



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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July 2019

BUSINESS APPOINTMENT APPLICATION: LIEUTENANT GENERAL MARTIN BRICKNELL CB OStJ

The Committee has been asked to consider an application from Lt Gen Martin Bricknell, former Surgeon General from September 2017 - December 2018 (previously Major General, subordinate to the Surgeon General). Lt Gen Bricknell sought advice on setting up an independent consultancy.

Appointment Details

Lt Gen Bricknell sought advice on setting up an independent consultancy, where he will be conducting '*advisory work on military medical matters for international military alliances, bilateral international partners and UK NHS and academic partners*'. Lt Gen Bricknell stated this may include advising on bids for grant funding from research funds or development assistance. He explicitly stated this work will not involve MOD contracts.

Lt Gen Bricknell listed: Nato; United Nations; Bilateral Nations and NHS organisations as potential clients and stated he will provide '*technical advice*' on military medical matters.

Lt Gen Bricknell also confirmed this work would not involve the MOD and his contacts there, and explained for example, should he be commissioned by the NHS, the work he foresees would not be in relation to MOD contracts, but to support NHS organisations where they might contract with international organisations.

Future commissions

Whether the conditions set out below can sufficiently mitigate the risks presented by any future commission Lt Gen Bricknell proposes to take up will depend on the specific details of each piece of work. Further conditions may be appropriate. As is usual in such cases, Lt Gen Bricknell will need to seek advice from the Committee for each commission he wishes to accept.

The Committee will consider with each commission whether the restrictions below sufficiently mitigate the risk attached and will decide whether each commission is consistent with the terms of the consultancy, considering any relevant factors under the Business Appointment Rules. **The Committee would draw his attention to the fact that, in particular, the nature of any work in the UK defence sector will need particular consideration.** For example, should Lt Gen Bricknell seek to work on matters he had direct responsibility for in office, the Committee would consider whether a waiting period may be required. The Committee will consider such risks on a case by case basis.

Additionally, when seeking work and/or commissions, Lt Gen Bricknell is advised to adhere to the conditions below.

The Secretary of State for Defence has accepted the Committee's advice that this appointment be subject to the following conditions:

- that he should not draw on (disclose or use for the benefit of himself or the organisations to which this advice refers) any privileged information available to him from his time in Crown service;
- for two years from his last day of service he should not become personally involved in lobbying the UK Government on behalf of those he advises under his independent consultancy or their subsidiaries, partners or clients to influence policy or secure business or funding on behalf;
- for two years from his last day in Crown service, he should not become personally involved in lobbying contacts he has developed during Crown service, within other Governments and organisations, for the purpose of securing business for his independent consultancy, its subsidiaries, partners or clients;
- for two years from his last day in Crown service, he should not provide advice to any company or organisation on the terms of, or with regard to the subject matter of, a bid or contract with, or relating directly to the work of, the MOD or its trading funds; and
- for two years from his last day in Crown service, before accepting any commissions for his independent consultancy and or/before extending or otherwise changing the nature of his commissions, he should seek advice from the Committee. The Committee will decide whether each commission is consistent with the terms of the consultancy and consider any relevant factors under the Business Appointment Rules (including in particular the nature of any work in the UK defence sector).

By 'privileged information' we mean official information to which a Minister or Crown servant has had access as a consequence of his or her office or employment and which has not been made publicly available. Applicants are also reminded that they may be subject to



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The Committee has been asked to consider an application from Lt Gen Martin Bricknell, former Surgeon General from September 2017 - December 2018 (previously Major General, subordinate to the Surgeon General) for the Ministry of Defence (MOD). Lt Gen Bricknell sought advice on taking up an academic position with King's College London (KCL).

Appointment Details

Lt Gen Bricknell informed the Committee of a potential appointment with King's College London, as Professor of Conflict, Health and Military Medicine. He stated this would be a part-time role, 3 days a week. King's College London is a research academic university, with 9 faculties and schools, including: Arts, Humanities, Life Sciences and Medicine.

Lt Gen Bricknell stated his role will be to *'lead a research programme covering civil-military relationships in conflict and health; build international academic relationships with military medical academic institutions; teach on relevant KCL courses; develop partnerships with similar research organisations within the UK; seek research grants from UK research councils; supervise students and other academics'*.

Lt Gen Bricknell also stated that he had held an honorary appointment with King's College London for three years prior to making this application. He also confirmed he did not have any involvement with any of the UK's Research Councils in his role at the MOD, however did advise on grant applications for the aforementioned Councils during his honorary

The Committee's Consideration

The Committee¹ noted that Lt Gen Bricknell did have official contact with King's College London while working with MOD and the Committee considered his seniority as Surgeon General means he was ultimately responsible for the awarding of contracts within his chain of command. However, the Committee noted that he and the MOD confirmed he had no involvement in contractual dealings with King's College London while in post; and the MOD have no concerns related to the award of this contract within his department in 2016. Further, though the contract was for £1.44M, this was within the context of a £480M budget within his department. The Committee also noted that Lt Gen Bricknell had a prior working relationship with King's College London, outside the MOD, before putting forward this application. As such, the Committee considered the risk Lt Gen Bricknell was offered this rôle for decisions made, or actions taken in office, is low.

The Committee noted that, given Lt Gen Bricknell's seniority in office, he would have had access to a range of contacts within the MOD and may be seen to offer an unfair influence on such contacts should King's College London apply for further work with or funding from the MOD. The Committee considered a ban on the use of contacts gained in office, and a ban on advising on a bid or contract relating to the MOD appropriately mitigates this risk.

The Committee also noted Lt Gen Bricknell's request to work with the MOD, should his Professorship require. The Committee considered contact with the MOD would not be improper if restricted to academic matters in line with his role as Professor of Conflict, Health and Military Medicine, such as giving lectures and participating in educational activities.

The Committee also noted that, given Lt Gen Bricknell's seniority, he would have had access to privileged information which if retained, could be used to offer King's College London an unfair advantage over their competitors, in the area of medicine and defence. However, the ban on the use of privileged information makes it clear he must not draw on any such information and ensures this risk is appropriately mitigated.

The Secretary of State for Defence has accepted the Committee's advice that this appointment be subject to the following conditions:

- that he should not draw on (disclose or use for the benefit of himself or the organisations to which this advice refers) any privileged information available to him from his time in Crown service
- for two years from his last day of service he should not become personally involved in lobbying the UK Government on behalf of King's College London, its partners or subsidiaries. This would not prevent him from having routine contact with the MOD on

¹ This application for advice was considered by Sir Alex Allan; Johnathan Baume; Baroness Browning; Lord Michael German; Baroness Helen Liddell; John Wood; Terence Jagger; Richard Thomas and Dr Susan Liautaud.