

Defence Committee

Oral evidence: The role of the military in countering migrant crossings (Operation Isotrope), HC 1069

Wednesday 26 January 2022

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Members present: John Spellar (in the Chair); Sarah Atherton; Dave Doogan; Richard Drax; Mark Francois; Emma Lewell-Buck; Derek Twigg.

Questions 1 – 38

Witnesses

[I](#): Vice-Admiral (rtd) Sir Charles Montgomery KBE and Commander (rtd) Tom Sharpe OBE.



Examination of Witnesses

Witnesses: Sir Charles Montgomery and Tom Sharpe.

Q1 **Chair:** To make it clear, I am temporarily chairing this, as the Chair, Tobias Ellwood, has been detained. I am John Spellar, the Vice-Chair of the Defence Committee. Today we are conducting a one-off hearing into Operation Isotrope and the role of the military in countering migrant crossings.

We have two witnesses here. I stress that they are our witnesses because of their experience, military and civil, but they are speaking today in a personal capacity and giving us the benefit of their experience. The first is Sir Charles Montgomery, previously Second Sea Lord and then director-general of Border Force. The second is Tom Sharpe, previously a patrol boat commander, bringing us operational experience of the vessels that will be required in such an operation.

If I can start off with the first question, what can the Navy do that the Border Force cannot?

Sir Charles Montgomery: Let me start by saying that, from what I have read so far, I am working on the basis that the strategic objective is to ensure that migrants do not land on their own terms in the UK. That is what I believe to be the case. The Royal Navy, I am sure, will do a fabulous job in the role it has been given. It is very familiar with undertaking the command of joint and, should it come to it, multinational operations and operating some very sophisticated elements of capability. It also has the ability and experience to draw in other elements around government. It is quite familiar with doing that.

Your question was about what the Royal Navy could do that Border Force could not. In terms of individual platform capability, it has a far greater range of its own organic assets on which to call, which will be very useful. It can call on wider defence assets as well, which will also be useful. It has a direct call on those. That does not quite answer the question, because those assets would, or could, have been available to Border Force if it was leading the operation. Clearly, a judgment has been made that this is not so much about an individual platform or other capability; it is about the leadership of the operation. The Government have reached a judgment that the Navy would be in a better place to lead this operation than Border Force—or, indeed, any of the other operational arms that the Home Office has to call on.

I am not in a position to understand what elements were brought into that debate against what looks to me to be a much less ambitious strategic objective than the one I have been picking up from Ministers and media coverage so far. Against that lesser strategic objective, could Border Force have done it? Personally I think it should have been able to, but that is the judgment that others have made.

Q2 **Chair:** It is unfortunate that the Ministry of Defence has declined to field



a Minister, an official or a senior Navy officer to come and answer those questions, which you quite rightly identify are somewhere in the grey zone. Are you in any way aware of the likely role of the Joint Maritime Security Centre in terms of command and control in this context?

Sir Charles Montgomery: No, I am not. On the other hand, when I was in Border Force I led what was then called the National Maritime Information Centre. In my time, I wanted to migrate that into a Joint Maritime Operations Centre, which I believe was completed after I left. It was then no more than a centre that brought together in the first place information and intelligence capabilities across agencies, including the Royal Navy, the National Crime Agency, Counter Terrorism Policing and so on. It was an organisation that Border Force led.

Moving now into what you call the Joint Maritime Security Centre, it looks to me as though that is a further move in the right direction. That would be presumably a means by which the two-star commander would exert command and control over the forces assigned. That seems to me to be entirely right and proper. I would have to say that is intuition rather than necessarily knowledge of the substance.

Q3 Chair: That is a question we may have to pose in writing directly to the Ministry of Defence.

Tom Sharpe: I would like to caveat this. Before I can say what the Navy can bring to this—I will focus on that rather than on what Border Force cannot—we have to acknowledge right at the start, in terms of context, where the solution for this lies. It is not at sea any more than the solution to piracy off the Horn of Africa lay at sea. That is the caveat under which everything else sits. I will try not to say it again as we inevitably creep more and more into the maritime.

In my view, the Navy can offer four things really very well. The first has already been discussed: command and control. The sheer number of agencies involved here is perhaps the reason why it has not worked to date. I am not suggesting for one second that the Navy can successfully cohere all those things. In order to do so, it will need to be extremely well authorised within very clear boundaries. That is the first task: to bring what I count as in excess of 50 major agencies into one room in order to solve the command and control element.

In so doing, they will provide an operational buffer between the solution on the ground and here, which might come in useful. It might stop political stray volts heading out to sea, for example, tasking Border Force directly with pushing back—an example of which we have seen in the past. COMUKSTRKFOR, the commander of the UK Strike Force, if that is who is appointed in the end, is very used to that role of political coherence across multiple agencies, some of which may have differing agendas.



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The second thing that the Navy does day in, day out is cohere intelligence products. As I said at the top, the solution to this is breaking the business model. That involves an awful lot of intelligence networking inland and upstream. The Navy is clearly not necessarily going to get involved in that, but whoever is in charge can cohere that product and therefore better predict where these crossings are likely to happen and when. That is fundamental to this.

For the third part, we get into surveillance and the ability to track. Let us assume that we cannot stop crossings. If we start with the assumption that some vessels will get through and make the crossing, you have to be able to spot those early and take action accordingly, which I will come to in a second. Maritime surveillance and the production of a recognised maritime picture, which is what we are talking about here, is Navy 101 business. Collating multiple data sources, whether from multiple cameras, radar or even someone with binoculars with a bearing, and bringing that into a fused real-time picture on which action can be taken, is core Navy business. Every warship does it every day around the clock.

The end product is the business of allocating resources efficiently to deal with whatever it is that you are seeing. Again, that is basic naval business. Right from the top in terms of coherence across agencies down to allocating resources, that really sits very comfortably, in my view, with what the Navy does day in, day out and what someone like Admiral Utley, for example, can do quite well with his staff and planning team.

Chair: That almost seamlessly leads into the next question that will be coming through from Sarah Atherton, because you have very much described a command and control, HQ setting, but you did not say very much about what physical assets the Navy could use.

Q4 **Sarah Atherton:** Good morning, both. Sir Charles, I will start with you. The first part is probably more appropriate for you, but, Tom, please chip in at the end. If the Royal Navy becomes more consistently involved in counter-immigration ops, how will this affect or be to the detriment of defence and confidence building within the context of global Britain?

Sir Charles Montgomery: That rather depends on what naval assets are going to be assigned. Clearly, there is already a two-star commander identified. I believe it is Admiral Utley, but that may still be being decided. In his two-star command, he does have wider command responsibilities than taking over this particular operation. Given the instabilities around the world at the moment, one can only imagine that, from the two-star commander's perspective, this is another operation that is now within his bailiwick that would not have been before. It could be perfectly manageable, but we will have to wait and see.

In terms of the other aspects, over and above the command and control function, it purely depends on what assets the Royal Navy provides on the ground or, indeed, on the water. The vessels that Border Force has and that can be taken up from trade are probably more easily



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cross-deckable from small boats, particularly for people who are not used to climbing up ladders and ropes. They are probably of more use. They do have assets. The Navy assets are certainly more sophisticated in terms of command and control. They are probably less well suited to the rapid cross-decking that is required. It rather depends on what assets the Navy decides it is going to put into this as opposed to calling on other areas of Government and the private sector.

I cannot really answer that question in the way you probably want me to, because, as I say, I do not know what the Navy is lining up to provide. I have talked about the patrol vessels, but there is exactly the same issue at stake where maritime aircraft or rotary wing aircraft are drawn on, for example, or in intelligence asset attribution. I cannot really answer the question in the way that you want. It is something that only really the Ministry of Defence and the operational commander can answer.

Q5 Sarah Atherton: Tom, we know the P-8 has been used, at £35,000 an hour, to collect intelligence. The MinAF has spoken about privately contracting cross-decking boats. He has also mentioned OPVs and P2000s. What assets does the Royal Navy have, in your experience, that could do this job?

Tom Sharpe: It depends on what you mean by "this job". We are already focusing on cross-decking migrants out of rubber boats into some form of maritime vessel. There may be a mindset shift required to move away from that ever so slightly.

If we are talking about ensuring safe passage, which under article 98 of UNCLOS all mariners are obliged to do, and the safety of life at sea rather than interdicting and taking otherwise safe migrants out of the water, that is one problem. If we are talking about ensuring that no one crosses without being detected and is then picked up on the shore side in the UK, that is another problem. In my view, that is a better solution, because it stops the idea of flooding the channel with ships, which could very easily make the problem worse.

I am sorry that I am not answering your question, but I will get there in a second. If you fill the channel with ships, you could make this problem worse. You are now making the crossing safer and therefore more attractive, exactly as happened in the Mediterranean in 2015 when boats were put to sea with 12.1 miles of petrol and the phone number of the nearest navy ship. When they ran out of fuel, they rang you and they were taken to safety. In my view, we need to move our mindset very slightly away from this idea of large boats or small boats coming alongside overladen rubber dinghies. You are creating a safety of life issue right there, even though you are trying to help.

If you have to do that, if that is the task, if the task remains pulling people who are otherwise safe out of their RIB and into a ship of some sort, frankly any Navy ship can do it, from the largest to the smallest, because they all have their own sea boats. Again, it rather comes down



to whether that is what you want to do. The perfect-sized hull that we have for this would be the university boats, the Archer-class P2000s. They are small and technically you could step straight out of the RIB on to them. Everything else would require a jumping ladder—with children, you perhaps have a risk—or putting your own boat in the water. This is the English Channel, remember. The minute you start manoeuvring your ship to launch boats, you are going to be in the way of very large vessels that cannot manoeuvre.

There is a tremendous amount of risk just associated with what is being discussed, which is why I do not think it is the right solution. In terms of what the Navy has right now, it could use anything, but there is no fat; there is no spare capacity. The person with the planning board, the stick and the ships is going to be hoping desperately that naval vessels are not requisitioned for this task, because they are all in use for other things. That is worth bearing in mind.

Q6 **Derek Twigg:** I have been listening to both of our guests here today. I know you are speaking in a personal capacity, but I assume you still have lots of contacts and communications with people in the MoD and the Navy et cetera. Given all the ifs and buts that both of you have been talking about, do you believe there was any real detailed discussion with the MoD and the Royal Navy before this announcement was made?

Tom Sharpe: Yes, the planning for this has been in train for some time, because it has been a naval task for some time. It is not the first time that naval assets or RAF assets have been allocated to it. It always creates a pain, particularly in the Twitter commentariat, some of whom believe that it is beneath the forces to be doing it. I do not believe that, but it is not the first time it has happened.

The idea of providing units to do this, whatever that may be, has happened before. It was not a complete surprise. As for the idea of putting the Navy in charge of cohering all the multiple agencies that need to be gathered together, there are elements of that that are probably larger than was expected.

Q7 **Derek Twigg:** Yes, that is the point I am getting at—this leadership role. You think that was probably not as clear-cut as previous involvements.

Tom Sharpe: Yes.

Q8 **Derek Twigg:** Sir Charles, what about you? Do you have any views or intelligence that you have picked up about this leadership role being given to the Navy? Was it well thought out? Was it discussed widely before it was announced?

Sir Charles Montgomery: I do not know. I simply do not know. I would be misleading you if I said I did know. If you had asked me this question in about a week's time, when I am going to have had a chance to talk to a lot of the people who are involved in it, I would have probably given you a different answer. I honestly do not know. Tom is right: the Navy



has been doing this and similar work for some time at a purely tactical level. In terms of taking on the operational lead, this is a different ballgame for the Navy in this sense.

I just want to go back to Tom's last answer. I have had the joy of looking at this through two different lenses, of course: Navy and Border Force. So important in all this is what your strategic objective is. If the strategic objective is the one that I picked up from the Urgent Question last week—i.e. landing on our terms rather than the migrants' terms—that leads you to one answer. If it is to stop migrants, which appeared to be the original strategic objective, you come up with a different answer. If it is to save life, you come up with a different answer.

Either way, no matter what, when you look at the overall picture of vessel movements through this particular stretch of water, particularly for very small boats, unless you are actually out there, through air surveillance or otherwise, it is quite difficult to detect some of these vessels, because it is busy and they are small. They are very small and do not reflect radar particularly well. It is an exceptionally busy stretch of water. The option that they are using, to take a slightly larger vessel and then to launch smaller vessels mid-channel, makes it an even more complex picture to organise.

None of this is impossible, but it is complex. We should not underestimate the complexity of operating in this area of water with so many small vessels. There are fishing vessels, pleasure craft and, in among it all, these small boats making their way over from France.

Chair: This is an overstretched Navy already. That leads us on to Dave Doogan.

Q9 Dave Doogan: We all know that the Royal Navy does not face a problem of trying to find things for its sailors and officers to do. It does not have ships sitting and waiting for operations to be tasked with, nor aircraft for that matter. We have a Navy operating at capacity, which has now been tasked with this role. When it is discharging this responsibility that has been newly placed upon it, what will it not be doing, given that we are essentially talking about a zero-sum game in terms of resource?

Sir Charles Montgomery: I am sorry to say this, but that would need to be a detailed question for the Navy itself to answer. Quite normally of course—this is quite normal; there is nothing unusual about this—the Navy prioritises against, among other things, its political direction.

What kind of things might go? What quite often go are areas that have very little short-term impact but will require managing in the long term. It may well be periods where assets were due to be giving their sailors either leave or training; it may be periods when ships or other assets were due to be in maintenance, which gets deferred; or it may indeed be operational tasking beyond operational training that is deemed to be a



lower priority. That is something that only the Royal Navy can address in detail, but I am giving you the cascade that is traditionally used.

Both of the first two, that is to say leave/training and maintenance, bring relatively little short-term pain, but quite often develop into longer-term backlogs that need to be addressed. The impacts may not be seen until further downstream. I am giving you a flavour of the considerations rather than necessarily the detailed answer that you wanted, because I am not in a position to do so. Again, having given you what I just have, you might be able to frame a question for the Ministry of Defence or the Navy to answer.

Q10 Dave Doogan: If I could develop it a little further, Tom, I appreciate what you have said in response to previous questions about interdiction being—these are not your words—possibly the last resort; you are wanting to get ahead of this and the Navy perhaps has a role in that. We have heard that it is difficult to identify and locate these boats without being out there, because of the size of them. My concern would be that P2000s, and potentially some or all of the 38 C-class work boats that are in various roles around the Royal Navy, are requisitioned for work in the channel in pursuit of this objective. My concern would be the effect that would have on training and other operations that the Royal Navy is undertaking. I know it is impossible for you to say with accuracy, but is that a risk if these assets are reallocated in that way?

Tom Sharpe: It is a risk and one that they will be trying to mitigate right now. The Navy has two levels of contribution to tasks. It is quite good at differentiating between what we would call associated support and direct support. It has a long track record of providing associated support to tasks in passing.

For example, going past the Horn of Africa on the way to the Gulf, you would quite often be in associated support to the counter-piracy group. You are there for three or four days, or three or four weeks perhaps, and you are providing support, but you are not formally tasked; you are just there. That lays you open to accusations of box-ticking, if you are not careful, but it is a valid way of contributing. That could happen with our Archer-class P2000s; it could happen with our OPVs. They could get tasked in and out in associated support, so they are assisting.

I would challenge the notion that surveillance at sea is the answer to this at all; it is ashore. There are technical solutions to saturating the channel that are very readily and cheaply available today, which would almost ensure that nothing crossed. Yes, they have a tiny radar cross-section, but they have a very high heat signature, for example. The minute you are relying on just radar, you are not gathering through all your senses.

Q11 Dave Doogan: The problem, though, Tom, if I could press you on that, is that the shore you are talking about is the French shore.



Tom Sharpe: No, I mean from here. Hastings and Ramsgate is the operating area we are talking about here. It is about 70 miles. You need about 10 of these sensors. The key point there is that they bring in all data. It is not just radar. They have optical cameras that can see into Calais harbour. They have thermal imaging cameras, radar and AIS transponders. In other words, if you are not transponding on AIS but the radar detects you, that is now something you want to have a look at more closely.

It is back to what I said in my first answer about surface picture compilation. Your surveillance network is now lay; it is nothing to do with ships. The ships are just there providing their radar and extra expertise to contribute to that ground picture. If you bring in a Poseidon—of course, they are pretty rare and highly prized assets—or a drone, it is fundamentally fitting into that existing picture. You are not relying on two ships. If there is a ship on task, the minute it gets called in to help rescue people from the sea, it is no longer surveilling the area; it is now focused on picking people out of the water and keeping them safe. I would challenge the notion that the surveillance part of this lies at sea. It is a part of it, but in my view it is not the solution. Again, part of this is about associated support or direct support.

To take us away from sea assets, COMUKSTRKFOR and his planning team will have other work to do right now in other parts of the world in terms of planning, so there is a human resource tension here. He will have a planning team, but they will have been doing other things. They will be working on the solution to this right now.

Sir Charles Montgomery: Am I able to interject, to make clear, perhaps, what I said earlier? I made the point about strategic objectives. Overriding all of this, of course, is saving life. It is absolutely the case that, the moment their boats come within UK waters, these migrants are very adept, if they feel the need, at issuing a mayday. However much surveillance you have ashore, you are not going to save life by having your entire operation based ashore.

I absolutely agree with what Tom has said about the surveillance capabilities that can be operated from the shore, but there is a mixture here of the need to understand the picture on the one hand and the need to respond on the other. I will leave it at that for the moment.

Q12 **Mrs Lewell-Buck:** Good morning, both. This follows from some of my colleagues' questions, bearing in mind the current tasks and deployments that the Navy is undertaking and the fact that our own recent report said that we are going to need a bigger Navy to undertake some of the extra things that the Government want our Navy to do. Based on some of the answers from MinAF's Urgent Question last week, even though discussions have been going on for a while, as you said, Commander Sharpe, it seems like a lot of the detail is missing. You also said that the solution to this is not necessarily at sea. Is it right and feasible that the



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Navy has this leadership role? If it does not have this role, where should it sit?

Sir Charles Montgomery: Is it right and proper that the Navy has this leadership role? In terms of departmental and governmental responsibilities, I must say I am a little bit confused.

Mrs Lewell-Buck: We all are.

Chair: Yes, collectively.

Sir Charles Montgomery: I do not say that lightly. I am a little bit confused. I start from a position where governmental responsibilities at sea are separated between about five Government Departments. It has always seemed to me that issues of border security and, within that, issues of immigration lay with the Home Office.

One should not draw absolute parallels, but if you look at the Australian model, which is quite often held up as being good practice, it has a two-star rear admiral working within the Australian Border Force. He or she has operational responsibility for the maritime effort off the Australian coast, drawing on a whole range of assigned Government assets. To my mind, that appears to maintain a very clear line of strategic responsibility set against operational responsibility.

I am not now clear how that line works, and that is why I am slightly confused. It does seem to me that the Home Secretary has not lost her responsibilities for border security and immigration control, and yet there is an important chunk that now sits in a different Government Department and, as I could understand from the Urgent Question, a different Secretary of State. There is a misalignment there, which I do not quite understand. That is all I am saying: I do not quite understand it.

What I also see at the operational level—again, this is drawing on my experience in both organisations—is that we have an operation in the United Kingdom for border security and immigration control on land that is, unequivocally, the Home Secretary's. That is the land border. Over on the other side of the channel, of course, the responsibility lies with the French Government. Nonetheless, the co-ordination operation is still being led, as far as I am aware, under the auspices of the Home Secretary and her operational organisations, the National Crime Agency, Border Force and Immigration Enforcement. Then you have operational business at sea, which is now being led by the Royal Navy.

There are now fractures in responsibility between what is happening in France, what happening at sea and what is happening in the UK. I am sure that all of that can be managed, but it is probably what is teasing people, among other things, when the Minister said that the details are being worked through. How does that strategic alignment work now? How are the various boundaries going to be managed between those two



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Departments of State and the operational organisations that lie within them? How is that going to be cohered?

As far as I understand it, the maritime commander is only the maritime commander. They do not have responsibility for what lies either side of them.

Chair: Thank you very much for that. That seamlessly beings us to Mark Francois on rules of engagement.

Q13 **Mr Francois:** Commander Sharpe, just quickly, how many P2000s do we have?

Tom Sharpe: We have 14.

Q14 **Mr Francois:** When they are not doing what is proposed here, what would they ordinarily be doing?

Tom Sharpe: I do not know the operating cycle of a P2000. I did not command one of those, I am afraid. I was in Northern Ireland, so I cannot answer that accurately. I know they are busy at sea doing their basic task, which is working with the universities. Some of them are then allocated to ensure that tasks such as—

Q15 **Mr Francois:** In simple terms, they are helping to train a future generation of naval officers. If we divert them to this, we interrupt that, in simple terms.

Tom Sharpe: Yes.

Q16 **Mr Francois:** Just quickly, before I come on to ROE, you were talking about putting a system on the UK shore to surveill more accurately the critical stretch of the channel. There is a sort of parallel there with the Chain Home radar system in 1940. Could you quickly say what this system is called, how expensive it is and who makes it?

Tom Sharpe: The one that I have studied is from a company called SiriusInsight. These nodes have radar, a thermal imaging camera, an optical camera, an AIS transponder and they can do some cell phone intercepts et cetera. You need about 10 of them. The total ballpark cost is somewhere in the region of £3 million. That is then the channel saturated forever. It persists forever. That is the real advantage of it over almost anything else. Aircraft certainly have to go off task eventually, drones after 40 hours and ships after a few weeks. These things stay forever.

It is rather like the underwater arrays in the North Atlantic. You would never send a frigate to go and find a Russian submarine on its own. You have to have that network around it. To me, this is a technical solution that would provide that at very low cost.

Q17 **Mr Francois:** The admiral makes the good point that, even if that gives you more precise surveillance, you still need to do something in the water.



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Tom Sharpe: Yes, but the point is about how you allocate those resources. You are not playing whack-a-mole any more, to use that expression, which is what is happening now. A mayday call goes up; a cutter goes to intercept. That is then the cutter out of action. No one is looking at the bigger picture. You have the picture. You are then efficiently allocating those resources. If the cutter goes to it and it turns out it is perfectly seaworthy, it could perhaps be reallocated somewhere else.

It is not about taking away the requirement to allocate assets; it is about maximising the efficiency of those assets rather than saturating it with vessels that could make the problem worse.

Q18 **Mr Francois:** Let us follow your model quickly, because it leads on to what I want to ask. Let us assume you have created a surveillance chain, for want of a better phrase, on the UK shore. You now have better surveillance of dinghies coming across the channel. You find a dinghy and you allocate, let us say, a P2000 to go and intercept it. What rules of engagement would you expect that crew to be operating under?

Tom Sharpe: I am not even sure "rules of engagement" is the right term. This is a bit like confusing the inherent right of self-defence with rules of engagement. SOLAS and UNCLOS 98 are immutable requirements that are nothing to do with rules of engagement. The rules of engagement will be set from the centre. They are then defined by lawyers.

As a note, they are never more permissive than the law allows. They are always slightly more restrictive. They define what you can and cannot do. What we are talking about here is what the ship does when it arrives at the boat.

Mr Francois: Yes, perhaps I should have just said "rules" rather than "rules of engagement".

Tom Sharpe: Yes, it is not really rules of engagement.

Q19 **Mr Francois:** You take the point. So what are the rules? The reason I ask is that the implication at the Oral Question last week was that the Royal Navy would not be involved in pushback. The implication was that they would not be involved in deploying any kind of sonic weapons. That technology exists, but the Navy would be very uncomfortable being asked to deploy it. What are they actually going to do?

Tom Sharpe: I would be happy if the expression "pushback" were never used again. I cannot conceive of a situation where you are physically turning these ships back that is either legal or, perhaps more importantly, safe.

To your question, what do you do when you get there? That depends on what the end state is. What is the end state of this? If it is to have no unrecorded landings, you could let it be on its way. You know where it is



going and you meet it on arrival. That is one solution. Given the practicalities and legal implications of turning them around, it is inconceivable to me that it is a sensible option.

Q20 Mr Francois: The public, who may not have gone through Dartmouth, will look at this and say, "Are we not just providing a more effective taxi service?" Some people, no disrespect to the admiral, regard Border Force now as a taxi firm. Are we not just providing a more effective and higher-priced taxi firm than the one we already have?

Tom Sharpe: There is a reputational impact to this, no question, which the Navy comms team will be dealing with. It is exactly that. Arriving in Dover full of migrants and with a white ensign on the back is reputational damage to the Royal Navy. That needs to be considered as part of this. But if the overall end state is to make sure they are all processed properly inshore, that could be deemed a success. If the deterrent effect of everybody being met, as per the Australian model, proves so effective that it slows the rate, that sounds a bit like success. In terms of avoiding becoming a taxi service, this is why it is not about just throwing more ships into the mix; it is about throwing the right number, suitably.

Q21 Mr Francois: If you get this wrong, the risk is that you increase the rate.

Tom Sharpe: I agree.

Mr Francois: You do not reduce the rate; you encourage people to come.

Tom Sharpe: Yes, there is a real danger of that. To answer your question on acoustic weapons quickly, I was one of the first people to get LRAD in 2004 on my frigate in the Gulf. It was quite good for flight deck parties as a loudspeaker, but it was really not much use as a sonic weapon. In fact, it was not even particularly useful to provide warnings to people that you wanted to turn away from the oil platforms. "Sonic weapon" is a misnomer. It is a large loudspeaker, which in my view is not particularly effective.

Q22 Mr Francois: I am going to ask the admiral to come in in a minute, because I am sure he will want to comment. I am not going to ask you to be Home Secretary, but the rumours are that "not allowing them to land on their own terms" is code, meaning that we will take them somewhere secure and the Government are trying to find some third country where we would take people to be processed. There have been rumours about Ghana and others. At the moment it would appear that they have not secured any such deal.

Even if you are scooping them up more effectively, for want of a better term, and taking them somewhere secure, you have still brought them on to the United Kingdom landmass and you still do not have anywhere else to take them at the moment. This is somewhat incoherent unless you have that other bit of the jigsaw, is it not?



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Tom Sharpe: I cannot really comment on what will happen. If the surveillance leads to either stopping them at source or intercepting on UK soil, clearly your resources at either end are going to have to increase. That is where the real asset stretch comes: it is processing the RIB on the beach in the middle of the night. That is why it is a defence task. I know it has a Navy cap badge, but there is a defence element to this that could come into play in due course.

Mr Francois: Admiral, do you want to comment on any of that?

Sir Charles Montgomery: On rules of engagement, no. I could not agree more. From my experience in the Med, as the person who was leading Border Force during the early to mid-2000s, the flow between mainland Turkey and the Greek Islands and from Libya to Italy via Lampedusa absolutely showed that, if vessels were positioned off the coastline from which people were coming, it served as a honeypot and the numbers increased.

Not only that, but, if they were Government-owned vessels, those vessels were the prime target for people trying to get across. They knew perfectly well that, once they were on those Government-owned vessels, they had ready access if not to Italy but to the home of those Government-owned vessels. It just was absolutely true. Any simple analysis will demonstrate that, which is why I come back to—I will come on to my next point in a moment—the strategic objective. If your strategic objective is to stop the migratory flow, do not do that. All it does is encourage it. You have to find some other way of doing it. That was the first point.

You made the point about Border Force being seen as a taxi service, which I can absolutely see is a public perception. The reason why it was seen as a taxi service was the misperception around the difference between the strategic objective, which was commonly described as “trying to stop the flow”, and the other constraints, including international law, which require that those who are found in our waters and who are claiming maydays have to be rescued and brought ashore. Not only that, but, if they are in our waters, they are our problem anyway, so it is best that we bring them ashore to have them properly processed.

The reason why it became known as a taxi service was that misperception. What we have now is a clearer statement that stopping the flow is not the objective. You could argue with that, but, if it is not the objective, as long as it is properly communicated, the Royal Navy’s task becomes much less reputationally damaging, because what it is doing is bringing people in for proper processing. Therefore, the mission is being successfully accomplished.

Finally, on Australia, I do quite often cite Australia as being a very good benchmark, but it is important to recognise that the deterrent effect in Australia is not simply in the massive distances involved nor indeed the very good regime it has for commanding its maritime areas, but also



because anybody who was found was sent to a remote island with godforsaken facilities and people would stay there for a very long time before, in the main, they were sent back home. That is a deterrent that Australia is able to exert, which at the moment we cannot.

Q23 Richard Drax: Sir Charles, when I asked a question at the debate in the House of Commons, I ended by asking whether the Royal Navy would be able to take these boats back to France. Would the Royal Navy or the ships in the water have a more pertinent task if indeed France agreed, which I admit is unlikely, "Yes, you can bring them back to us, if you catch them across the median in your waters"? Legally, as we know, they should stay in France. Were that to be the situation, I am assuming the picture would change dramatically.

Sir Charles Montgomery: If I am understanding the question correctly, yes, of course. That would have been the case with any agreement with the French to allow Border Force or, indeed, contracted vessels to do much the same. I have always maintained that the really strategic answer for this lies upstream rather than in the channel or on the UK coastline. You could go really upstream to countries of origin and transit routes. If you cannot, the obvious place is France. There was a time when we did some—I would have to say this, even though I do not like to use the word—pretty intrusive things in France.

Anybody who has been to see the Port of Calais, Dunkirk or the rail terminal at Coquelles will see what the UK did to make those ports secure. If you have not been, I do recommend it. It is a fabulous statement of the UK working with the French Government and the French operational authorities to invest British money, in the main, in securing French territory. That was done with a political understanding that it was in both countries' interests.

I understand the French political cycle at the moment and where we are with it, but I do believe that that kind of co-operation is doable outwith the French political cycle at this particular moment. I absolutely believe it is doable. That is at least a medium-term solution.

Q24 Derek Twigg: Following from that—maybe Tom will have a view—let us assume that the Royal Navy leadership here, in terms of seaborne activities and actions, improves things on that side of the operation. Without the relationship with the French becoming better than it is, and in fact much better than it is, surely it does not really matter, does it? As you said before, Tom, the problem is not on our shore; it is not on the sea. There is a bigger problem, which is where they are coming from. Without that relationship, it does not matter how much the Royal Navy improves things at sea. It is not going to be any better, is it?

Tom Sharpe: I agree with that. There is very little that the Navy is going to be able to do to assist there. All it can do is Hoover in that relationship building and the status quo to better understand what the problem it is



going to receive looks like. In terms of striking this at source and squeezing the business model, this is absolutely outside the Navy's remit.

Q25 **Derek Twigg:** Sir Charles, is there anything further you want to add? You mentioned the French situation. You said you felt there was some hope of improvement there.

Sir Charles Montgomery: I am not a politician, but I do follow the political cycles. I hope that things will become a little easier after the French elections from that perspective. That is just the ebb and flow of politics, but I am hopeful.

Q26 **Derek Twigg:** On the specific point that I was getting at, even if the Royal Navy brings about an improvement in what happens at sea, without an improvement in French relations, that is not going to make a great deal of difference, is it?

Sir Charles Montgomery: It may make a difference. We were talking earlier about the Royal Navy's great experience in commanding joint and, if necessary, multinational operations. The capabilities that it can draw upon are superb. Tom has talked about some of the new technologies that might be deployed on our side.

The fact remains that this is always best dealt with upstream. In this case, that does mean in France. Border Force had a fabulous operational relationship with its opposite numbers in France. The National Crime Agency does. The Royal Navy has an excellent relationship with the French Navy. In terms of how the French operate, their maritime areas are under the command of a navy admiral, a *préfet maritime*. It may be that the Royal Navy's involvement just helps to make that relationship even better.

In the end, the solution to this issue will require us, as we did back in 2014 to 2016, to work closely with the French, including investing wisely, between the two of us, in the capabilities that the French need to better secure their coastlines.

Q27 **Richard Drax:** Could I start with you, Commander, if I may? There are two bits to this question. First, does the Border Force need more vessels? Secondly, how feasible is it to cover gaps by contracting from the private sector?

Tom Sharpe: The admiral will probably be better equipped to say whether they need more vessels. I do know Border Force gets an awful lot out of its existing cutters by rotating crews aggressively. It depends, again, on how many vessels is the right number to put in the channel. My sense is that the number they have, if very precisely allocated in accordance with the god's eye picture, is sufficient. By getting that picture in place, you are lessening the burden on your allocated resources.



If a potential solution is to start turning them back—rather than “pushback”, I have now switched to “turn back”, as discussed—that is a different problem set that would probably require more maritime assets. As a follow-on from that, if the Navy is successful in this task, in other words if we manage to stop all undetected crossings, and that has the deterrent effect that everybody hopes it will have, clearly the issue on the French coastline is going to get more complicated, not less so. People will go further and further east and west to try to go outside of those resources.

Q28 Richard Drax: If the Royal Navy is so stretched, as we know it is, why not get the private sector in to come and do this?

Tom Sharpe: It can be done. Rather like when the private sector got involved with security operations off the Horn of Africa, it does pose command and control issues, legality issues and ROE issues. Under what regulations and under whose law are they operating? If you could bring private vessels in and control that satisfactorily so that liability, should something go wrong, was all accounted for, then why not? It does seem to me that you are now adding quite a lot of complexity.

Perhaps a better solution is making better use of vessels that are traversing that stretch of water every day and perhaps bringing the ferries in. They are a surveillance asset. They understand those water better than anyone. Make better use of that and bring their information into the pot. Bringing in private vessels is doable, but it would be complicated.

Q29 Richard Drax: Sir Charles, does Border Force have enough vessels? How about the private sector?

Sir Charles Montgomery: That is a very naughty question.

Richard Drax: To a former Royal Navy officer, I am sure it is.

Sir Charles Montgomery: How many times have I been asked that question? The straight and honest answer is that I have never met any operational commander who does not say, “Yes, of course I need more vessels and more squadrons of aircraft, because it minimises the risk”. I just want to make a wider point, which may not be within your remit as the HCDC, but nonetheless it is worth recognising.

First of all, we have 14,000 miles of coastline in this country. If you also take the various areas of legal control that we have over waters outlying, we have a massive maritime area to police. It is a fact that, in my time in command of Border Force, we were involved in really big operations on counterterrorism and serious crime. In one seizure, we seized £500 million worth of cocaine. I was reading the other day that the Navy had seized one worth £15 million. That is fantastic, but it gives you an idea of the sorts of things that Border Force is doing in the maritime area, as well as customs control.



It seems to me that the debate about Border Force and its maritime capabilities is all getting a bit focused on immigration through the channel. That concerns me a bit, because there is a hell of a lot else that is happening in this country that is at least as damaging, if not more, to our national security than the numbers coming across the channel. I fear that Border Force is being sucked overly into that.

Does Border Force need more cutters? That is a decision on what risk the Government are prepared to take on national security in the round and what place this particular operation in the channel has in all that. I have never been inclined to say that I need less resources than I have to do a task, in my case. Indeed, against enormous opposition, I won through on the inshore vessels that you see around the coast these days. Whether in MoD or in the Home Office, there is great opposition to investing in the maritime area until it becomes force majeure, which is where we are now.

Q30 **Richard Drax:** What about the private sector?

Sir Charles Montgomery: We operated with the private sector in the east Mediterranean. You may not know, but we deployed two Border Force cutters to the Mediterranean at the height of the crisis. We took under control then two ships taken up from trade, as they are termed. They were fabulous enhancements to capability, really terrific, and integrated very closely.

I did not sense that there were legal difficulties, as Tom has highlighted, in that operation. In the main, it was humanitarian, rather than enforcement. The private sector does have capabilities that I am sure can be well integrated.

Q31 **Dave Doogan:** Sir Charles, we have spoken a lot, helpfully, this morning in both your and Tom's evidence about the types of resources and the types of operations that might be undertaken within the broader parameter of what the Government's objectives may be, but we have not talked about the finances. I am not looking for an estimate down to shillings and pence, but, in very broad terms, this will not be an expensive intervention by the Royal Navy, will it? I wonder whether you could expand upon that assumption.

Sir Charles Montgomery: I cannot very easily. Had it been straightforward military aid to the civil authorities, there is a very clear model that enables cross-charging and everything else.

Q32 **Dave Doogan:** Perhaps I can help with that. At the statement last week in the House of Commons, it was assessed that this went some way beyond military aid to civilian authorities. The Minister was challenged on where costs will accrue and he said, "Costs will lie where they fall", which was taken to mean that they will fall to the Royal Navy, because it is a Royal Navy operation. This will be a bill for the Royal Navy.



Sir Charles Montgomery: Yes, I have got that. What I am not clear about is what cost drivers the Navy is assuming in all this. Clearly, there is going to be a command and control element. It is not clear to me what other elements, over and above that, the Navy is going to provide. The other key question in all this, of course, is for how long.

If I were sitting in the Ministry of Defence, I would be concerned about reattribution of defence assets to what has traditionally not been seen as a defence driver and how long that is likely to last. I would be concerned by that; of course I would. What I cannot tell you is what the scale of those costs is likely to be or what the opportunity cost might have to be.

Q33 **Dave Doogan:** Yes, indeed. Tom, did you want to add anything? I do not want to ask an unfair question. No? That is fine. Finally, Chair, we have done with that, but I would like to ask the admiral's advice and wisdom on the subtle difference between a well-equipped and well-resourced coastguard and a well-equipped and well-resourced Border Force. What is the difference between these two operating models that different countries use?

Sir Charles Montgomery: First of all, I am slightly out of date with this, so please excuse me. The Maritime and Coastguard Agency has a very different set of responsibilities for maritime safety, including the safety of the vessels that sail on waters in the United Kingdom.

When I last looked, my good colleague Vice-Admiral Sir Alan Massey, who was at the time leading the agency, advised me that it had one maritime platform, which was operating a service around the Scottish Islands. He had no assets of his own. If he needed to draw on assets, in the main he drew on the lifeboats or, potentially, on Border Force. Going back to an earlier point that I made, that was one of the reasons why we started to establish the Joint Maritime Operations Centre out of what was the Joint Maritime Information Centre.

The coastguard agency has no assets at sea. It has no responsibilities whatsoever for the security of the UK border. The two organisations operate around the same space but with very different remits.

Dave Doogan: That is helpful.

Q34 **Sarah Atherton:** Sir Charles, you touched on this in your response to my colleague here, Emma. Do you believe this movement of responsibility towards the Royal Navy and away from the Border Force is going to be permanent?

Sir Charles Montgomery: I am sure there will be loads of other people asking the same question. I just do not know. As I said, this task has not been traditionally a defence driver. I honestly cannot help you as to whether this now becomes a more permanent overall defence responsibility and, if so, what its limits are, or whether this is just seen as a short-term palliative until a better solution can be found in the medium



and longer term. I have already indicated that I am hopeful that a medium-term solution will be found with the French.

Q35 Sarah Atherton: Tom, just to finish, you spoke about the idea of the Royal Navy becoming an expensive taxi service, which in itself may encourage trafficking. Of course, it has the remit of safety of life at sea, which, as we have spoken about, is more of a humanitarian response. That has to be versed against the strategic objective of being able to monitor and manage people coming here illegally, which is an enforcement response. I know that is rather political. What would be the best result for the Royal Navy here? What is the end game?

Tom Sharpe: If I were tackling this as a consultant, I would unquestionably be coming at this from a “build, operate, transfer” perspective. We are currently in the build phase, noting that migrancy is happening right now and in fact that there are far higher figures than this time last year. You have to build and plan while conducting concurrent operations, which is never the most comfortable position. Sorting the resources will certainly be a fundamental part of that. Then you have to operate it.

From a Navy perspective—I am very much speaking on my behalf here—I would want an out at some point, both from a pure resource perspective, to ensure that that is a down arrow and not an up arrow, and from a reputational perspective. There is a real danger here. The expectation of success has been set for the Royal Navy, when, as we have identified, there are so many parts to this that it cannot influence. I would be looking for an out.

Now, what is the trigger for that end state? Is an arbitrary time picked now—let us say two years—or is it a month where there are no undetected crossings? I do not know. Certainly, the operational planners in the Navy will be looking at what would quantify success. I would suggest that they would be picking that and going, “When we have done that, we need to have in place someone else who can carry this on”. I suspect it may be a hand-back to the Border Force, but I do not know that.

Q36 Sarah Atherton: Sir Charles, from the Royal Navy perspective, what would success look like?

Sir Charles Montgomery: It would be as early closure as possible.

Sarah Atherton: That was nice and succinct. Thank you.

Q37 Chair: Thank you very much. As we come to the end of this hearing, which has been extremely useful, I have a slightly technical question. Are our existing communications arrangements adequate? Do they need to be encrypted?

Tom Sharpe: I do not think they are adequate, and do not think they will be until the stove-piping between the organisations is relaxed. This is



where the leadership challenge is going to come forward for whoever takes charge of this. In my view, they do not need to be encrypted. The level of standard encryption that is available on phones is sufficient. This is not of a level of sensitivity that would require high levels of encryption, in my view. It does require high levels of interoperability between these agencies, which is going to be a leadership challenge, no question.

Q38 Chair: The use of maritime patrol aircraft has been mentioned from time to time during this hearing. At this time of serious international crisis and a long-term intensification of submarine activity in the Atlantic and the Greenland-Iceland-UK gap by Russia, and the threat to communications, is there a danger that maritime patrol capability, which is enormously important for detecting and tracking that movement, could be diverted from what is a key strategic task, particularly with the situation in Ukraine and more broadly?

Sir Charles Montgomery: I am absolutely certain that will not be allowed to happen in the way that you suggest. As I indicated earlier, defence is very adept at prioritising its tasking. I am quite certain that, given the examples you have quoted, there will be no draw-down of assets from those potentially ongoing operations. I have no doubt at all about that.

Again, we should not focus only on the defence assets available here. There are other maritime patrol aircraft. They are nothing like as sophisticated, but nonetheless the National Crime Agency has fixed-wing aircraft, although probably not enough, that can provide surveillance to the right level. It certainly should not be distracting defence assets from the sort of tasking that you indicated.

Tom Sharpe: It is really airborne surveillance. Some of the equipment that the RAF has is absolutely perfect for this task, but it has one major flaw: it cannot persist. While 40 hours on task sounds like a lot, it is not, because it is not 365 days, which is what it needs to be. If you are going to ripple those resources such that you have continuous air presence through RAF assets, coastguard aircraft and the others, you are now investing serious sums of money that make the amount required to invest in the standing chain I mentioned seem tiny.

Yes, the RAF could provide a Poseidon. It will be looking for training opportunities to do that. In other words, can it do what I described earlier as associated support and be seen to support this mission but in a way that does not impact on what it would have been doing anyway? There is valuable training to be had doing surface surveillance in the channel in an environment that busy, which the RAF could potentially exploit. It would certainly not want to be tasked with doing that full-time.

Chair: Admiral Montgomery, Commander Sharpe, on behalf of the Committee, thank you very much for making yourselves available at such short notice to deal with a pressing situation. Thank you for your very helpful and informative answers, which will enable us, I hope, to produce



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a report that will address these issues and raise important questions for Government.