 2003, Ad Hoc Group on Iraq Rehabilitation meeting, ‘Annex C: UK Secondees to ORHA’.

The post-CPA UK civilian deployment, July 2004 to July 2009

891. On 28 June 2004, the CPA handed over to a sovereign Iraqi government (see Section 9.3).

892. During the post-CPA period the UK deployed:

- an average of 372 civilians in support of Op TELIC on any given day;
- an average of 112 civilians to the UK's bilateral missions in Iraq, including the DFID offices in Baghdad and Basra, on any given day;
- 43 police officers in support of the UK's SSR programme in September 2004, falling to 13 in March 2008; and
- eight civilians to the Basra PRT from mid-2006.⁵⁸⁶

893. The UK civilian presence in Baghdad, previously split between the CPA and the British Office Baghdad, was consolidated in the new British Embassy Baghdad.

894. In Basra, UK civilians were deployed to the British Embassy Office and additionally, from April 2006, the UK-led Basra PRT.

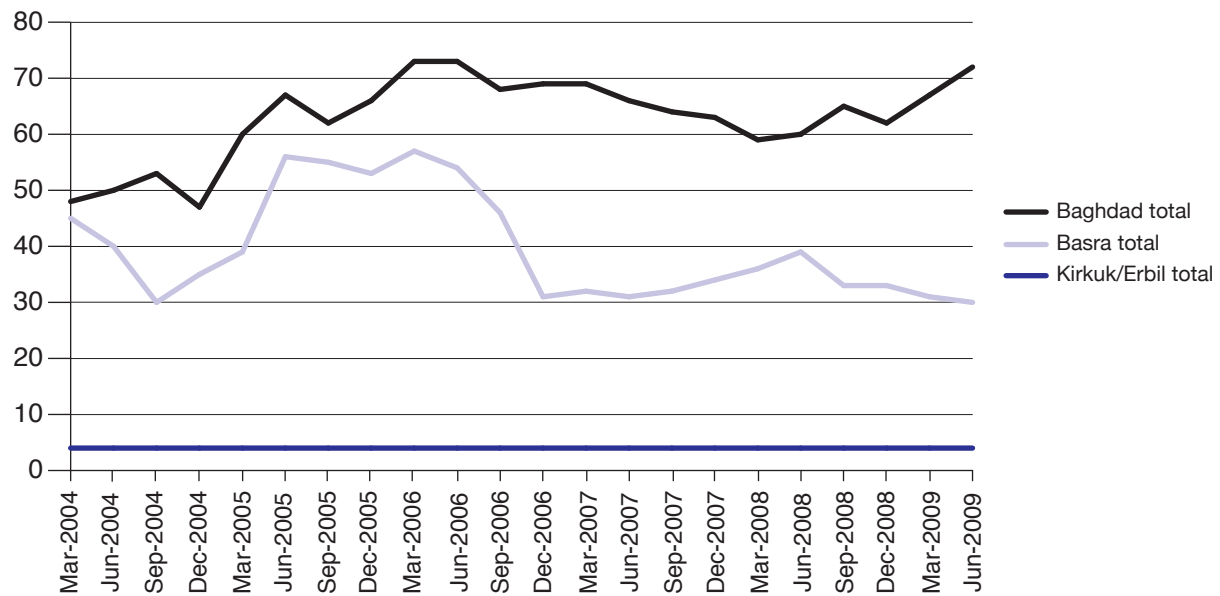
895. A second, smaller, British Embassy Office was opened in Kirkuk, alongside the US Regional Embassy Office (REO).⁵⁸⁷ In January 2007, the British Embassy Office Kirkuk was moved to Erbil after the US REO transferred to Kirkuk Regional Air Base.

896. Figure 2 shows the distribution of UK civilian personnel (including DFID contractors, but not civilians deployed on Op TELIC, police or security contractors) between Baghdad, Basra and Kirkuk/Erbil during the post-CPA period. The underlying data are reproduced in Table 8 at the end of this Section.

⁵⁸⁶ All figures in this list exclude security contractors.

⁵⁸⁷ Select Committee on Foreign Affairs Minutes of Evidence, 24 March 2005, *Letter to the Chairman of the Committee from the Secretary of State for Foreign and Commonwealth Affairs, 2 November 2004*.

Figure 2: FCO and DFID deployments to Iraq, 2004-2009⁵⁸⁸



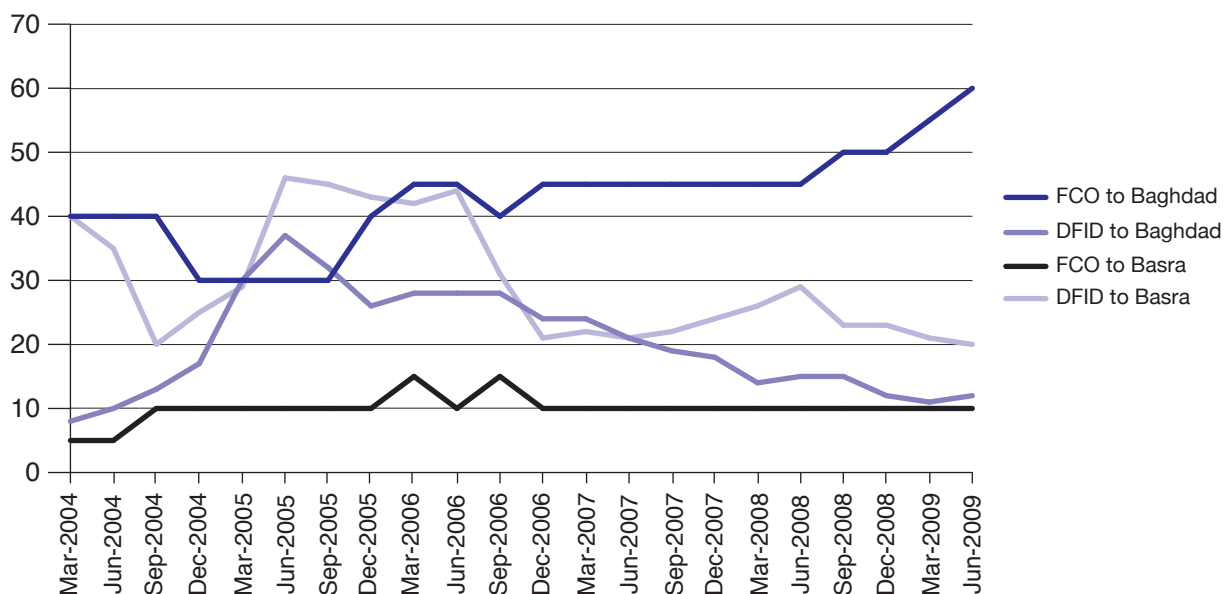
897. Figure 3 shows the relative contributions of the FCO and DFID in Baghdad and Basra:

- FCO personnel were concentrated in Baghdad (an average of 43, against 10 in Basra).
- FCO numbers in Baghdad doubled between March 2005 and June 2009, with no change in Basra.
- DFID deployed more personnel in Basra than Baghdad (an average of 30 in Basra against 20 in Baghdad).
- DFID numbers in Baghdad and Basra fell steadily from mid-2005, with an especially marked dip in Basra when security deteriorated in 2006.

898. The underlying data are reproduced in Table 8 at the end of this Section.

⁵⁸⁸ The Inquiry has inserted a figure of four for Kirkuk/Erbil throughout the period and assumed no increase in staffing during the move from Kirkuk to Erbil in January 2007. The FCO source material refers to “five or less” and double counts for Kirkuk and Erbil between December 2007 and June 2008, long after Kirkuk had closed.

Figure 3: FCO and DFID deployments to Baghdad and Basra, 2004-2009



899. There is no continuous set of data for civilians deployed by other departments or organisations during the post-CPA period.

900. In November 2004, Mr Straw sent details of all staff present at the British Embassy Baghdad and the British Embassy Offices Basra and Kirkuk on 24 October 2004 to the House of Commons Foreign Affairs Committee.⁵⁸⁹

901. The list of staff, reproduced in full below, includes those deployed by the FCO, the MOD, DFID and other government departments and organisations. It is the most comprehensive record seen by the Inquiry of post-CPA civilian staff numbers.⁵⁹⁰

⁵⁸⁹ Select Committee on Foreign Affairs Minutes of Evidence, 24 March 2005, *Letter to the Chairman of the Committee from the Secretary of State for Foreign and Commonwealth Affairs, 2 November 2004*.

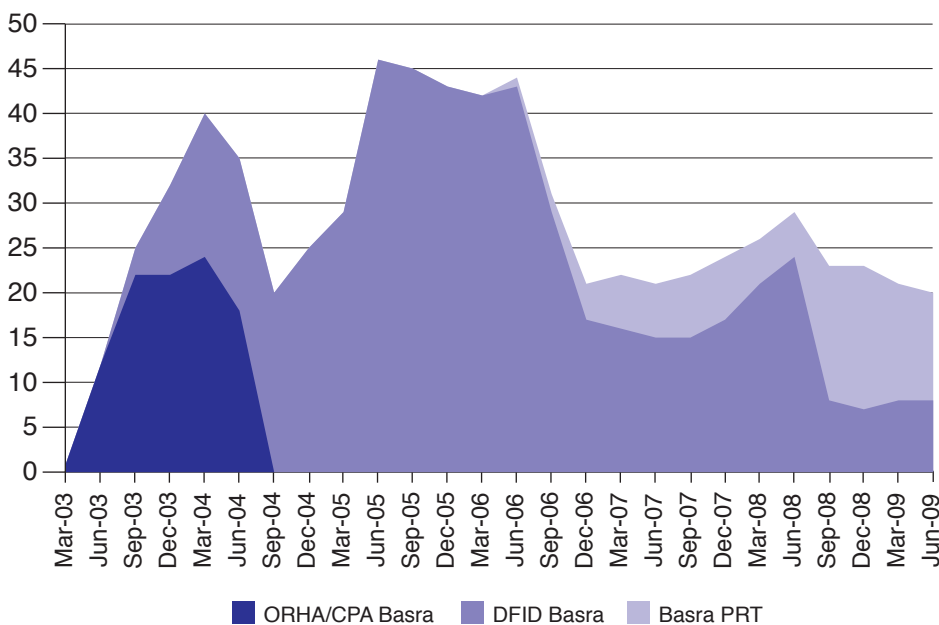
⁵⁹⁰ The staff list records officials visiting the Embassy and the Embassy Offices on a single day in October 2004. It does not include those on leave.

Baghdad		
Parent Department or Organisation	Number in Baghdad	Comment
FCO	30	Includes seconded staff from other government departments.
DFID	8	DFID core staff, includes two members of staff on secondment from other government departments and three on consultancy terms.
MOD	19	Eleven working from the Embassy. Five working on capacity-building in the Iraq MOD and three visiting.
Police Advisers	15	Capacity-building and advice.
Consultants	15	Fourteen working on capacity-building programmes and one visiting. One consultant seconded from the Department of Health.
No.10	1	Working with the Iraqi Government Communications Directorate.
UKTI	1	Working in the Embassy.
British Council	1	Managing a DFID project.
Crown Agents	2	Providing contracted services.
Frontier Medical	2	Contracted to provide medical services.
LE staff	36	
Total staff	116	
<p>These figures do not include the static guard force employed to protect Embassy (or Consulate) premises or the private security personnel responsible for personal security.</p> <p>The number of consultants in Baghdad is temporarily lower than usual at the moment and not representative of the overall commitment of UK resources in this area. The Police Advisers include one Canadian national for whom we have responsibility.</p>		
Basra		
Parent Department or Organisation	Number in Basra	Comment
FCO	14	Includes seconded staff from other government departments.
FCO contractors	2	
DFID	1	
DFID contractors	9	
Police Advisers	15	Mostly at Az Zubayr Regional Police Academy.
ArmorGroup Police Mentors	36	Most working from MNF bases.
Crown Agents	2	
Frontier Medical	2	
LE staff	22	
LE DFID contractor	1	
LE ArmorGroup Police	10	Most working from MNF bases.
Total staff	144	
Kirkuk		
<p>There is usually one UK-based (FCO) member of staff, the Consul General. From time to time, UK staff from elsewhere in Iraq make extended working visits to Kirkuk. There are two LE staff members employed in Kirkuk.</p>		
Total staff	3	(plus one visiting)

902. Figure 4 shows the number of DFID staff and contractors deployed to Basra between 2003 and 2009.

903. The underlying data, reproduced in Table 9 at the end of this Section, show that, between June and December 2006, DFID deployments to Basra more than halved, from 44 to 21.⁵⁹¹ The number of personnel recovered to 29 in June 2008, but never returned to the level seen between June 2005 and June 2006, or during the earlier CPA period.

Figure 4: DFID staff and contractors deployed to Basra, 2003-2009⁵⁹²



UK share of the Coalition civilian deployment

904. Data on civilian personnel compiled by the US Government during the CPA period shared many of the flaws of UK data for the same period. An audit of CPA personnel management by the Office of the CPA Inspector General in June 2004 found that:

“... by the end of January 2004, many distinct personnel tracking mechanisms appeared that were intended to provide accountability for select groups of individuals. In addition, contractors were tracking their own employees. As of March 8, 2004, the CPA believed it had a total of 1,196 personnel assigned to CPA operations in Baghdad. The CPA had been authorized 2,117 positions. The 1,196 included all military and civilian personnel assigned to CPA operations in Baghdad ...”⁵⁹³

⁵⁹¹ Letter Lowcock to Aldred, 24 June 2013, [untitled] attaching Table, [untitled].

⁵⁹² Letter Lowcock to Aldred, 24 June 2013, [untitled] attaching Table, [untitled].

⁵⁹³ Office of the Inspector General Coalition Provisional Authority, Audit Report Number 04-002, 25 June 2004, *Management of Personnel Assigned to the Coalition Provisional Authority in Baghdad, Iraq*.

905. The audit stated that CPA officials believed their rosters were 90 to 95 percent accurate, which implied that there could be more than 100 individuals not properly accounted for.

906. The audit found even less information about staff deployed outside Baghdad:

“CPA officials stated that if personnel departed Kuwait or other rear area to a forward site, other than Baghdad, such as Al Hilla, Basra or Erbil, in support of CPA Operations there were no reliable procedures to identify and account for these individuals. Additionally, personnel hired to work directly for Iraq ministries in Baghdad provide limited, if any, information to the CPA in Baghdad or Washington DC.”

907. A report to Congress by the US General Accounting Office (GAO) in June 2004 stated that the total number of CPA civilian and military personnel in Baghdad peaked at 1,239 in April 2004 (see Table 5).⁵⁹⁴ That figure was estimated to be about 90 percent accurate, reflecting the difficulty of tracking the arrival and departure of personnel. The GAO stated that no reliable data were available for the period before 1 March 2004.

Table 5: Composition of CPA support in Baghdad, April 2004

Type of personnel ⁵⁹⁵	Number employed	Percentage of total	Percentage of total excluding DoD military
Temporary US government employees	237	19.1	27.5
Non-US Coalition secondees	160	12.9	18.6
US secondees excluding Department of Defense (DoD)	208	16.8	24.1
DoD military	377	30.4	–
DoD civilian	81	6.5	9.4
Contractors	73	5.9	8.5
Iraqi expatriates from the Iraq Reconstruction and Development Council (IRDC)	27	2.2	3.1
Personnel “in process”	76	6.1	8.8
Total	1,239	100	–
Total excluding DoD military	862	–	100

908. The GAO reported that, although the total number of CPA staff fluctuated, the approximate composition remained steady:

- 28 percent from the US military;

⁵⁹⁴ US General Accounting Office Report to Congressional Committees, June 2004, *Rebuilding Iraq. Resource, Security, Governance, Essential Services, and Oversight Issues.*

⁵⁹⁵ As listed in the GAO report.

- 26 percent civilian secondees from US federal agencies, including the Department of Defense (DoD);
- 25 percent contractors and temporary US government employees hired to work in the CPA; and
- 13 percent secondees from other Coalition countries.

909. A comparison of the very different US and UK data suggests that the 120 UK secondees in Baghdad in April 2004 (see Table 5) represented 14 percent of the CPA total of 862 (excluding DoD military) recorded in the GAO report to Congress, and 75 percent of the non-US Coalition contribution of 160.

910. In November 2003, 104 staff from eight countries were working in CPA(South) in Basra, of whom 48 (46 percent)⁵⁹⁶ were from the UK.⁵⁹⁷ The largest contributors after the UK were Italy and Denmark. It is not clear how many were from the US.

911. After the transfer of sovereignty in June 2004, the US established a Mission to Iraq, consisting of the Embassy in Baghdad and four Regional Embassy Offices (REOs) in Basra, Hillah, Kirkuk and Mosul.⁵⁹⁸

912. In addition to its bilateral diplomatic role, the new US Embassy in Baghdad included:

- a large executive secretariat to carry out the residual functions of the former CPA, which quickly reduced in size;
- the Iraq Reconstruction Management Office (IRMO); and
- the Project and Contracting Office (PCO).⁵⁹⁹

913. In October 2005, the US announced the restructuring of part of the US Mission in Iraq as PRTs (see Section 10.2).⁶⁰⁰

914. By September 2006, nine PRTs and eight local governance satellite offices had been established. Seven PRTs were US-led, one (Basra) was UK-led and one Italian-led.

915. A South Korean-led Regional Reconstruction Team (RRT) for the Kurdistan region was established in Erbil in February 2007, with two satellite offices.⁶⁰¹

⁵⁹⁶ 18 of 48 UK civilian posts in CPA(South) were filled by the military.

⁵⁹⁷ Letter Bowen to Owen, 14 November 2003, 'Iraq: CPA (South) Staff'.

⁵⁹⁸ United States Department of State and the Broadcasting Board of Governors Office of Inspector General, August 2009, *Review of the Roles, Staffing, and Effectiveness of Regional Embassy Offices in Iraq*.

⁵⁹⁹ United States Department of State and the Broadcasting Board of Governors Office of Inspector General, March 2005, *Review of Staffing at US Embassy Baghdad*.

⁶⁰⁰ US Department of State Archive, 19 October 2005, *Iraq and US Policy: Secretary Condoleezza Rice, Opening Remarks Before the Senate Foreign Relations Committee, Washington DC, October 19 2005*.

⁶⁰¹ US State Department Archive, 1 February 2007, *Regional Reconstruction Team Holds Inauguration Ceremony*.

916. According to US data for 2005, 2006 and 2009, over 1,000 civilians from US Government agencies (including the State Department and USAID) were deployed to the Embassy, REOs and PRTs (see Table 6).

917. The figure of 1,000 excludes the large number of US civilian contractors employed by the US Mission. A July 2009 report by the Special Inspector General for Iraq Reconstruction recorded that, at that time, 4,079 US civilians were contracted to the State Department in Iraq, 34,846 to the DoD and 8,948 to other agencies, including USAID.⁶⁰²

918. Without detailed information on the jobs performed by UK and US contractors, it is not possible to be certain that they were deployed in equivalent roles or to draw a direct comparison between UK and US statistics.

919. A comparison of data from 2005, 2006 and 2009 suggests that the UK provided an average of approximately 6.5 percent of the combined total of US and UK government employees⁶⁰³ in post-CPA Iraq (see Table 6). When DFID (but not US) contractors are included, the figure is above 9 percent.

Table 6: US and UK civilian deployments to Iraq, 2005-2009

	March 2005	March 2006	July 2009
US civilian staff excluding contractors ⁶⁰⁴	1,058 ⁶⁰⁵	1,037 ⁶⁰⁶	1,176 ⁶⁰⁷
UK civilian staff excluding DFID contractors	55	75	97
US/UK total excluding DFID contractors	1,113	1,112	1,273
UK share of total excluding DFID contractors	4.9%	6.8%	7.6%
UK civilian staff including DFID contractors ⁶⁰⁸	103	134	106 ⁶⁰⁹
US/UK total including DFID contractors	1,163	1,181	1,285
UK share of total including DFID contractors	8.9%	11.3%	8.2%

UK civilian contractors

920. From 2003 to 2009, DFID consistently deployed significantly more contractors than civil servants to Iraq (see Figure 5). The underlying data are reproduced in Table 10 at the end of this Section.

⁶⁰² Special Inspector General for Iraq Reconstruction, *Quarterly Report and Semiannual Report to the United States Congress, July 30, 2009*.

⁶⁰³ The calculation excludes US contractors, DFID contractors, UK security contractors, UK civilians supporting the military and UK police.

⁶⁰⁴ US-based government employees in the US Embassy, REOs and PRTs.

⁶⁰⁵ United States Department of State and the Broadcasting Board of Governors Office of Inspector General, March 2005, *Review of Staffing at US Embassy Baghdad*.

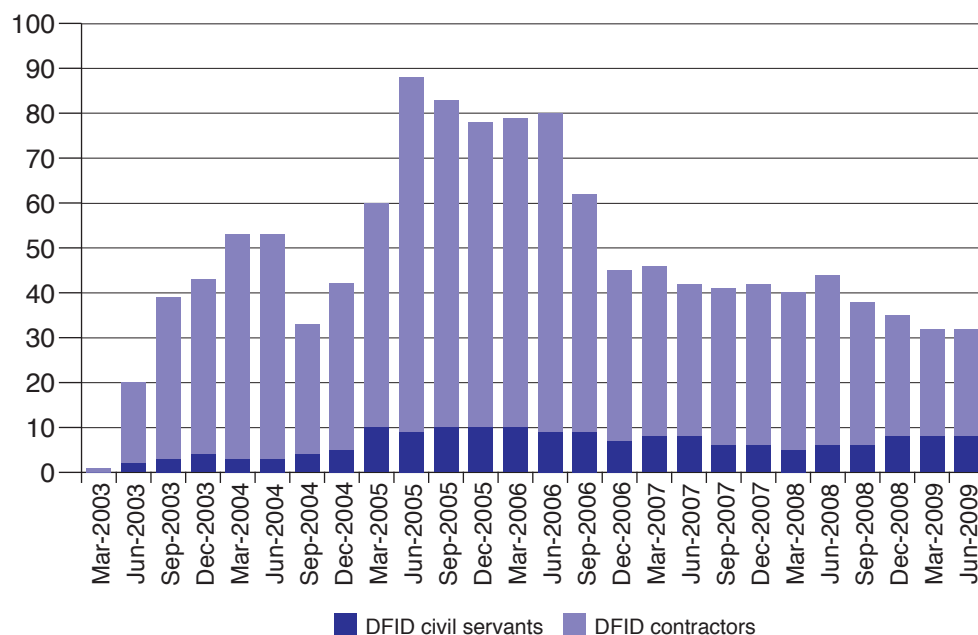
⁶⁰⁶ Epstein, Susan B, CRS Report for Congress, 24 October 2006, *US Embassy in Iraq*.

⁶⁰⁷ United States Department of State and the Broadcasting Board of Governors Office of Inspector General, July 2009, *Report of Inspection: Embassy Baghdad, Iraq*.

⁶⁰⁸ UK-based DFID and FCO staff and DFID consultants in Iraq (excluding Op TELIC). See Table 8.

⁶⁰⁹ June 2009. See Table 8.

Figure 5: DFID staff and contractors deployed to Iraq, 2003-2009



921. Sir Suma Chakrabarti explained the role of DFID “consultants” to the Inquiry:

“... what we were very keen to do was use consultants in ... project work around certain projects that had to be completed with deep technical skills that DFID staff no longer have. We don’t have those water engineers and power engineers we used to have ...

“The DFID staff were working much more at the policy end on capacity. So how do you put a budget together in the Ministry of Finance? What would you need to run a Prime Minister’s office properly, and those sorts of things that DFID staff focused on much more.”

922. A 2013 report on DFID’s use of contractors by the Independent Commission for Aid Impact explained that they were used in roles ranging from procuring equipment and providing technical advice to implementing development programmes.⁶¹⁰

923. The FCO, with a focus on bilateral and policy work carried out by core FCO staff, employed contractors in smaller numbers, and principally during the CPA period. In January 2004, the FCO employed 23 contractors in Baghdad to work for the CPA.⁶¹¹ In October 2004, there were just two FCO contractors in Iraq.⁶¹²

⁶¹⁰ Independent Commission for Aid Impact, Report 23, May 2013, *DFID’s Use of Contractors to Deliver Aid Programmes*.

⁶¹¹ Letter Jay to Turnbull, 14 January 2004, ‘Iraq – Civilian Staffing’ attaching Paper, ‘Iraq: Civilian Staffing’.

⁶¹² Select Committee on Foreign Affairs Minutes of Evidence, 24 March 2005, *Letter to the Chairman of the Committee from the Secretary of State for Foreign and Commonwealth Affairs, 2 November 2004*.

Table 7: Civilians deployed to Iraq by the FCO, the MOD and DFID, 2003-2009

	FCO deployment	DFID deployment	Civilians deployed by the MOD under Op TELIC
Mar 2003	8	1	327
Jun 2003	12	20	293
Sep 2003	19	39	141
Dec 2003	26	43	165
Mar 2004	50	53	224
Jun 2004	50	53	170
Sep 2004	55	33	330
Dec 2004	45	42	471
Mar 2005	45	60	350
Jun 2005	45	88	367
Sep 2005	45	83	326
Dec 2005	55	78	342
Mar 2006	65	79	392
Jun 2006	65	80	<i>no data</i>
Sep 2006	60	62	<i>no data</i>
Dec 2006	60	45	<i>no data</i>
Mar 2007	60	46	<i>no data</i>
Jun 2007	60	42	<i>no data</i>
Sep 2007	60	41	412
Dec 2007	65	42	317
Mar 2008	65	40	<i>no data</i>
Jun 2008	65	44	354
Sep 2008	65	38	200
Dec 2008	65	35	<i>no data</i>
Mar 2009	70	32	<i>no data</i>
Jun 2009	75	32	600

Table 8: FCO and DFID deployments to Iraq, 2004-2009⁶¹³

	FCO to Baghdad	DFID to Baghdad	FCO to Basra	DFID to Basra	Baghdad total	Basra total	Kirkuk/ Erbil total ⁶¹⁴
Mar 2004	40	8	5	40	48	45	4
Jun 2004	40	10	5	35	50	40	4
Sep 2004	40	13	10	20	53	30	4
Dec 2004	30	17	10	25	47	35	4
Mar 2005	30	30	10	29	60	39	4
Jun 2005	30	37	10	46	67	56	4
Sep 2005	30	32	10	45	62	55	4
Dec 2005	40	26	10	43	66	53	4
Mar 2006	45	28	15	42	73	57	4
Jun 2006	45	28	10	44	73	54	4
Sep 2006	40	28	15	31	68	46	4
Dec 2006	45	24	10	21	69	31	4
Mar 2007	45	24	10	22	69	32	4
Jun 2007	45	21	10	21	66	31	4
Sep 2007	45	19	10	22	64	32	4
Dec 2007	45	18	10	24	63	34	4
Mar 2008	45	14	10	26	59	36	4
Jun 2008	45	15	10	29	60	39	4
Sep 2008	50	15	10	23	65	33	4
Dec 2008	50	12	10	23	62	33	4
Mar 2009	55	11	10	21	66	31	4
Jun 2009	60	12	10	20	72	30	4

⁶¹³ FCO staff only; DFID staff and contractors.

⁶¹⁴ The Inquiry has inserted a figure of four for Kirkuk/Erbil throughout the period and assumed no increase in staffing during the move from Kirkuk to Erbil in January 2007. The FCO source material refers to “five or less” and double counts for Kirkuk and Erbil between December 2007 and June 2008, long after Kirkuk had closed.

Table 9: DFID staff and contractors deployed to Basra, 2003-2009

	ORHA/CPA Basra	DFID Basra	Basra PRT
Mar 2003	1	0	0
Jun 2003	12	0	0
Sep 2003	22	3	0
Dec 2003	22	10	0
Mar 2004	24	16	0
Jun 2004	18	17	0
Sep 2004	0	20	0
Dec 2004	0	25	0
Mar 2005	0	29	0
Jun 2005	0	46	0
Sep 2005	0	45	0
Dec 2005	0	43	0
Mar 2006	0	42	0
Jun 2006	0	43	1
Sep 2006	0	29	2
Dec 2006	0	17	4
Mar 2007	0	16	6
Jun 2007	0	15	6
Sep 2007	0	15	7
Dec 2007	0	17	7
Mar 2008	0	21	5
Jun 2008	0	24	5
Sep 2008	0	8	15
Dec 2008	0	7	16
Mar 2009	0	8	13
Jun 2009	0	8	12

Table 10: DFID staff and contractors deployed to Iraq, 2003-2009

	DFID staff	DFID contractors
Mar 2003	0	1
Jun 2003	2	18
Sep 2003	3	36
Dec 2003	4	39
Mar 2004	3	50
Jun 2004	3	50
Sep 2004	4	29
Dec 2004	5	37
Mar 2005	10	50
Jun 2005	9	79
Sep 2005	10	73
Dec 2005	10	68
Mar 2006	10	69
Jun 2006	9	71
Sep 2006	9	53
Dec 2006	7	38
Mar 2007	8	38
Jun 2007	8	34
Sep 2007	6	35
Dec 2007	6	36
Mar 2008	5	35
Jun 2008	6	38
Sep 2008	6	32
Dec 2008	8	27
Mar 2009	8	24
Jun 2009	8	24

SECTION 15.2

CONCLUSIONS: CIVILIAN PERSONNEL

Contents

Introduction and key findings	412
Overview	412
Pre-invasion planning and preparation	413
Meeting the initial demand for civilian personnel in Iraq	414
Duty of care and risk management	417
Civilian-military co-ordination	420
Locally engaged staff	421
Language skills	421
Lessons	422

Introduction and key findings

1. This Section contains the Inquiry's analysis, conclusions and lessons in relation to the deployment of civilian personnel in Iraq, the evidence for which is set out in Section 15.1.
2. This Section does not address:
 - the recruitment, deployment or impact of UK police officers in Iraq, addressed in Section 12;
 - whether sufficient civilian personnel were deployed to achieve the UK's objectives in Iraq, or the contribution that civilian personnel made to Iraq's reconstruction, both addressed in Section 10;
 - the funding of civilian deployments, including the cost of protective security measures, addressed in Section 13; or
 - the Government's reviews of the UK approach to post-conflict reconstruction and stabilisation, and the creation of a deployable UK civilian stand-by capability, addressed in Sections 10.3 and 10.4.

Key findings

- Before the invasion of Iraq, the Government had made only minimal preparations for the deployment of civilian personnel.
- There was an enduring gap between the Government's civilian capacity and the level of its ambition in Iraq.
- There was no overarching consideration by the Government of the extent to which civilians could be effective in a highly insecure environment, or of the security assets needed for civilians to do their jobs effectively.
- The evidence seen by the Inquiry indicates that the Government recognised its duty of care to UK-based and locally engaged civilians in Iraq. A significant effort was made to keep civilians safe in a dangerous environment.

Overview

3. Between 2003 and 2009, UK and Iraqi civilian personnel made an essential contribution to the UK's efforts to help rebuild Iraq. They often did so in extremely dangerous circumstances. Some locally engaged (LE) staff and UK-based contractors lost their lives.
4. The initial deployment of only a handful of civilian personnel reflected pre-invasion assumptions about the limited extent of the likely UK contribution to the post-conflict reconstruction and administration of Iraq.
5. Soon after the invasion, Mr Blair called for a significant increase in the UK civilian effort. Further calls to strengthen the UK civilian presence in Iraq followed.

6. The Government had no pre-existing machinery for recruiting and deploying at speed large numbers of civilians with the appropriate skills. As a result, efforts to deploy larger numbers of civilians to Iraq fell well short of targets.
7. There was a particular shortage of Arabic speakers and reconstruction expertise.
8. From late summer 2003, concern about staff safety led to the progressive introduction of protective security measures for civilian personnel in Iraq and placed additional constraints on civilian deployments.
9. Government departments recognised their duty of care obligations to personnel working in Iraq. Significant effort and resources went into keeping staff safe.
10. In the absence of a government-wide approach to risk or an effective framework for assessing the value of civilian personnel in a highly insecure environment, the Government struggled to establish a co-ordinated approach to the deployment of civilians.
11. The Iraq Reconstruction Service Medal and the Locally Engaged Staff Assistance Scheme were appropriate responses to the issues they addressed.

Pre-invasion planning and preparation

12. Sections 6.4 and 6.5 address the UK's pre-invasion planning and preparation for its role in the Occupation of Iraq. In the absence of effective cross-government machinery for drawing together all aspects of planning and preparation, the Foreign and Commonwealth Office (FCO), the Ministry of Defence (MOD) and the Department for International Development (DFID) pursued broadly complementary objectives, but did so separately. This left significant gaps in UK civilian capabilities that were overlooked.
13. The UK did not plan or prepare for the deployment of more than a handful of civilians to Iraq, other than in direct support of military operations.
14. The FCO was not equipped by past experience or practice, or by its limited human and financial resources, to prepare for nation-building of the scale required in Iraq, and did not expect to do so.
15. The FCO did make effective preparations, however, for resuming diplomatic representation in Baghdad. The British Office Baghdad opened, on schedule, on 5 May 2003.
16. DFID was reluctant, before the invasion, to engage in planning and preparation for anything other than the immediate humanitarian response to conflict.
17. DFID did, however, make pre-conflict preparations to support those multilateral institutions providing humanitarian assistance in Iraq and the region.

18. The MOD made provision for civilian support to military operations in Iraq, as it would for any military operation. Military planners identified and drew attention to the gap in those UK civilian capabilities that would be needed for post-conflict reconstruction and administration.

19. Neither the FCO nor DFID took responsibility for addressing that gap.

20. The shortage of the requisite civilian expertise within government was a significant constraint on the planning and preparation for post-conflict operations and on the eventual scale of the UK civilian contribution.

21. The review of the UK's approach to post-conflict reconstruction, begun in September 2003, addressed the management of the UK's contribution, including "the identification and training of civilian personnel and the maintenance of databases, with deployable capability".¹

22. Although successive reviews changed significantly the UK's approach to reconstruction and stabilisation, they had limited impact on the UK's civilian deployment in Iraq.

Meeting the initial demand for civilian personnel in Iraq

23. The Inquiry estimates that, on the eve of the invasion, the UK had between 10 and 16 non-MOD civilians ready to deploy to Iraq. That very small number reflected the assumptions underpinning UK planning and preparation for post-conflict Iraq, including that:

- after a short period of US-led, UN-authorized military occupation, the UN would administer and provide a framework for the reconstruction of post-conflict Iraq;
- substantial international support would follow UN authorisation; and
- reconstruction and the political transition to Iraqi rule would proceed in a secure environment.

24. Between April and October 2003, Ministers and officials pressed for an increase in the UK civilian deployments to the US-led Office of Reconstruction and Humanitarian Assistance (ORHA) and its successor, the Coalition Provisional Authority (CPA), in Baghdad, Basra and elsewhere in Iraq.

25. Government departments were not equipped to respond to those demands.

26. On 17 April, Mr Blair agreed that the UK should "increase significantly the level of ... political and practical support to ORHA, including the secondment of significant numbers of staff in priority areas".²

¹ Letter Owen to Fergusson, 5 February 2004, 'Post Conflict Reconstruction: Paper for the DOP, 12 February' attaching Paper [unattributed], [undated], 'Post Conflict Reconstruction'.

² Letter Rycroft to McDonald, 17 April 2003, 'Iraq: ORHA'.

27. The FCO, under the direction of Sir Michael Jay, the Permanent Under Secretary, co-ordinated the Whitehall response.

28. The FCO's approach was ad hoc, reflecting the absence of:

- adequate pre-invasion planning;
- a Whitehall mechanism for co-ordinating the urgent recruitment of volunteers; and
- clear US job descriptions for the vacant ORHA/CPA posts in Iraq.

29. On 22 April, with no clear job descriptions to draw on, Sir Michael Jay called on departments to “take a broad view in looking for volunteers”.³ He stated that “enthusiasm and personal qualities are likely to be just as important as specific expertise”.

30. Officials informed the 22 May meeting of the Ad Hoc Ministerial Group on Iraq Rehabilitation (AHMGIR) that 61 UK officials had been seconded to ORHA, five of them in Basra. Officials were able to provide Ministers with only very basic information on the functions of 35 of the 61, explaining: “Some secondees have yet to be allocated specific roles.”⁴

31. On 25 July, Sir Michael Jay described the training and deployment since April of “over 100 civilian staff from sixteen different branches of government” as an exercise having “no modern precedent”.⁵

32. While recognising that some of the difficulties faced by the UK reflected shortcomings in US plans, the Inquiry considers the deployment to have been unsatisfactory. Volunteers appear to have been recruited in a hasty and haphazard manner, without procedures to assess their suitability for a very challenging task. Civilians arrived in Iraq more slowly than required, with inadequate preparation and to fill positions that were ill defined.

33. As early as June 2003, concerns emerged that some civilians deployed to Iraq were not capable of meeting the physical requirements of working in such a difficult environment.

34. Ms Emma Sky, CPA Governorate Co-ordinator for Kirkuk from June 2003 to February 2004, told the Inquiry that she was not given a briefing by the FCO before travelling to Iraq. Instead she had received a phone call telling her “You’ve spent a lot of time in the Middle East. You will be fine.”⁶

35. Between June and August 2003, Ministers and officials pressed for a more ambitious response to the demand for civilian personnel. The UK sought to deploy

³ Letter Jay to Turnbull, 22 April 2003, ‘Iraq: UK Support for the Office for Reconstruction and Humanitarian Assistance (ORHA)’.

⁴ Annotated Agenda, 22 May 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

⁵ Letter Jay to Turnbull, 25 July 2003, ‘Iraq: UK support for reconstruction’.

⁶ Private hearing, 14 January 2011, page 2.

individuals with the right skills and appropriate levels of seniority, and to provide leadership by appointing a UK Head of CPA(South):

- On 3 June, Mr Blair called for Whitehall to return to a “war footing”.⁷ There needed to be “a strong civilian team in the South. In general, there needed to be a much stronger civilian grip”.
- On 2 July, Baroness Amos, the International Development Secretary, recommended the deployment of additional staff with the right skills and seniority.
- On 10 July, Ministers agreed that the UK effort in the South should be increased and that a UK figure should be made Head of CPA(South).
- On 28 August, the AHMGIR agreed, “subject to security concerns”, that Sir Hilary Synnott, Head of CPA(South), should be given “such assistance and staff as he deemed necessary”.⁸

36. Departments did not rise to the challenge:

- Sir Hilary Synnott told the Inquiry that, on his arrival in Basra on 30 July: “The phones didn’t work ... and nobody had thought to provide me with any form of computer.”⁹
- On 5 September, Mr Neil Crompton, Head of the Iraq Policy Unit (IPU), reported that the view in Iraq was that the job there was “doable”, but the UK needed to “throw massive resources at the problem now”.¹⁰ CPA(South) was “woefully under-staffed”. It was clear that the UK would have to fill the positions itself rather than rely on third-country nationals or CPA Baghdad.
- On 23 September, Mr David Richmond, the Prime Minister’s Deputy Special Representative on Iraq, reported that UK “influence in CPA Baghdad is limited; we supply only 100 out of its 1,000 staff there”.¹¹
- Sir Hilary Synnott told the Inquiry: “One of my key requests was at the end of August when I asked for, I think, 37 additional expert staff ... By 1 January, 18 out of 37 had arrived.”¹²

37. Departments’ weak response to the instruction to strengthen the UK civilian presence in Iraq represented a missed opportunity to alleviate some of the problems created by the failures of pre-invasion planning and preparation.

38. It is not possible to assert that the rapid deployment of all the additional personnel requested would have materially altered the situation in Iraq. It is, however, the Inquiry’s

⁷ Minute Cannon to McDonald, 3 June 2003, ‘Iraq: Prime Minister’s Meeting, 3 June’.

⁸ Minutes, 28 August 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

⁹ Public hearing, 9 December 2009, page 9.

¹⁰ Minute Crompton to Chaplin, 5 September 2003, ‘Visit to Iraq: 31 August to 3 September’.

¹¹ Minute [junior official Cabinet Office] to Sheinwald, 25 September 2003, ‘Iraq Senior Officials Group Meeting’.

¹² Public hearing, 9 December 2009, page 45.

view that the UK's ability to influence developments in Iraq was diminished by their absence (see Section 9.8).

Duty of care and risk management

39. Between 2003 and 2009, decisions on civilian deployment were closely linked to assessments of the security threat in Iraq and departments' interpretation of their duty of care to staff.

40. Steps taken by departments to manage the threat to staff included the provision of:

- pre-deployment security training;
- secure transport;
- close protection teams; and
- hardened accommodation.

41. Protective security could not eliminate the risk of death or injury. A number of LE staff and UK-based contractors working for the UK Government were killed in Iraq.

42. The evidence available to the Inquiry shows that the Government made serious efforts to mitigate the risk of injury and death. In addition to protective security measures:

- The FCO and DFID carried out frequent reviews of security in Baghdad, Basra and other locations in Iraq.
- During 2004, the FCO introduced improved structures for managing security issues at its posts in Iraq, with responsibility shared between named decision-makers in London and Iraq. Those arrangements were kept under review.
- When the threat was assessed to exceed the protection afforded by the security measures in place, officials and, where appropriate, Ministers, took quick decisions to lock down buildings or to withdraw staff temporarily.

43. The number of civilian personnel in Baghdad and Basra fluctuated as Ministers and officials sought to reconcile departments' duty of care to staff with operational needs and the finite resources available for enhanced security in the face of a constantly evolving threat:

- On 27 May 2004, Mr Stuart Jack, Head of the FCO Iraq Operations Unit (IOU) advised Mr Jack Straw, the Foreign Secretary: "we are currently at the limit of technical measures we can apply to protect staff in Iraq".¹³
- On 8 October 2004, officials advised Mr Straw that the FCO was "reaching the limits" of its ability to increase effective protection.¹⁴

¹³ Minute Jack to PS [FCO], 27 May 2004, 'Iraq: Civilian Staffing and Security'.

¹⁴ Minute Iraq Directorate [junior official] to PS [FCO], 8 October 2004, 'Staff Security in Iraq'.

- On 6 June 2006, Mr Andrew Noble, FCO Director of Security, stated: “we are operating at the limits of what can be achieved, consistent with running a diplomatic mission”.¹⁵
- On 22 January 2007, Dr Rosalind Marsden, the British Consul General in Basra, reported that she had been advised by her Overseas Security Manager that “we are beginning to push our luck”.¹⁶

44. The critical contribution of some of the protective measures introduced in Iraq is reflected in comments by Mr Robert Tinline, Head of the Basra Provincial Reconstruction Team (PRT) in 2007 and 2008. In April 2007, he informed the FCO that more than 1,200 rockets and mortars had been fired at the Basra Palace site since September 2006.¹⁷ Although the BPC had been hit 70 times:

“We were fortunate that none of our staff were killed or injured ... But we also made our own good fortune. Four accommodation ‘pods’, the bar, the gym and both the main office buildings received direct hits – but because they were hardened, no serious injuries resulted.”

- 45.** The progressive introduction of protective security measures between 2003 and 2008 placed growing constraints on civilians’ ability to carry out their jobs effectively.
- 46.** LE staff and contractors became critically important to the UK reconstruction effort.
- 47.** The limited availability of secure transport had particular consequences for the way civilians operated.
- 48.** Mr Martin Dinham, DFID Director Europe, Middle East and Americas from 2005 to 2007, told the Inquiry that, during 2006 and 2007, access to a number of infrastructure projects was so difficult that “we had to arrange to work through local contractors ... taking videos, taking digital images, contacting us by email, meeting them in safe locations so we could actually supervise at one remove”.¹⁸
- 49.** From mid-2003, officials had recognised that measures to protect civilians from the security threat could have implications for the UK’s ability to achieve its strategic objectives in Iraq.
- 50.** Despite the warnings, the Government failed to establish a strategic framework for assessing the impact of the security threat and protective security measures on UK objectives or to agree an appropriate response.

¹⁵ Minute Noble to Casey, 6 June 2006, ‘Security of our Posts in Baghdad and Basra’.

¹⁶ Letter Marsden to McDonald, 22 January 2007, ‘Basra Palace: Response to Increased IDF Threat’.

¹⁷ eGram 17758/07 Basra to FCO London, 30 April 2007, ‘Basra: Move of the British Embassy Office’.

¹⁸ Public hearing, 17 December 2009, page 43.

51. In July 2003, Mr Peter Collecott, FCO Director General Corporate Affairs, commented on the tension between achieving UK objectives in Iraq and duty of care to staff. He advised Mr Straw:

“We will inevitably be faced with some very difficult prioritisation decisions: activity v. security in Iraq; activity in Iraq v. priorities elsewhere.”¹⁹

52. Concerns increased after the attacks on the UN headquarters in Baghdad in August 2003.

53. Mr Crompton advised Mr Straw:

“Resources for security assets are an issue. But the principle should be that we provide the number of security assets we need for people to do their jobs properly, rather than limit the number of tasks we take on to the number of security assets we have on the ground (as some around Whitehall have been suggesting). This will be expensive.”²⁰

54. Over time, the tasks that UK civilians were able to carry out in Iraq became increasingly limited. In June 2006, the IPU characterised the FCO approach to security as “risk averse”.²¹ It stated that, where officials judged that a particular task exposed personnel to greater risk than the mitigating measures in place to deal with that risk, the task would not be undertaken.

55. The withdrawal of the majority of civilian staff from the Basra Palace site to Basra Air Station and Kuwait in response to a rapid deterioration in security in late 2006 followed that pattern.

56. Sir Peter Ricketts told the Inquiry that he was clear that the British Embassy Office would have to leave Basra Palace once it was known that the UK military would be moving out.

57. Officials reported in December 2006 that the rapid withdrawal had raised concerns among the UK’s partners about its commitment to civilian operations.

58. The Government did not assess to what extent civilians could be effective in a highly insecure environment. Nor did the principal government departments concerned reach agreement on a cross-government framework for managing risk in such circumstances.

59. By late 2006, UK civilian activity in Iraq, particularly in Basra and the South, had become severely constrained by the security situation. Only after the change in the security environment brought about by the Charge of the Knights, the Iraqi military

¹⁹ Minute Collecott, 11 July 2003, on Minute Millett to PS [FCO], 11 July 2003, ‘Iraq: Security’.

²⁰ Minute Crompton to PS [FCO], 28 August 2003, ‘Ad Hoc Ministerial’.

²¹ Minute IPU [junior official] to PS/PUS [FCO], 30 June 2006, ‘Iraq: Review of Security’ attaching Paper Iraq Policy Unit, June 2006, ‘Review of Security of Staff and Missions in Iraq’.

operation in March 2008 to drive Shia militias out of Basra, was there a strategic context in which the effectiveness of UK civilians in the South was no longer determined by the security threat and the availability of protective measures.

Civilian-military co-ordination

60. In the absence of a cross-government framework for managing risk, there was no overarching consideration of the security assets needed for civilians to do their jobs effectively, which UK military assets should be assigned to protect civilians and what constituted an appropriate level of expenditure on protective security in the particular circumstances of Iraq.

61. Sections 6.4 and 6.5 address the shortcomings in UK civilian–military co-ordination during pre-invasion planning and preparation for post-conflict Iraq.

62. Those shortcomings persisted after the invasion.

63. On 11 April 2003, shortly before the opening of the British Office Baghdad, officials advised Mr Straw that no decision had been taken on how to guard the compound perimeter. The MOD was considering the issue, but would “take some persuasion to redeploy to Baghdad from the South”.²²

64. On 15 July 2005, the Iraq Strategy Group (ISG) discussed the first draft of a paper to be signed by Dr John Reid, the Defence Secretary, on the planned drawdown of UK military forces from southern Iraq. The ISG concluded that the draft, which made no reference to the potential consequences of the drawdown for civilian activities, needed to cover more clearly the implications for other government departments and international actors.

65. In the revised paper, Dr Reid stated that, although the drawdown was likely to result in a significant cost saving to the military, other departments operating in Iraq might face increased security costs as they were “forced to seek commercial alternatives to military force protection”.²³ No alternatives were proposed.

66. On 30 September 2005, a joint FCO/MOD/DFID paper recommended the allocation of additional resources to security, including UK military resources. A No.10 official told Mr Blair that Dr Reid did not support the proposal.

67. In October 2005, Dr Reid sought approval to procure a counter-measure to the threat posed to UK troops by Improvised Explosive Devices.²⁴ Ten days later, Mr Hilary Benn, the International Development Secretary, expressed support for the proposal, pointing out that it would also “significantly reduce the current threat against UK forces and DFID staff”.

²² Minute Gray to Private Secretary [FCO], 11 April 2003, ‘Baghdad: Preparing to Open’.

²³ Paper Secretary of State for Defence, 18 July 2005, ‘Operational Transition in Iraq’.

²⁴ Letter Reid to Browne, 31 October 2005, ‘Iraq UORs: M*’.

Locally engaged staff

68. LE staff played an essential role in the UK effort in Iraq. They became increasingly important as security deteriorated and the mobility of UK personnel became constrained.

69. Officials recognised in 2003 the critical role of LE staff and the personal risk they took in working for the UK Government. The issue came into sharper focus in Basra in April 2006, when the British Consul General reported that most LE staff in the city considered it too dangerous to come into work.

70. On 18 June 2006, an LE member of staff at the British Embassy Office Basra was murdered. His wife, also an LE member of staff, was seriously injured.

71. The visibility of LE staff in the local community made them particularly vulnerable to attack. UK officials in Iraq took steps to manage the risk, including the introduction of flexible shift patterns. DFID local staff in Basra, who were particularly exposed to the threat because of the extent of their work outside the Basra Palace site, had standing permission not to come to work if they felt unsafe.

72. Only in August 2007, faced with a further deterioration in security and growing press interest in LE staff, did officials try, with some difficulty, to reconcile FCO, DFID, MOD and, as the department responsible for immigration, Home Office views to establish “a coherent cross-Whitehall approach”.²⁵

73. The design and implementation of the Locally Engaged Staff Assistance Scheme, announced in Parliament in October 2007, was further hindered by shortcomings in the data on LE staff held by the FCO and the MOD.

74. The evidence seen by the Inquiry indicates that the UK did not fail in its duty of care to LE staff, but the Inquiry concludes that the Government should have recognised sooner that LE staff were uniquely exposed to the security threat and vital to the UK effort in Iraq, and that this was an issue requiring a co-ordinated and agreed approach across departments.

Language skills

75. Several witnesses to the Inquiry commented on the shortage of Arabic speakers among civilians deployed to Iraq throughout the period covered by the Inquiry.

76. There was also a shortage of Arabic speakers available to support the UK military.

77. The deployment of more Arabic speakers would have provided the opportunity to:

- increase UK access to Iraqi institutions and society;
- build greater trust between the UK Government and influential Iraqis; and
- improve UK understanding of political and social undercurrents in Iraq.

²⁵ Minute IPU [junior official] to Private Secretary [FCO], 1 August 2007, ‘Iraq: Locally Engaged Staff’.

78. Two main factors appear to have contributed to the failure to meet the demand for Arabic speakers in Iraq:

- the finite number of Arabic speakers in the FCO; and
- the absence of a mechanism for redeploying Arabic speakers from other FCO jobs at short notice.

79. The Inquiry welcomes the steps taken by the FCO since 2010 to increase the number of Arabic speaker positions at FCO posts in the Middle East and North Africa, and Mr William Hague's decision as Foreign Secretary to open a new FCO language school in 2013 and to prioritise Arabic language training.

80. The Inquiry fully endorses Mr Hague's view that expertise in a foreign language makes UK diplomats:

“... vastly more effective at communicating the viewpoint of the United Kingdom. And it is vital to understanding the political mood in different countries and to spotting trends or anticipating crises.”²⁶

81. There is little evidence, however, that the Government has considered how to respond effectively to a sudden surge in demand for particular language skills, especially where demand may be unforeseen.

Lessons

82. The Inquiry recognises that, since 2003, significant changes have been made to the UK's strategic and operational approach to reconstruction and stabilisation. Some of those changes, including the establishment of a deployable UK civilian stand-by capability, are the direct result of lessons learned from serious shortcomings in the deployment of civilian personnel in post-conflict Iraq.

83. The lessons identified in this Section remain relevant to the UK's evolving approach to reconstruction and stabilisation.

84. Other lessons relating to the strategic role of civilians in post-conflict reconstruction and stabilisation operations, the relationship between civilian and military deployments, and the impact of the UK's civilian-led programmes in Iraq are addressed in Section 10.4.

85. The effectiveness of the UK civilian effort in post-conflict Iraq was compromised by a range of factors, including the absence of effective cross-government co-ordination on risk, duty of care and the terms and conditions applicable to personnel serving in Iraq.

²⁶ Foreign & Commonwealth Office and the Rt Hon William Hague MP [from *GOV.UK*], 19 September 2013, *Foreign Secretary opens Foreign Office language school*.

- 86.** The difficult working conditions for civilians in Iraq were reflected in short tour lengths and frequent leave breaks. Different departments adopted different arrangements throughout the Iraq campaign, leading to concerns about breaks in continuity, loss of momentum, lack of institutional memory and insufficient local knowledge.
- 87.** Different departments will continue to deploy civilian staff in different roles. Standardisation of all aspects of those deployments may not be appropriate, but greater harmonisation of departmental policies should be considered wherever possible. The same approach should be applied to LE staff.
- 88.** At all stages, including planning, departments must give full consideration to their responsibilities and duty of care towards LE staff, who have an essential contribution to make and will face particular risks in insecure environments.
- 89.** All civilian deployments should be assessed and reviewed against a single, rigorous, cross-government framework for risk management. The framework should provide the means for the Government as a whole to strike an effective balance between security and operational effectiveness, and to take timely decisions on the provision of appropriate security measures.
- 90.** Standardising tour lengths for civilians deployed by different departments would have eased the overall administrative burden and, perhaps, some of the tensions between individuals from different government departments serving in Iraq. But the environment was difficult and individuals' resilience and circumstances varied. The introduction of the option to extend a tour of duty was an appropriate response.
- 91.** Throughout any operation of this kind, departments should maintain two procedures for the systematic debriefing of staff returning to the UK: one to meet duty of care obligations, the other to learn lessons from their experience.
- 92.** It is difficult to separate the issue of the seniority or personal impact of individual civilians from the wider question of UK influence on the US, which is addressed in Section 9.8.
- 93.** In order to identify individuals with the right skills, there must be clarity about the roles they are to perform. Wherever possible, individuals should be recruited for and deployed to clearly defined roles appropriate to their skills and seniority. They must be provided with the equipment needed to perform those roles to a high standard.
- 94.** The Government should consider the introduction of a mechanism for responding to a surge in demand for a particular language capability.
- 95.** The Inquiry views the inability of the FCO, the MOD and DFID to confirm how many civilian personnel were deployed to or employed in Iraq, in which locations and in what roles, as a serious failure. Data management systems must provide accurate information on the names, roles and locations of all staff for whom departments have duty of care responsibilities.

