

*From the Chair*



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

G/7 Ground Floor, 1 Horse Guards Road SW1A 2HQ

Telephone: 020 7271 0839

Email: [acoba@acoba.gov.uk](mailto:acoba@acoba.gov.uk)

Website: <http://www.gov.uk/acoba>

September 2024

**BUSINESS APPOINTMENT APPLICATION: The Rt Hon Sir Ben Wallace, former Secretary of State for Defence at the Ministry of Defence. Paid appointment with CTRD Ltd.**

1. You approached the Advisory Committee on Business Appointments (the Committee) under the government's Business Appointments Rules for Former Ministers (the Rules) seeking advice on taking up a paid role as a Senior Advisor to the Managing Director with CTRD Ltd (CTRD).
2. The purpose of the Rules is to protect the integrity of the government. The Committee considered whether this appointment is suitable given your former role as Secretary of State for Defence and you seek work within the defence sector.
3. Under the Rules, the Committee's remit is to consider the risks associated with the actions and decisions you made during your time in office, alongside the information and influence you may offer CTRD and its clients. The Committee has also considered the information from your former department about your access to information and engagement in the sector in coming to a view. The material information is set in the annex.
4. The Committee's advice is not an endorsement of the appointment - it imposes a number of conditions and a waiting period to mitigate the potential risks to the government associated with the appointment under the Rules.
5. The Ministerial Code sets out that ministers must abide by the Committee's advice. It is an applicant's personal responsibility to manage the propriety of any appointment. Former ministers of the Crown, and Members of Parliament,

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**

6. CTRD is a security company that provides advice to overseas governments on security matters and reform. You said it does not operate in the UK. As Senior Advisor to the Managing Director, you will advise CTRD and/or its clients on aspects of reform of governance, security and defence, including to overseas governments. In particular, your role will be advising the Kingdom of Saudi Arabia (KSA) on reform.
7. As the former Secretary of State for Defence, you were responsible for defence and security matters within the UK Ministry of Defence (MOD). Though CTRD operates in defence, it has no relationship with the MOD, commercial or otherwise. The MOD confirmed that you had official dealings with the KSA government, the end client in this application, in respect of defence. It also confirmed it was not aware of any decisions made or actions taken which could lead to the perception of a reward. The Committee<sup>1</sup> therefore considered the risk this opportunity arose as a result of decisions made or actions taken in office, is low.
8. As the former Secretary of State for Defence, you would have had access to a wide range of sensitive information. This insight into defence and security matters could be seen to provide an unfair advantage to CTRD and/or its clients. The Committee considered there are some mitigations to this risk:
  - Whilst there is an agreement with the UK to support the KSA, your former department confirmed that any information about defence sales (for example in relation to the provision of aircraft) has significantly moved on in the last 12 months. The MOD confirmed that you have no access to up to date commercial, operational or policy insight into such matters.
  - The Foreign, Commonwealth and Development Office (FCDO) was consulted because you will be working with another government. It had no concerns under the Rules with you taking up this work - noting the provisions that prevent you from making use of privileged information, including the Official Secrets Act.
  - You have been out of office for 13 months, creating a gap between your access to information and the proposed role.

---

<sup>1</sup> This application for advice was considered by Isabel Doverty; Hedley Finn OBE; Sarah de Gay; The Rt Hon Lord Pickles; Dawid Konotey-Ahulu CBE DL; and Mike Weir. Andrew Cumpsty was unavailable and Michael Prescott was recused.

9. Whilst it is reasonable for you to draw on your general knowledge, skills and experience gained in office, there remains a risk, real or perceived, that you could offer unfair advantage to any company operating in defence and security - which needs to be mitigated.
10. CTRD is an advisory firm and whilst it works outside the UK; the Committee cannot assess the risks associated with other clients you work with as these clients are unknown. Further, your network of contacts may offer an unfair advantage to CTRD in securing new clients or contacts. The Committee considered it significant that this is not the case in relation to this work with the KSA, which is an existing client of CTRD. As such, it cannot be reasonably interpreted that your time in office assisted CTRD in gaining this work with the KSA.

### **The Committee's advice**

11. The Committee noted the mitigating factors above that help to reduce the risk associated with your access to information. Given there is a defence related agreement between the KSA and the MOD, the Committee has recommended you are prevented from advising either CTRD or the KSA on all UK defence matters. This would not prevent you from advising CTRD and the KSA on matters of reform, governance, security and defence outside of its arrangements with the UK. Whilst it would therefore be inappropriate for you to contact the UK government, should UK ministers or officials actively seek your input, it would be consistent with this advice to respond.
12. The Committee is unable to determine the risks associated with any other clients you may be asked to advise CTRD on. In particular, assessing whether there is any direct overlap with decisions you made, or your access to information you had whilst Secretary of State. You suggested that you return to the Committee for advice in the event that you were asked to work on another project whilst you are subject to the Rules. The Committee agreed and imposed a condition below which limits this advice to your role as described - advising CTRD on its work with the KSA. Should your work with CTRD change, or you are asked to work with a new client, you must return to the Committee for advice.
13. The Committee considered it necessary for there to be a significant gap between your access to information and decision making, and taking up a role with CTRD. The Committee recognised the opportunity for you to offer an unfair advantage is limited, given you are prevented from advising on the UK defence sector by the conditions below. In the circumstances, it considered that 12 months from your last day in ministerial office would be a long enough gap to sufficiently reduce the real and perceived risks.

14. The remaining risks associated with your access to information and influence gained from your time in office are appropriately mitigated by the remaining conditions below. These make it clear you cannot make use of your access to privileged information, contacts or influence from your time in ministerial office to the unfair advantage of CTRD and/or its clients.
15. The Committee advises, under the government's Business Appointment Rules, that this appointment as Senior Advisor to the Managing Director with **CTRD Ltd**, should be subject to the following conditions:
- a waiting period of 12 months from your last day in ministerial office;
  - for two years from your last day in ministerial office, your role should be limited to working with CTRD Ltd and the Government of the Kingdom of Saudi Arabia as described in this advice. Before extending this work to other clients of CTRD Ltd, or otherwise changing the nature of this commission, you should seek advice from the Committee;
  - you should not draw on (disclose or use for the benefit of yourself or the persons or organisations to which this advice refers) any privileged information available to you from your time in ministerial office;
  - for two years from your last day in ministerial office, you should not become personally involved in lobbying the government or its arm's length bodies on behalf of CTRD Ltd (including parent companies, subsidiaries, partners and clients); nor should you make use, directly or indirectly, of your contacts in the government and/or ministerial service to influence policy, secure business/funding or otherwise unfairly advantage CTRD Ltd (including parent companies, subsidiaries, partners and clients);
  - for two years from your last day in ministerial office, you should not undertake any work with CTRD 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 government or its arm's length bodies;
  - for two years from your last day in ministerial office, you should not advise CTRD Ltd (including parent companies, subsidiaries, partners and clients) on work with regard to any policy or operational matter you had specific involvement or responsibility for as Secretary of State for Defence, or where you had a relationship with the company or organisation during your time at the Ministry of Defence;

- for two years from your last day in ministerial office, you should not advise CTRD Ltd or its clients on any matters relating to the whole of the UK defence sector; nor should you initiate engagement with the UK government or its arm's length bodies on behalf of CTRD Ltd or the Kingdom of Saudi Arabia (including parent companies, subsidiaries, partners and clients); and
- for two years from your last day in ministerial office, you should not become personally involved in lobbying contacts you developed during your time in office in external organisations (including other governments) for the purpose of securing business for CTRD (including parent companies, subsidiaries and partners).

16. The advice and the conditions under the government's Business Appointment Rules relate to your previous role in government only; they are separate from rules administered by other bodies such as the Office of the Registrar of Consultant Lobbyists, the Parliamentary Commissioner for Standards and the Registrar of Lords' Interests<sup>2</sup>. It is an applicant's personal responsibility to understand any other rules and regulations they may be subject to in parallel with this Committee's advice.

17. 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.

18. 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.*"

19. You must inform us as soon as you take up this role, or if it is announced that you will do so. You must also inform us if you propose to extend or otherwise change the nature of your role as, depending on the circumstances, it may be necessary for you to make a fresh application.

---

<sup>2</sup> All Peers and Members of Parliament are prevented from paid lobbying under the House of Commons Code of Conduct and the Code of Conduct for Members of the House of Lords. Advice on obligations under the Code can be sought from the Parliamentary Commissioners for Standards, in the case of MPs, or the Registrar of Lords' Interests, in the case of peers.

20. Once the appointment has been publicly announced or taken up, we will publish this letter on the Committee's website, and where appropriate, refer to it in the relevant annual report.

The Rt Hon Lord Pickles

## **Annex - Material Information**

### The role

1. According to its website, CTRD provides advice to overseas governments on security matters and reform. You stated the company delivers services abroad, from abroad and does not work in the UK.
2. As a Senior Advisor to the Managing Director of CTRD (paid), you said you would be:
  - a. Advising on aspects of reform, governance, security and defence - primarily to overseas governments. That would include engaging with overseas governments and their defence ministries and security organisations, as requested by the Managing Director.
  - b. You confirmed you will not have any contact with the UK government or UK MOD, nor would your proposed role/CTRD seek to contract with the UK government/MOD. You stated if the UK government requested to meet or the UK embassy overseas wished to engage, you would be prepared to do so at their request. You said you will not seek to make contact except to inform of your presence in a country for the purposes of your own security only.
3. You informed ACOBA that you were approached by the Managing Director for the role, and that the role has come about in the context of an existing CTRD client - the KSA government. You suggested you could return to the Committee for advice if and when you are asked to advise CTRD on any other clients.

### Dealings in office

4. You advised the Committee you did not meet with CTRD whilst in office.
5. You said you did not have involvement in any policy development or decisions that would have been specific to the company, and held no commercial or contractual responsibilities relating to it. You did not meet with competitors of the company, nor did you have access to sensitive information regarding these competitors during your time in office.

## Departmental Assessment

6. The FCDO and MOD confirmed the details in your application and in addition:
  - The MOD was aware that CTRD has a contractual role to advise the KSA government.
  - The MOD has no relationship with CTRD.
  - You would have engaged with the KSA in defence dialogue, and be aware of the UK and KSA's strategic relationship. It was not aware of any reason this could lead to the perception this role is a reward for actions taken, or decisions made, in office.
  - You would have access to sensitive information relevant about the KSA from your time as Secretary of State for Defence. It said the current commercial details of the UK MOD/KSA relationship (relating to, for example aircraft) post date your time in office. ACOBA noted that since you left office, it has been reported in the media that KSA has become focussed on the Global Combat Air Programme (GCAP) as part of its requirements which differs significantly from the position prior to November 2023 (you left in August of 2023) and therefore the MOD's approach has also significantly changed.
  - The FCDO had no concerns, particularly given:
    - a. you will be prevented from utilising privileged information from his time in office that can unfairly advantage CTRD.
    - b. you are beholden to the Official Secrets Act