



**OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS**

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**BUSINESS APPOINTMENT APPLICATION: AIR MARSHAL STUART EVANS**

1. The Committee has been asked to consider an application from Air Marshal Stuart Evans, former Deputy Commander, Air Command, NATO and former Senior British Military Advisor at the Ministry of Defence (MOD), on taking up a new commission with Defence IQ under his independent consultancy.
2. Air Marshal Evans informed the Committee during his role with NATO he was responsible for oversight of NATO's air policing and ballistic missile defence standing missions. He was also responsible for training and delivering NATO's air component headquarters staff for NATO operations.
3. Air Marshal Evans last day in post with NATO was 16 August 2019 and his last day in Crown service was 17 February 2020.

Appointment Details

4. Its website states Defence IQ is one of the worlds largest defence events and media organisations. It states it supports and engages with the international defence community via its digital platform and global conferences. It states it collaborates with the military services, traditional and non-traditional defence industry, Science & Technology and academia who, by contributing to events and publications, help it generate debate about the future of the industry. Its objective is to provide its members, event attendees and industry partners with a hub of commentary and analysis on contemporary military strategy, defence acquisition, and technology development. The aim is to keep members up to date with rapid technological development, evolving threats and operational needs across Air, Land, Maritime, Security and the Joint Domains.
5. Air Marshal Evans sought advice on acting as a Conference Chair with Defence IQ at a London event. He described the role as being chair-person for one day at a conference event in London to discuss Aircrew training. The role involves opening the conference schedule, introducing speakers and moderating discussions during the

day. Acting on behalf of Defence IQ, who run the conferences, with no contracts or arrangements with the event's commercial sponsors.

6. Air Marshal Evans informed the Committee he did not have any official dealings with Defence IQ whilst in office. He further said he had no funding or contractual dealings with any commercial companies during his NATO tenure or previous to that. Air Marshal Evans also confirmed he has had no access to classified information since leaving his role at NATO.
7. The MOD considered Air Marshal Evans' application and confirmed the information he provided. The MOD stated owing to his 3-year tour in NATO he was far removed from contracting and he has had no access to commercially sensitive information. The MOD stated his access to policy or departmental information was '*nothing beyond the general accrued knowledge from his military career*'. It further said the Department does not have any relationship with Defence IQ and are not featured on its suppliers list.
8. The MOD panel said Air Marshal Evans' most recent roles have focussed on operations not commercial involvement with companies, so the risk of perception of use of commercially sensitive information to the unfair benefit of Defence IQ is low. The risk of perception of unfair benefit to Defence IQ through access to his network at the MOD, would be appropriately mitigated by the conditions it recommended conditions be applied to his independent consultancy which 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
9. The MOD said provided the behavioural conditions above are complied with, the risk with this commission is low to remote.

### The Committee's Consideration

10. The Committee<sup>1</sup> considered this commission to be broadly consistent with the terms of Air Marshal Evans' independent consultancy, described as working with defence companies on air, space and NATO related issues. He states this work will cover strategic plans, training and exercises and air, space and ballistic missile capabilities.
11. The Committee noted Air Marshal Evans had no official dealings with Defence IQ and was not involved in any funding or contractual dealings with any commercial company, including Defence IQ. Further, there is no relationship between the MOD and Defence IQ. Therefore the risk is low that this commission was offered as a reward for actions taken while in service.
12. The Committee took into consideration that as Deputy Commander of NATO's Air Headquarters, responsible for NATO's air policing and ballistic missile defence standing missions and training and delivering NATO operations, Air Marshal Evans will no doubt have access to information that may be seen to benefit any company operating in the areas for which he held responsibility at NATO, including training.

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<sup>1</sup> This application for advice was considered by Sir Alex Allan; Johnathan Baume; The Rt Hon Lord Pickles; Richard Thomas; Lord Larry Whitty; John Wood and Dr Susan Liautaud.

However, the Committee recognised there are several mitigating factors here. This information would be limited to operational information with regard to his specific role at NATO; the MOD confirmed it has no concerns about his access to sensitive information; and a significant amount of time has passed since he was in post at NATO with access to any information. Further, the Committee also took into account that this is a specific piece of work, for one defined event, not specifically related to his work with NATO.

13. The Committee also recognised Air Marshal Evans' potential influence as the former Deputy Commander of NATO's Air Headquarters including the contacts he will have gained within the MOD/Whitehall and with foreign governments. It is likely he will be perceived he could offer Defence IQ an unfair advantage in this regard. However, this and other inherent risks are appropriately mitigated by the conditions attached to his consultancy below which prevent use of privileged information or improper use of contacts gained in office to the unfair advantage of Defence IQ and its clients.
14. Under the Government's Business Appointment Rules, the Secretary of State for Defence accepted the Committee's advice that, Air Marshal Evans' commission with **Defence IQ** be subject to the conditions which were previously applied to his independent consultancy:
  - 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 Crown service he should not become personally involved in lobbying the UK Government, the UK MOD or NATO on behalf of his clients (including parent companies, subsidiaries and partners); nor should not make use, directly or indirectly, of his MOD, NATO or government contacts to influence policy, secure funding/business or otherwise unfairly benefit his clients (including parent companies, clients, subsidiaries and partners);
  - 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 or NATO; 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.
15. 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.
16. 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.”*

17. I would be grateful if you would ensure that we are informed as soon as Air Marshal Evans' consultancy is live, or if it is announced that he will do so (I enclose a form for this purpose). We shall otherwise not be able to deal with any enquiries, since we do not release information about appointments which have not been taken up or announced, and this could lead to a false assumption being made about whether he had complied with the rules.
18. I should also be grateful if you would ask that Air Marshal Evans informs us if he proposes to expand or otherwise change the nature of his consultancy, depending on the circumstances, it may be necessary for him to make a fresh application.
19. Once Air Marshal Evans' 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

Isabella Wynn  
**Committee Secretariat**