



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS
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BUSINESS APPOINTMENT APPLICATION: Professor Ciaran Martin CB, Chief Executive at National Cyber Security Centre 2014 - August 2020

1. Professor Martin, former Chief Executive at National Cyber Security Centre (NCSC), part of Government Communications Headquarters (GCHQ), has sought advice from the Advisory Committee on Business Appointments (the Committee) under the government's Business Appointments Rules for Former Crown servants (the Rules) on an appointment he wishes to take up with Nihon Cyber Defence Ltd (Nihon) as a Non-Executive Director. The material information taken into consideration by the Committee is set out in Annex A.
2. The purpose of the Rules is to protect the integrity of the government. Under the Rules, the Committee's remit is to consider the risks associated with the actions and decisions made during time in office, alongside the information and influence a former Crown servant may offer Nihon.
3. The Rules set out that Crown servants must abide by the Committee's advice. It is an applicant's personal responsibility to manage the propriety of any appointment. Former Crown servants are expected to uphold the highest standards of propriety and act in accordance with the 7 Principles of Public Life.

The Committee's consideration of the risks presented

4. The Committee¹ noted that Professor Martin did not meet with Nihon and there is no relationship between NCSC and Nihon. Further, the department confirmed he did not make any decisions specific to Nihon. Therefore, the Committee considered the risk he could be seen to have been offered this role as a reward for decisions made, or actions taken in office, was low.

¹ This application for advice was considered by Jonathan Baume; Andrew Cumpsty; Isabel Doverty; Sarah de Gay; Dr Susan Liautaud; The Rt Hon Lord Pickles; Richard Thomas; Mike Weir; and Lord Larry Whitty.

5. The Committee noted that this proposed role overlaps with Professor Martin's time in office. Therefore, there could be a perceived risk he had access to relevant privileged information, which could unfairly benefit Nihon. However, the Committee gave weight to the department's confirmation that he had no access to information that could provide an unfair advantage and he has been out of office for over 8 months. Further, Professor Martin's previous department, NCSC, has a purpose and commitment to be transparent and he has an ongoing duty of confidentiality.
6. The Committee noted there may be risks associated with a former senior Crown servant advising a foreign government, not least in terms of the perception he may offer access and influence. However, the Foreign, Commonwealth and Development Office (FCDO) have confirmed it has no objection to Professor Martin taking up this role and stated it is entirely aligned with the FCDO's objectives for its relationship with Japan. The Committee also noted GCHQ's comment that Professor Martin needed to be clear that in any dealings with the Japanese Government he no longer speaks for HMG. The conditions below prevent improper use of information, contacts and influence to the unfair advantage of Nihon and its clients.
7. The Committee noted there is an inherent risk that Professor Martin's network of contacts within government could unfairly benefit Nihon. The Committee would draw his attention to the lobbying restriction and the restriction on providing advice on the terms of a bid or contract relating directly to the work of the UK government imposed below. However, the Committee noted this was in keeping with his role as described.
8. The Committee also noted there may be potential risks associated with the unknown nature of Nihon's clients. Specifically, should they be a company or organisation Professor Martin or NCSC had a commercial relationship with or where he had some specific insight or influence in respect of their work whilst in post. Therefore, the Committee considered it would be appropriate to impose an additional condition to prevent him from advising Nihon or its clients where it involves working on matters he had involvement with in office.
9. Taking into account these factors, in accordance with the government's Business Appointment Rules, the Committee advises this appointment with **Nihon Cyber Defence Ltd** be subject to the following conditions:
 - he should not draw on (disclose or use for the benefit of himself or the persons or 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 or its Arms' Length Bodies on behalf of Nihon Cyber Defence Ltd (including parent companies, subsidiaries, partners and clients); nor should he make use, directly or indirectly, of his contacts in the government and/or Crown service to influence policy, secure business/funding or otherwise unfairly advantage of Nihon

Cyber Defence Ltd (including parent companies, subsidiaries, partners and clients);

- for two years from his last day in Crown service he should not undertake any work with Nihon Cyber Defence Ltd (including parent companies, subsidiaries, partners and clients) that involves providing advice on the terms of, or with regard to the subject matter of a bid with, or contract relating directly to the work of, the UK government or its Arms' Length Bodies; and
 - for two years from his last day in Crown service, he should not advise Nihon Cyber Defence Ltd or its clients on work with regard to any policy he had specific involvement or responsibility for as CEO at the National Centre for Cyber Security, or where he had a relationship with the relevant client during his time as CEO at the National Centre for Cyber Security.
10. Professor Martin must inform us as soon as he takes up employment with this organisation(s), or if it is announced that he will do so and we will publish this letter on our website.
11. Any failure to do so may lead to a false assumption being made about whether they have complied with the Rules.
12. Professor Martin must inform us if they propose to extend or otherwise change the nature of their role as, depending on the circumstances, it may be necessary for them to make a fresh application.
13. Once the appointment(s) has been publicly announced or taken up, we will publish this letter on the Committee's website and where appropriate refer to in the annual report.

Yours sincerely

Isabella Wynn
Committee Secretariat

Committee Secretariat
Annex A - Material information

The role

1. Professor Martin said Nihon is a cyber defence consultancy based in Tokyo, Japan. The website says it is a global cyber-defence company based in Japan protecting national infrastructure and organisations against cyber attack. It is located in Tokyo, London, Belfast and Kuala Lumpur. The London base offers cyber services primarily to Japanese corporate entities in the UK. It offers services in:
 - Risk and Governance
 - Independent Security
 - Security Monitoring
2. Professor Martin said in his role as Non-Executive Director he would:
 - Attend strategic board meetings;
 - Present strategic proposals to the company's principal customer, The Japanese Government
 - Help internal strategy on an ad Hoc basis
3. He does not expect his role to involve contact with the UK government.

Dealings in office

4. Professor Martin said he did not meet with Nihon while in service and there is no relationship between Nihon and NCSC. Professor Martin also confirmed he did not have any involvement in policy relevant to Nihon nor did he make any decisions affecting Nihon while in post. He also said he did not have access to sensitive information relevant to Nihon and did not meet with competitors of Nihon.

Department Assessment

5. GCHQ confirmed the details given in Professor Martin's application and stated it had no relationship with Nihon. It also stated Professor Martin's experience as CEO of NCSC gave him access to the UK's cyber security policy but stated this is generally already available to the public. It also said his previous position provides significant additional credibility.
6. The department also said Professor Martin needed to be clear that in any dealings with the Japanese Government he no longer speaks for HMG. It had no concerns with regards to this application.
7. The FCDO was also contacted regarding this application. It said it has '*...no objection to this appointment, and indeed think it would be entirely aligned with [its] objectives for [its] relationship with Japan*'. It further said its Department for International Trade team knows Nihon very well and have done so for a number of years. The company is a member of the Embassy's "Cyber Club" bringing together UK companies in the sector. They have offices in Tokyo and the UK, and while small and niche at the moment are growing quite rapidly and represent several UK companies in Japan.

