



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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**BUSINESS APPOINTMENT APPLICATION: GENERAL SIR CHRIS DEVERELL KCB
MBE**

1. The Committee has been asked to consider an application from General Sir Chris Deverell, former Joint Forces Commander at the Ministry of Defence (MOD), on establishing an independent consultancy and taking up a commission with NightDragon Security.
2. Joint Forces Command provides the supporting framework for successful operations across the three-armed services - ensuring joint capabilities like medical services, training, intelligence, information systems and cyber operations, are developed and managed. It also provides command and control for overseas defence operations. As Joint Forces Commander, General Sir Chris had responsibility for commanding and generating the joint capabilities allocated to the command and setting the framework for the joint enablers. He was Joint Forces Commander between April 2016 - May 2019. General Sir Chris's last day in post was 9 May 2019 and he left Crown service on 12 September 2019.

Appointment Details

Independent consultancy

3. General Sir Chris described the purpose of independent consultancy as undertaking the following:
 - activities of venture and development capital companies;
 - management consultancy activities other than financial management;
 - general public administration activities; and
 - regulation of, and contribution to, more efficient operation of business.

Commission with NightDragon Security

4. General Sir Chris described NightDragon Security (NDS) as an investment and advisory firm that partners with cybersecurity companies to help scale and rapidly grow its business - with a primary focus on the private sector. He said you have been asked to provide NDS with strategic advice; and possibly a role in NDS seeking investors - as yet unknown. In addition, there is a possibility he may be asked to become a Director of one or more of the companies in which it invests.

5. General Sir Chris advised the Committee he had no direct contractual dealings with NDS. However, he had contact with the cyber security sector more generally due to his role as Joint Forces Commander. This role saw him hold management responsibility for individuals who supervised hundreds of contracts across a wide range of defence enablers. Cyber security was one small aspect of this.

6. The MOD Business Appointments Panel considered General Sir Chris's application and confirmed the information he provided. It recommended that General Sir Chris' independent consultancy be subject to restrictions which prevent:

- the use of privileged information, such as '*commercially sensitive information or not-yet-announced decisions on strategy, policy, or delivery*';
- lobbying the UK Government on behalf of himself or his clients
- lobbying contacts developed during Crown Service in other Governments or organisations to secure business for his consultancy.
- working on the bids and contracts related to the work of the MOD or its trading funds.

7. Additionally, he should seek advice from the Committee for each additional commission he wishes to take up.

8. In relation to the commission with NDS, the MOD confirmed it has no relationship with NDS and General Sir Chris had no dealings with the company in office. General Sir Chris and the MOD told the Committee he did have official dealings with venture capital firms more generally as a result of an innovation unit at the MOD he established while in post - jHub¹. However, NDS were not involved in jHub and General Sir Chris further noted that whilst in post jHub was not used to procure cybersecurity products and services.

9. The MOD confirmed whilst General Sir Chris would have knowledge of the UK's cyber capabilities and expansion opportunities, much of this exists in the public domain. Further, given his span of command, he would not have '*in-depth system knowledge which would benefit his potential employer*'. The MOD raised no concerns with his taking up this commission given the conditions recommended on the consultancy.

The Committee's Consideration

¹ jHub described itself as the Innovation centre for UK Joint Forces Command, seeking innovation and technology to enhance and improve the operation of the UK armed forces - it connects world class technology and talent to military users. It funds and accelerates their pilots. It also rapidly procures through the innovation board.

10. When considering General Sir Chris's application to set up an independent consultancy, the Committee² took into account that General Sir Chris' proposed work is not specifically related to his time in office. Rather, he proposes to draw on generic skills gained.

11. The conditions below apply to his consultancy generally to mitigate inherent risk in the broad area of consultancy work. The conditions prevent: lobbying of the UK Government and contacts gained in office; the use of privileged information; and advising on the terms of bids or contracts relating directly to the MOD.

Commission with NightDragon Security (NDS)

12. The Committee recognised there are some risks associated with this commission with NDS - which, as a cybersecurity company, operate in an area that broadly relates to the defence sector.

13. Should General Sir Chris be involved in the search for investors, he could be perceived to offer an unfair advantage through contacts gained in office. However, the conditions attached to his independent consultancy prevent him from lobbying the UK Government and lobbying contacts he has developed during Crown service, within other Governments and organisations, for the purpose of securing business for his independent consultancy.

14. Should General Sir Chris become a director of one of the companies it takes on, there is a risk he could be perceived to offer an unfair advantage, should that organisation for example seek to enter the UK Defence market and in particular work with the MOD. Further, without knowing the details of any potential employer, the Committee considered it could not appropriately mitigate the potential risks. Therefore, the Committee would draw his attention to the condition below which makes it clear that any change to the nature of his commission, including should he be asked to become a director.

15. Whilst NDS does not currently work with the MOD the Committee would also draw General Sir Chris' attention to the conditions below which prevent him from lobbying the UK Government or advising on bids and contracts with the MOD, to mitigate the risk he may be seen to offer an unfair advantage should NDS or those it invests in seek to work with the MOD.

Future commissions

16. Whether the conditions set out below can sufficiently mitigate the risks presented by any future commission General Sir Chris 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, General Sir Chris will need to seek advice from the Committee for each commission he wishes to accept.

² This application for advice was considered by Sir Alex Allan; Johnathan Baume; Baroness Browning; Terence Jagger; Richard Thomas; Lord Larry Whitty; John Wood. Dr Susan Liautaud was unavailable.

17. 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 General Sir Chris 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.

18. When seeking work and/or commissions, General Sir Chris is advised to adhere to the conditions below.

19. The Secretary of State for Defence accepted the Committee's advice that, under the Government's Business Appointment Rules, General Sir Chris' application to set up an independent Consultancy and his commission with NightDragon Security be subject to the following conditions:

- 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 in Crown service, he should not become personally involved in lobbying the UK Government on behalf of his clients, or their partners or subsidiaries. He should not make use, directly or indirectly, of his contacts in Government and/ or Crown service to influence government policy, or secure business or funding on their 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 (e.g jHub), 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 undertake any work as a consultant that involves providing advice to any company organisation on the terms of, or with regard to the subject matter of, a bid or contract relating directly to the work of the UK Ministry of Defence or its trading funds; and
- for two years from his last day in Crown service, before accepting any commissions and/ or before extending or otherwise changing the nature of any commission or his role (including within NightDragon Security), he should seek advice from the Committee. The Committee will decide whether each commission or role is consistent with the terms of the consultancy and consider any relevant factors under the Business appointment Rules.

20. 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 other duties of confidentiality, whether under the Official Secrets Act, the Civil

Service Code or otherwise.

21. The Business Appointment Rules explain that the restriction on lobbying means that the former Crown servant/Minister *“should not engage in communication with Government (Ministers, civil servants, including special advisers, and other relevant officials/public office holders) – wherever it takes place - with a view to influencing a Government decision, policy or contract award/grant in relation to their own interests or the interests of the organisation by which they are employed, or to whom they are contracted or with which they hold office.”*

22. Once General Sir Chris’ consultancy is live and/or he has announced this is the case, we will publish this letter on the Committee’s website and in the relevant annual report.

Yours sincerely

Catriona Marshall
Committee Secretariat