HOUSE OF COMMONS

Defence Committee

Oral evidence: Locally Employed Civilians, HC 572

Tuesday 28 Nov 2017

Ordered by the House of Commons to be published on 28 Nov 2017.

Watch the meeting

Members present: Dr Julian Lewis (Chair); Martin Docherty-Hughes; Mr Mark Francois; Graham P. Jones; Johnny Mercer; Mrs Madeleine Moon; Gavin Robinson; Ruth Smeeth; Rt hon. John Spellar; Phil Wilson.

Questions 1-69

Witnesses

I: Tom Tugendhat MBE, MP for Tonbridge and Malling, and Dr Sara de Jong, Open University.

II: Baroness Coussins, Member, Locally Employed Civilians Assurance Committee; and Marshal of the Royal Air Force the Lord Stirrup KG GCB AFC, Member, Locally Employed Civilians Assurance Committee.

Written evidence from witnesses:

Dr Sara De Jong

Examination of witnesses

Witnesses: Tom Tugendhat MBE MP and Dr Sara de Jong gave evidence.

Chair: Good morning, and welcome to this sitting on locally employed civilians in the context of Afghanistan, with special reference to interpreters. In what might be a parliamentary first, we have a Chairman of one Select Committee giving specialist evidence from his own experience to another Select Committee. Tom, welcome. Please say a word about yourself, and then I will invite Sara to say a word about herself as well. Then Ruth will start the questioning.

Tom Tugendhat: I am Tom Tugendhat, Member of Parliament for Tonbridge and Malling. Between 2005 and 2009 I served in Afghanistan, first as adviser to the National Security Council for a year, then as an adviser to the governor of Helmand for a year. Then, for two years, I was on operations around the province and in fact around the country. Throughout the four years I was on active service in Afghanistan, I worked very closely with locally employed civilians, notably with interpreters but also with others.

Dr de Jong: Thank you for having me here today. I am a political scientist working at the Open University as a research fellow and a co-lead of the justice, borders and rights stream. I have been working on this topic, specifically on claims to rights, protection and settlement by LEC, looking at it from an international perspective. My fieldwork so far mostly encompasses France, Germany, the US and the UK, and the research is still ongoing, which is why I am here today.

Q1 **Ruth Smeeth:** Good morning to both of you. Tom, can you give us some more details about what types of operation you were involved in in Afghanistan?

Tom Tugendhat: Broadly speaking, in terms of the particular questions in which this Committee would be interested, there were two forms. One was office-based and one was in the field. The first, which was office-based, was in Kabul for a year, where we were working to establish the National Security Council. That involved two Brits and about 100 Afghans working to build up state structure. That was a capacity-building exercise, and though of course the employees were local, employed and civilian, they were locally employed by the Afghan Government, not the British Government.

Perhaps more relevant is my work in Government at Helmand, where I worked for Governor Daoud. Working alongside me were two or three Afghans who worked directly to me, and therefore were employed by the British Government. They supplied me with the usual secretarial function that you would expect in an office; they also assisted me with translation if meetings were particularly accented, which certainly happened quite a lot.

They would also assist me with local information. They were, by and large, highly educated, not only by Afghanistan standards but by ours as well—people with degrees from relevant universities: occasionally Afghan universities, but unusually so. More often, it was Pakistani universities. They were extremely courageous, even in those civilian roles—I was attacked by suicide bombers twice, and several of my bodyguards were killed at various moments, and they were there beside me throughout. One of them was very minorly injured and was straight back at work the next day.

In later work, when I was on the ground with various units, I spent two years on and off—mostly on—working around the area. Perhaps the largest operation was Operation Mar Karadad to take Musa Qala around Christmas 2007. We went in just before Christmas, took the town and had to re-establish civilian governance. In the process of doing that, I again worked closely with some Afghan civilians as interpreters and secretarial staff to help establish a new government, or rather sub-government, structure.

Q2 **Ruth Smeeth:** How instrumental were they to your role?

Tom Tugendhat: Absolutely fundamental.

Q3 **Ruth Smeeth:** Could you have done it without them?

Tom Tugendhat: No.

Q4 **Ruth Smeeth:** You have said that you were targeted by suicide bombers, which is extraordinary, but how were they directly targeted by the Taliban?

Tom Tugendhat: To be fair, it was not personal.

Ruth Smeeth: Really?

Tom Tugendhat: They were targeting the ability of the civilian Government to re-establish itself after many years of war. The targeting was not necessarily by the Taliban but by the narcotics industry. It is worth noting that in Helmand at the time, we were predominantly fighting a $2 billion a year narcotics insurgency. We were also fighting the Taliban, but the first fight was against the narcotics industry. Former elements of the governance structure before our arrival were certainly very actively involved, so although the bombers hit my car and my office, they were actually targeting that structure. It wasn't personal.

Q5 **Ruth Smeeth:** It wasn't personal for you, but was it personal for your interpreters at any point?

Tom Tugendhat: Yes. For interpreters the danger was significantly greater, because many of them had family in the area. I had the great luxury of knowing that my family was safe back in the United Kingdom. They did not have that luxury, so in many meetings, they would wrap shemaghs around their head or wear dark glasses, even indoors in dark light, in order to mask themselves in some way. One of the interpreters

with whom I worked particularly closely was from Lashkar Gah and was extraordinarily courageous. Frankly, he could not have worked for me for a long period without it being known who he was, and yet he turned up every day. In fact, I remember that the day after the second bombing—I am going to get the date wrong now, but I think it was around Christmas 2006, or maybe October—he came straight back in to work the next day with a dustpan and brush and helped me to tidy up.

Q6 **Mrs Moon:** Tom, you have talked about what happened while you were there. Do you know of any locally employed civilians who have suffered harm or harm to their families since we have withdrawn from Afghanistan? Is it an ongoing problem for them?

Tom Tugendhat: I am aware of one or two who are still at risk and whose perception of risk I would trust. Therefore, if they tell me that they are at risk, I suspect that they are telling the truth—that they are not lying. I cannot speak for all of them, but after all, the ones I know are people who very actively and deliberately joined with coalition forces and the new Afghan Government to rebuild a country after 30 years of conflict. The amount of courage that that requires is quite something, so I strongly suspect that if they estimate that they are at risk and are no longer able to perform their functions or assist with the rebuilding of the country, they are being honest not only about their own threat, but about the situation in Afghanistan.

Q7 **Mrs Moon:** What sort of risk do they face? What are they saying?

Tom Tugendhat: It would vary enormously. For some, it will simply be the inability to find work at the very lowest level, but that is not usually the case. Because they are the sort of people who are capable of working in a multinational environment, they are almost by definition extremely capable people, so finding work is not normally an issue. The predominant issue is that they are known and therefore, they or their families are targeted by people either seeking revenge or to make a point. It is worth remembering that just because you may have worked in Helmand but live in Ghazni, that does not mean that you are "safe". If it is known that you worked in Helmand, although you may not have done anything in particular against the drug lords or Taliban forces in Ghazni, they will seek to make the point that co-operation with foreigners at any level is unwise and possibly dangerous.

Q8 **Mrs Moon:** So intimidation can come from the drug lords and the Taliban—anyone else?

Tom Tugendhat: The possibility of others, including corrupt local officials, is always there, but by and large, the Afghan Government is not the major threat. The major threat is the two forms from which the insurgency comes—radical Islamic extremism, whether that means the Taliban, Islamic State or whoever it happens to be this week, and the drug-fuelled narco-insurgency.

Q9 **Mrs Moon:** Did you ever talk with fellow officers or the civilians about what would happen to the locally employed civilians when the British

withdrew? Was that something that was openly considered and promises made about?

Tom Tugendhat: You must remember that I left in 2009 and our withdrawal was only beginning to be discussed in 2010-11. At that point, our withdrawal was not something that was on my radar. Certainly, when I was working as the military assistant to the Chief of the Defence Staff from around 2010 to 2013, it was something that came across my desk a lot and that a lot of effort was put into.

Q10 **Mrs Moon:** Have you, or anyone you served with, passed on to the Ministry of Defence concerns about any of the people that you served with, and do you know how they were dealt with?

Tom Tugendhat: I know that two of the interpreters that I worked with are in the UK and I am very pleased that they are. They have visas that will give them the right, I hope, to secure citizenship at the end, which I think they have earned tremendously through the courage of their service and the work that they did alongside us. There is one other who is in the UK who I did not serve with but I am very pleased about that, having made quite a fuss when I was working for the Chief of the Defence Staff. Admittedly it was the Chief of the Defence Staff who made the fuss rather than me—it carried a lot more weight from his office than it did from mine. There is one interpreter who was very badly injured, a triple amputee, who ended up in India. I remember a conversation with an official in another Department who said, "Well of course, if he were to come to the UK it would create a precedent." To which the response was, "Well, if serving with the British armed forces, becoming a triple amputee on operations and therefore getting a visa is a precedent, that is one I am prepared to make."

Q11 **Mrs Moon:** It is good to hear that. Did you know the Ministry of Defence has set up an email address that service personnel and officials can use?

Tom Tugendhat: I am aware of it, yes.

Q12 **Mrs Moon:** Are you aware of how much it is being used?

Tom Tugendhat: No.

Q13 **Mrs Moon:** Do you think it is widely known about in the wider defence community who served in Afghanistan?

Tom Tugendhat: I couldn't say, I'm afraid. All I can say is that I am aware of it.

Q14 **Martin Docherty-Hughes:** Just in terms of the pre-planning process, before you took up your position, do you think there was any real planning about the impact of LECs use—what they may have to suffer or undergo? In terms of the international comparisons, Dr de Jong, is that regular practice in other armed forces and military structures, or is it just a matter of fact that that is not really considered? If it is not considered, would a risk assessment process be useful in the future?

Tom Tugendhat: It is worth remembering that every army in history has deployed with local civilians or local people attached—we hear the term "dragoman" from Turkish literature. You hear of these people throughout Roman and Greek history—it is there in Thucydides. The risk assessment is slightly difficult because the jobs vary so greatly that somebody working as a cleaner in Camp Bastion is at a very different level of risk to somebody who is coming on patrol with a forward unit or somebody who is responsible for, perhaps, assisting with detention operations. The range is so great; it is difficult to say there should be a risk assessment across the whole thing. One thing that we have become more aware of, which came out following Iraq and has become clearer following Afghanistan, is that we have an ongoing moral responsibility to those who served alongside us. We must look very carefully at how we ensure we look after their interests when we leave. Of course we have to be careful about balancing this. It cannot be that one day's service as a cleaner in Camp Bastion gives you a British passport, but at the same time, it is screamingly obvious that someone who has become a triple amputee on operational service has the right to access the medical unit that was at Selly Oak, for example. There is a balance between the two. I hope that that is one of the areas where the Committee will come up with some recommendations.

Q15 ***Dr de Jong:*** I am also interested in this from a historical perspective. My take is more from a post-colonial perspective, looking at colonial and settler nations and the way in which the Harki—the Algerians in France—have taken those roles, or in the Netherlands, the Moluccan people were promised independence for fighting on the side of the Dutch army. I have been really struck by how this is a recurrent issue, which still is not addressed in any harmonised or structured way. Especially in the USA, Vietnam is of course the major national trauma in relation to the treatment of locally engaged civilians. Perhaps because of that national trauma, at least among veterans who have served in Vietnam, there was a little bit more awareness immediately. I know that the organisation No One Left Behind, which is one of the main advocacy organisations, has a lot of veterans from Vietnam who are also part of that organisation, to support this particular group. I think that quite a few veterans with whom I speak in different countries—the United States, the UK, France and Germany—have a sense of frustration that military missions in general are very well planned. There is always plan B, C, D in place and you have a sense of phases; also, those plans already in place for missions that might never happen, but you just have those. So, from their perspective, what I am hearing from those interviews is that they would like some kind of contingency plan in place. As you say, of course that cannot be in minute detail; but the sense that you are dependent on locally engaged civilians and that there must be some structure in place to support those people, if necessary, is widely felt among the veterans to whom I speak.

The last thing I want to say is that, similarly to the way you were expressing it, Tom, from an Afghan perspective they have served with NATO, or with Western forces. The Taliban would not necessarily discriminate between somebody who has worked for the Brits and someone who has worked for the French. The notion is that it is the West

that is bad. That is why they might want to take revenge. In that light it is quite striking that there is no international co-ordination of protection programmes, given the problem that those Afghans who have worked with Western forces generally face that issue.

Q16 **Chair:** May I just ask a couple of points? First, Tom, you said that the job you did would have been impossible—

Tom Tugendhat: Would not have been possible.

Q17 **Chair:** Yes—would not have been possible without the support of these locally employed personnel, particularly the interpreters. As far as you know, up to the case of Afghanistan, has Britain had a good reputation in general for looking after such personnel when such campaigns have come to an end? For example, was there not quite a generous scheme in the case of Iraq?

Tom Tugendhat: It took a while to become a generous scheme. The problem, Dr Lewis—though you are absolutely right that today there is a generous scheme—is that that is after quite a lot of bad blood and ill feeling forced us to effectively do the right thing that we should have done in the beginning. That is where Mr Docherty-Hughes is absolutely right; it is getting a scheme in advance, or an understanding in advance of what you are offering. At the same time that you are offering pay and rations, what are you offering in the long term? I certainly don't know many who would not think about the long term if they were wearing the Queen's uniform from our country, and it would seem odd if they did not from others, too. One of the points that may be relevant, and worth you considering, is that of course locally employed staff are not all employed by the military. Some are employed by the Foreign and Commonwealth Office, some by the Department for International Development, some by the agencies; and therefore the level of knowledge is often not there. In fact, that was one of the problems with one of the people I worked with. He was employed by the FCO and therefore it required a couple of letters from me and a few others to say, I know he is not on the Ministry of Defence register; he wouldn't be on the MoD register because he was not employed by the MoD.

Q18 **Chair:** How systematic do either of you think this targeting is, because sometimes we hear suggestions that people have lost their lives; other times we hear suggestions that the risk is relatively low. Obviously, if the Taliban put their mind to it, they could certainly track down and inflict casualties in order both for revenge and, presumably, to deter other people from assisting in the future.

Tom Tugendhat: I would be cautious to suggest that it was systematic nationally across Afghanistan. What is more likely is that a local commander—one of these people will raise their head in some way. Either they will do something, or someone will make them aware—raise attention to them—and that will put them at danger. They may have been living quietly and peacefully for several years and not been targeted or faced any serious threat, and suddenly an awareness of their past comes up and they are at very real danger.

Q19 **Chair:** Sara, do you have a view on that?

Dr de Jong: I am not an Afghanistan expert and I know you wanted to invite a professor who is an Afghanistan expert. I do hear of the circulation of blacklists, but again, I don't know who is on those blacklists and who is not.

The other important thing is that the Taliban do not have the same capacity in each and every region. They apparently prioritise certain individuals. Like Tom, I find it difficult to give a precise answer to that.

Q20 **Chair:** Tom, we are going to come on to some specific questions for Sara in a moment, but could you expand a little bit? You talked about why these locally employed civilians were doing what they were doing; would you like to expand on what their motivations, expectations and hopes were?

Tom Tugendhat: Sure. Like for everybody, the range of motivations that drive people to do things is huge. For some, obviously, it was a job in a broken society; for some, a very well paid job in a society that otherwise offered little in the way of opportunity. For others, it was clearly a calling to rebuild their society. For others—very few, I am glad to say—it was a way of getting rich on the sly and exploiting the gaps in our system. As ever in these procedures, there was a huge range. I was lucky to work with a few people who were very much in that middle category, who were doing it because they had grown up in a destroyed society and were looking to rebuild it.

When I say that it would have been impossible to do it, let us not forget what our mission was in Afghanistan. It was to rebuild a sovereign nation; it was not to occupy, colonise or dominate in any way. The idea that you can do that without people from the local community being willing to help you, being willing to invest not only effort but courage, is for the birds.

So these guys, who may have been classed as interpreters, were in many ways much more than that. They were helping British soldiers and civilians to understand the local context, to be aware of stories that we would perhaps never have heard but which shaped the way people acted, in exactly the same way as the political past of any of our votes would shape the way we look at each other in this place. People know how everybody else fought in various civil wars over the last 30 years, and of course there is no way—no *Hansard*—to enable you to find out, so all of this oral history would be contained in a lot of elders and community knowledge. If you don't know it, you can easily do absolutely the right thing and open an enormous can of worms because what you are doing is a complete disaster. So it is much more than interpreting; it is a complete cultural lesson. That is why good interpreters were incredibly valuable.

Q21 **Chair:** So, as well as the moral case for looking after such people at the end of the campaign, there is the practical, military case because of their role during a campaign and because of the message it sends to future

people locally who might be called upon to help British forces in our theatres?

Tom Tugendhat: Well, certainly if we don't look after those who we need in conflict—whether it be the soldiers, airmen or sailors that we need to defend us, and I would include the interpreters and locally employed staff in that—we will find it significantly harder to recruit those people. That will make us less safe.

Q22 **Mr Francois:** Tom, when these people were taken on, as you were saying, they were obviously quite courageous. What guarantees did we give them at the time about what might happen in the long term? Was there any kind of understanding about how we might look after these people subsequently? Were they told at any point, formally, what they could expect?

Tom Tugendhat: The problem was, Mr Francois, as you know well, that they were taken on at different times, in different ways. When our forces first arrived in November 2001, the Marines unit that arrived worked with local militias that came from the Northern Alliance, as you will remember. Some of those soldiers turned out to be pretty good, and some turned out to speak English, so they ended up fighting alongside us for a while. Then some of them started to get paid, and then some of them started to be paid on a more regular basis.

People were effectively brought in in various different ways; as ever with these things, there was no standard process, and there are therefore no formulaic terms and conditions. That is one of the reasons why the MoD today quite reasonably has problems in knowing whether somebody is a genuine ex-interpreter or whether they are just pulling a fast one. I understand why that is a problem, but it is up to those of us who served alongside people to make sure that those who are genuine are recognised and supported.

Q23 **Phil Wilson:** Do you think the lack of policy co-ordination between former ISAF members has affected locally employed civilians?

Dr de Jong: Yes, I think so, for a number of different reasons. First, it is important to know that some LECs worked for different nations and sometimes also for different organisations. It was just mentioned that interpreting was something our locally engaged staff were employed for not only by the military but also by development organisations.

I speak to quite a few people who have worked for perhaps a number of years for the UK and then for a number of years for the US and then for, let's say, Save the Children. There could be a risk that they wouldn't be eligible for any of these schemes and would just fall between the cracks as they have just done a few years here and a few years there. Sometimes, their moving between those different jobs was already because they were facing certain threats; people might have decided to quit the army base and move to Kabul to work with Save the Children, hoping that that would put them in safety, but then it did not and they would still want to apply for a relocation.

Secondly, I think you can roughly define the LECs that see protection in the West in two categories: those who try to apply for relocation schemes, and who might be successful, and then those people who have decided either they cannot wait that long or that they are not eligible, because the criteria are quite tight. Those people might then decide to travel overland and try to claim asylum. Again, you see a problem there with the fact that there was no co-ordination. What we tend to see is that the employer countries tend to feel more responsibility for those who they have employed.

We know it is quite difficult to travel overland illegally in order to claim asylum in the UK. For example, with the Dublin regulations, they would be required to apply for asylum in the first safe country where they arrive. I know of people who get stuck in France or Germany. Of course, that is anecdotal evidence, and I am not in a position to verify their claims, but I know that there are quite a few people who managed to come to the UK as asylum seekers and who were subsequently granted asylum, so their case was believed. We have reasons to believe that some of those people who got stuck in France or Germany would also have a legitimate claim. That is another point where the lack of co-ordination becomes problematic.

Q24 **Phil Wilson:** Do you think the ISAF nations relied primarily on existing asylum procedures? In the UK, are we sufficiently sensitive to the cultural and regional realities in Afghanistan?

Tom Tugendhat: May I jump in briefly? There is a problem with perception here. Forgive me, Mr Wilson, but you are talking about the ISAF nations as a plural—quite understandably, because you recognise that the UK is one nation, the Netherlands is another, as is the US and so on.

In Afghanistan, the reference was always to the ISAFzai. As you may know, Afghan tribes are often the name of the supposed founder followed by the word son—"zai"—so the Mohammadzai or the Ahmadzai or whatever. ISAF was just another tribe—the ISAFzai, the sons of ISAF. The reason I say that is because you are quite rightly identifying them as something separate, but to anybody in Afghanistan it was a single foreign tribe.

Dr de Jong: Would you repeat your question please, Mr Wilson? The question had two parts.

Q25 **Phil Wilson:** I was asking, first, whether we rely too much on the existing asylum procedures, and secondly, are we in the UK sufficiently sensitive to the cultural and regional realities in Afghanistan?

Dr de Jong: I think that it is problematic to say that many people were relying on asylum protection schemes. It is clear that the current relocation scheme is only open to those still working for the British armed forces at the point of withdrawal, so there are people that fall outside that category, clearly, who could only claim asylum through a different route. The interesting thing is that once they claim asylum, they are in a very

separate category from the relocation category. Even if they are granted asylum, it is not possible for them to get access to the same services as those available to those under the relocation scheme.

There is a four-month reception programme that you may be aware of. Even if we acknowledge that people might have travelled overland for particular reasons, and even if we recognise that they have been working in the service of the British, we would still not grant them access to that part of the relocation package. There seems to be at least an acceptance that there are those two routes, and at the same time that there is no co-ordination between them. When you go through the asylum route, you will be facing any Home Office caseworker or any judge who might not be aware of the particular threats faced by interpreters.

In terms of whether it is culturally sensitive enough, there are a number of issues here. The first is the option of internal versus international relocation that we have under the relocation scheme. From what I have been told by many people, moving within the UK is something very different from moving within Afghanistan. Someone put it to me in an interesting way. He said: "If you move in Afghanistan, you have either eloped with someone's wife or you have murdered someone." There is normally a grave reason for escaping your own tribe and your own community. It is also linked to employment opportunities. Relocation within Afghanistan is not the same as my being able to relocate from the Netherlands or Austria, as I just did, to the UK, where I show my PhD from Nottingham and it is valued somewhere else. All of these doctorates are also based on tribal and ethnic structures, so people's recognition and settlement and employment are based on those structures. If you say that people can just relocate internally, then you are not taking this sufficiently into account.

The other thing is family reunification. In the UK or in the West we have a particular understanding of the nuclear family—the spouse, the children—but what we see in terms of the threat level is that brothers, uncles and fathers are often targeted too. It is also important to say something about the hopes and motivations of the people. These were very young men. I am not very old and most of the interviewees are younger than I am. So they joined when they were 19 or 20 years old, they were very independent and they are often responsible for their wider family, or at least their parents. We could be more culturally sensitive in recognising this.

Finally, it is difficult with the assessment of the threat level: we tend to rely more on written sources but there are certain symbolic meanings too, like the knock on the door as a sign of threat. We might not recognise that in the UK, but it has real meaning in an Afghan context.

Q26 **John Spellar:** May I just come in with something? I understand the question of moving, particularly between different tribal areas from villages or small towns. Surely, though, people will move to Kabul from other places?

Tom Tugendhat: A little. A few will move to Kabul but it is not that frequent. If you do move, you will do so to go and live with a cousin or uncle. You will move into an existing family structure. It may be a distant one, it may be a second cousin twice removed for example, but you will move into a context. If you don't, then you really are going into the wild. There is no social security. There is no safety net. For example, if you are an Afghan and you fall ill in a cheap hotel and you are lucky, the hotelkeeper will call a doctor. If you are unlucky, you will be robbed and chucked into the street. It is a really high-risk thing to move without your family, and you would be very unlikely to do it. If you do move to Kabul, you will move to a community structure that knows you and identifies with you in some way. If you go and move to Mazar-e-Sharif or somewhere else where the cultural mixing is not quite as great and therefore you are unlikely to find one of your own, you had better not get ill—you had better not be unlucky—because there will be no revenge for anything that happens to you. You can be robbed with impunity.

Chair: Johnny, of course you have your own experience on this side of things.

Q27 **Johnny Mercer:** Yes. The moral case, which we have been talking about a lot this morning, is very clear. It has been picked up by people in this country and there are some very reasonable men and women, like Lord Richards, who are pretty outraged by the way the Government is treating these people. Where is the breakdown point in this? We hear the Ministry of Defence and others say, "We're doing all this," but the reality we see is very different. Is it the Home Office, for example? What can we do to change the situation?

Dr de Jong: That is a big question. Let me say one thing about the moral case. I agree that the moral case is very strong. At the same time, having those asylum schemes in mind, we have to think about simple need. Even if somebody was the breadwinner in the family and originally took the job because they needed the money, I still think that once that person's life is under threat—

Q28 **Johnny Mercer:** Yes, the case for doing this is very clear, but where is the technical breakdown?

Dr de Jong: I think there must be some political reluctance somewhere. It is very interesting that this has very strong public support, as you say. It is difficult for me to point at exactly where it is. In relation to the asylum claims I know, I would say that there is some problem with the Home Office assessments. We have seen that a lot of appeal cases have gone through, so there seems to be something wrong with the initial assessment of those claims. I also think that one of the major breakdowns is the very tight eligibility criteria. If somebody worked for seven years for the Brits prior to 2012 and perhaps ceased their employment because they already felt under threat, let's say in 2010, they would not be eligible under those criteria. The other point of breakdown is the preference for internal relocation. I am not sure that that is always feasible, for the reasons that Tom mentioned.

It is really important that we look at this in two different phases. One is the immediate protection—that could be international relocation—but we should not forget these people once they have arrived in the UK. I would also say that there is some problem of breakdown there. I speak to people from local authorities who are extremely willing to support this group, again for the reasons that you mentioned, but there is no exchange of best practice among local authorities and there is no organisation to support different local authorities with the specific needs that this particular group might face.

Tom Tugendhat: As you know, the first thing is that pinning down any location in Government is extremely difficult. The problem that I have come across is that the database isn't there, as it were. There isn't a list of everybody who worked for us in certain capacities, with gradation: "This person did more than that," and so on. That makes it very difficult. You then get into the Home Office. Quite reasonably, what they are trying to do is to make sure that they assess each situation and respond accordingly. But of course you are dealing with people who have fled, often overland, from Afghanistan and come all the way to Dover, or indeed who have flown in, and are deeply suspicious of saying who they are and what they are, because they are still extremely concerned for their safety. You do not always get the fullest answer first. Therefore, we have a problem there.

Frankly, this is a cross-Government responsibility; I do not see how it sits solely in the MoD. The MoD's job—as you know better than anyone—is to prepare people for operational service overseas and to ensure we fight and win our nation's battles. The return element is much more about looking after people in the UK, and I would argue that the MoD's job is to make sure that—

Q29 **Johnny Mercer:** So it is a classic case of the Government's institutions, which should be joined together by the Cabinet Office, not working with each other for the benefit of the individual. Chair, if I may, it might be worth getting the Home Office Minister or one of the Cabinet Ministers in, because the moral case here is so strong across the nation. It is just not good enough that we can treat people in this manner.

Tom Tugendhat: I can speak about an interpreter who worked closely with me; I am pleased to say that he secured asylum in the United Kingdom and will, I hope, be staying here. Nobody deserves their citizenship more than he does. I will not say where he lives and I will not give his name, for obvious reasons; he feels nervous in the UK. He is now living in a community in the Midlands that, in his terms, is relatively isolated and relatively distant from other Afghans. He has no job and has had no job for a while. He is being supported financially, so of course on those grounds he is fine, but he is a fit, intelligent young man with a wife and two small children, and he just wants to work. A few of us are helping out in various ways, and I hope very much that he will be okay shortly, but how many others are there who do not have the level of help that he will require?

Johnny Mercer: And it is a national responsibility. It stinks of colonialism in a way. These people helped us in those operations and we should really drive that home.

Dr de Jong: If I can just add something, I am also very struck by some of this. I often meet people for interviews at their homes. I have a long experience of interviewing refugees, so this is not something that would immediately shock me, but I have been quite shocked by the circumstances in which people are housed. When someone's asylum claim fails the first time, they might fall out of any support structure for a number of years. One reason why they still feel particularly precarious is that often they were illegalised for a number of years. That means they have no place to stay; they might be dependent on someone being nice enough to give them a bed for the night, or sometimes they might sleep in the park.

The other important thing is that these are indeed young, fit men, who are often quite traumatised, and while they wait for their asylum claim they have no access to psychological services. Again, there is no joined-up service. For example, organisations such as Combat Stress, charities that are so well positioned to support people with post-traumatic stress disorder, do not have this particular group within their remit, even though it is a comparatively small number. It would be important to have those services extended to them. Finally, many of them are also seeking some recognition by the British state. I think we all know, with Remembrance Day, how important recognition is.

Q30 **Chair:** So you are saying that as far as you know, of all the military charities we have, none or at most very few offer any support to this class of personnel, who did so much for our Armed Forces?

Dr de Jong: That is right.

Q31 **Chair:** You do not know of any charity that is helping?

Dr de Jong: No, because it is not part of their official remit. I have talked particularly to Combat Stress, for example, and I know that the local authorities would be interested in building up the structures and working together. With the covenants they signed up to, they are often interested in extending their commitments to this particular group, but at the moment they do not have the possibility of doing so, because it does not fall within their official remit.

Chair: Our time is coming towards an end, but I have three people still to go.

Q32 **Mrs Moon:** You talked about the problem of people working with different military and third sector organisations, and not having a consistent work record with just one agency or country. Have you come across situations where people perhaps have been accepted by or gone to one country initially and then been told, "No, you weren't working for us for long enough"? Has the work scenario that you discussed been a problem? I have a particular case in mind where someone initially went to the States

but the States is now saying no. Does that mean they cannot reapply to the UK, for which they worked for some considerable time? What are the problems of someone in that situation?

Dr de Jong: I know of cases where people are stuck in the wrong country and do not manage to reach their employer country. The problem with the relocation scheme is that you can only apply at the embassy in Kabul. If you are then in the United States, you could not, from that position, still go back; you would have to return to Afghanistan to be eligible again under the UK relocation scheme. So there would be a problem.

I am trying to work out whether I know anybody who was in the specific situation you described. I am not sure. I would definitely say that there are people who might have been brought by a smuggler to Norway, for example. Norway, we know, often deports back to Afghanistan right away.

Q33 **Mrs Moon:** In this case, they were taken by the American military to the States because they knew the work he had done for the Brits. They took him to the States, and now the States is saying, "No. You didn't work for us; you worked for the British."

Dr de Jong: I can imagine such a case.

Q34 **Mr Francois:** Tom, this is clearly a complex problem. If we accept that there is a strong moral case for doing something better than what we are doing at the moment, if you were king for a day, how would you change the Government's policy and what solution would you like to see adopted?

Tom Tugendhat: I have to say, I think this falls squarely in the Cabinet Office, for the very simple reason that if you do not have a central point bringing it together, you have little. You could argue, I suppose, that it falls in the Home Office, because it is an immigration matter, but given that it will bring together not just the military but the Foreign Office, DFID and agencies and therefore requires a certain amount of information that you may not be willing to put very publicly, you need a central function to know who you are talking about.

You need a second function to make sure these people have access to UK entry, whether they attempt to claim it from the United States, as Mrs Moon said, or from Kabul. You then need a third stage, to make sure that the people who have done so much and come so far are not abandoned in the UK but are able to continue to do what they have already proved they are capable of, which is to add enormous value and strength to our society.

Q35 **Mr Francois:** There is a veterans board in the Cabinet Office that is meant to co-ordinate veterans' issues across Government Departments from the centre. Could you make that board responsible for this?

Tom Tugendhat: Well, it would be hard to argue that these men were not veterans.

Q36 **Gavin Robinson:** We are getting into the territory of how we could do

things differently. Sara, are there other countries, whether they are ISAF partners or not, that deal with these situations incredibly well and better than we do and that we should therefore be learning lessons from?

Dr de Jong: Unfortunately, I cannot mention a case where they are doing incredibly well, although that would be nice, but we can learn from some countries' practices. One example is Germany, where the Ministry of Defence decided to set up a mentor scheme calling specifically on active military as well as veterans to volunteer to be a mentor for LECs. They then have that personal relationship, with support in finding employment and houses.

It is striking that in other countries, either veterans or civil society activists have set up organisations. There is no such association here. In France, there is an association of French interpreters. In the US, there is an incredibly powerful organisation, No One Left Behind, which lobbies in different ways. They have programmes such as Operation Got Your Back or Operation Lost in Translation, where they support veterans to support their interpreters and other staff to navigate the SIV system, because that is a complex legal system. They also help to reunite veterans with the people they have worked with—the local staff. That goes, again, in the direction of recognising their work and acknowledging some of the traumas. Sometimes it is important that those relationships are re-established once people settle.

Q37 **Gavin Robinson:** Is there a huge disparity between the way we are treating Afghan LECs and Iraqi LECs?

Tom Tugendhat: I am afraid I am not hugely capable of commenting on that, because my major knowledge is on the Afghan element, so I cannot really compare. If you will forgive me, though, I will make one point.

Gavin Robinson: It is the Chair's forgiveness you need, not mine.

Tom Tugendhat: Well, both of you. The interpreters come, by and large, as a last resort. These are people who have earned well, because we pay well, and have generally supported often large family structures, by which I mean not just their parents, but their brothers' families, and that may be a multiple of families. Therefore, leaving Afghanistan to come to the UK is not something they want to do, because you are effectively abandoning an entire family network, which we discussed earlier, but you are also effectively abandoning people without financial support, or at least for a period of time, who have depended on you for a number of years. You then find yourself in the position of trying to support them from overseas, which is very difficult—as you know, it is significantly harder. This is not a choice that many of them will make; this is a last resort option.

Q38 **Gavin Robinson:** I am just looking at the different conditions and requirements for protection from intimidation and so on between Iraq and Afghanistan.

Dr de Jong: The real experts on that are the lawyers from Leigh Day, who have put forward a case where they tried to apply the Equality Act and

compared the different schemes, arguing that Afghans are at a disadvantage. I cannot mention here the exact details, but I would be able to provide that information. There are some important differences. I think that Leigh Day is quite right in challenging the difference between the schemes.

The other point I want to make is that after the Iraqi scheme we had the opportunity to do better, because the Iraqi scheme was put together in a quite haphazard way after some pressure, so we do not need to aspire to a race to the bottom and a minimal scheme. We should learn from the Iraqi scheme. That is why I have been surprised that there is no support for the local authorities—in terms of any exchange or best practice conferences—because there is a real opportunity to learn from Iraqis who have settled for a longer time and could share their experiences.

Q39 **Gavin Robinson:** And thus far do you feel that we are dishonouring their service?

Tom Tugendhat: That is a very strong word. I think there is a lot we could and should do better, not just for these individuals, but for ourselves. This is about making sure that the UK is fit to fight whenever we need to again, and making sure that people who have demonstrated clearly that they are capable of contributing hugely to our society continue to be able to offer that.

Dr de Jong: As a political scientist I would say that, of course, duties and rights normally come together. These people have performed certain duties and they also claim for certain rights. We need to be providing them the protection that they need. The need for protection is the thing that needs to be foregrounded, rather than some arbitrary criteria.

Chair: Thank you both very much. This session has greatly widened our understanding of the issues, and the whole Committee is extremely grateful to both of you. We will now hand over to the next two witnesses.

Examination of witnesses

Witnesses: Baroness Coussins and Lord Stirrup gave evidence.

Q40 **Chair:** Welcome Lady Coussins and Lord Stirrup. We hope to take this session through to 12.35 or thereabouts. We will try to pace our questions accordingly. Will you kindly each say a few words each about yourselves and how you have come to be so closely involved, officially, with this issue?

Baroness Coussins: Thank you for asking us here today. My interest arises out of my involvement with issues to do with languages and linguists. I am the co-chair of the all-party group on modern languages, and I am vice-president of the Chartered Institute of Linguists, which I have put in touch with the MoD and the Home Office because it is very keen to offer a professional support package to interpreters from

Afghanistan who come to the UK and would perhaps like to carry on working as linguists. I have a special interest in the role of interpreters working in conflict zones, and have been raising the issue of the Afghan interpreters with Ministers in the Lords for the last five years in written and oral questions and in debates. In May 2016, I was invited by the then Armed Forces Minister, Penny Mordaunt, to join the new LEC Assurance Committee, which she set up to provide an additional level of scrutiny over the intimidation policy.

Lord Stirrup: Thank you very much, Chair, for asking us. As CDS until late-2010, I am very conscious of both the moral obligation we owe to those who work for us in such dangerous conditions in Afghanistan and the practical reality of needing to recruit such people in the future and therefore of being seen to be good employers of such people. As such, I have been rather questioning of the Government's policies and response to all this, and have done whatever I can to support Baroness Coussins and her sterling efforts in that regard. I was invited to join the LEC Assurance Committee earlier this year.

Q41 **Mr Francois:** You have already answered my first question, so to save time I will go straight to the next. What does the Committee do and how many cases do you see?

Lord Stirrup: The Committee is there to scrutinise the effective implementation of the Government's policy with regard to intimidation. It excludes the redundancy issues and any consideration of the policy itself, except as far as scrutiny of the effective implementation feeds back into changes in the policy. It is really about how well the Government is doing what it says it should be doing. I have only been to two meetings—this year has been rather disrupted by a lot of unexpected political events, and therefore the Committee has not met as often as it was scheduled to meet—and so far I have personally seen seven cases. Baroness Coussins has, of course, been on it longer than I have, and has seen a few more.

Baroness Coussins: The Committee has met only five times since it was established, and we have been through three Armed Forces Ministers in that time. At each meeting we have looked at three, four or five cases, and at the last two meetings Lord Stirrup and the Bishop of Colchester joined me as independent members of the Committee.

Q42 **Mr Francois:** Do you feel that you have a sufficient appreciation of the security situation on the ground in Afghanistan today?

Baroness Coussins: We are given an update on the security situation in Afghanistan as a standing agenda item at each meeting. One of my standing questions is always: does the changing security situation have any effect on our ability to continue recruiting interpreters? To date we have been told that there is no problem—there are still plenty of people coming forward to meet our needs in that regard.

Q43 **Chair:** One of the differences with the Iraqi scheme is that the Afghanistan scheme is divided into intimidation cases and redundancy cases. So far, our understanding is that there has not been a single case

of someone who has been resettled in the UK under the intimidation scheme, but over 380 former local staff and their families have relocated to the UK under the redundancy scheme. To what extent do you think that people who wish to relocate because they fear reprisals against them have been steered towards the redundancy scheme as an easier way of relocating, rather than making the case on intimidation grounds per se?

Baroness Coussins: The ex gratia redundancy scheme has criteria that are very specifically and narrowly drawn in terms of dates of employment and length of employment. About 1,200 qualify for the redundancy scheme but only half of them, approximately, qualify for the resettlement option because it applies only to frontline workers who have been working for 12 months in Helmand. As you say, at the last count, which I received in a written answer just over a week ago, 380 LECs and 620 of their family members are currently here, and there are, at the last count, 17 UK local authorities that are participating in the relocation scheme to help settle them and give advice on benefits and other entitlements when they get here.

Q44 **Chair:** But would you say that a lot of people who probably want to come because they fear intimidation and reprisals—as we said, quite a lot of people have come, more than 1,000 altogether, if you count the families—have come under the redundancy scheme, which therefore artificially suggests there is little reason to fear intimidation, whereas in reality a lot of the people who are coming under the redundancy scheme are doing it precisely because they fear being intimidated and facing reprisals? Is that a reasonable analysis? As it is, the way in which so few people are coming forward under the intimidation scheme suggests that there cannot be very much intimidation to be worried about, and that might be misleading, might it not?

Lord Stirrup: I think it would be pure speculation to suggest that they had been steered that way or had steered themselves that way. Although still speculative but perhaps on a sounder basis of logic, it would be very odd if quite a number of those who relocated under the redundancy scheme had not been subject to intimidation already or would have been subsequently had they not relocated.

Q45 **Chair:** Do you have any idea why we did not just have a unified scheme? The effect of this, as I say, is that we are getting a bad image for the country in terms of its looking as if we are not accepting people who fear intimidation when in reality we are accepting quite a lot of people from Afghanistan who helped us but under a different scheme.

Lord Stirrup: I could not answer for the Government's thinking on separate schemes but, given the fact that one of the schemes is a redundancy scheme, you would need something else anyway because people who had already left were clearly not eligible for redundancy but still may well have been subject to intimidation. So the redundancy scheme, as drawn up, by itself would not have been sufficient.

Baroness Coussins: As I understand it, the two schemes that exist arose as a result of discussions between our Government and the Afghan

Government, based on an understanding or an agreement that we should not operate what would effectively be a brain drain and attract what would be regarded as too many educated professionals out of the country at just the time when it needed people like that to rebuild itself. So I suppose it comes down, politically, to how reasonable you think that agreement was. Because of that understanding, it is only "in extreme cases" that the intimidation policy would agree relocation as an outcome to a claim of intimidation.

Q46 **Johnny Mercer:** Lord Stirrup, for how long were you Chief of Defence Staff until 2010?

Lord Stirrup: Four and a half years.

Q47 **Johnny Mercer:** So this is right during your period. What did you do to help these people? Why did you not sort it out at the time?

Lord Stirrup: First of all, of course, we must bear in mind that up until the end of 2010, which is the period I can answer for, we were not planning to leave Afghanistan.

Q48 **Johnny Mercer:** What, ever?

Lord Stirrup: Not for the long term. At that stage, the UK's policy was to remain committed militarily, as well as financially and politically, to Afghanistan for the long haul. That is what we were telling the Afghans and that is what we were telling the Pakistanis. At that stage, there was no requirement for a redundancy scheme. Frankly, there was no requirement for an intimidation scheme either, because these people were still working for us and still under the protection of British forces. In terms of relocation, intimidation and redundancy, that was all post-2010.

What I would say is that we had not done enough thinking about locally employed civilians, the context in which they were employed and the long term for them in general. I listened with interest to your previous witnesses, one of whom suggested that some scheme should be thought up in advance. I think that is impractical, because you heard from your other witness the evolutionary process that we went through in hiring these civilians. There was no set plan in advance; as I suspect all members of this Committee know, no plan survives contact with the enemy anyway. What we do need is a much more coherent locally employed civilian element within our overall command structure that pays attention and is responsive to them and their needs as they evolve and develop, and as the campaign evolves and develops. The notion of having a grand plan at the outset simply will not work, but having a part of the organisation that responds to circumstances and develops responses to those evolutions coherently is extremely important.

As for the MoD's future plans for locally employed civilians, I am straying a little into hearsay but I understand that the intent is for them to be employed at arm's length—in other words, to have a contractor who is responsible for hiring them. There are advantages to that, but there are also disadvantages. If we think that by employing them at arm's length we

are removing ourselves from the moral obligation to them, I am afraid we have got it wrong. The reputational risk will still be ours. I would want to probe that in some detail.

Q49 **Johnny Mercer:** In your experience—you have clearly got heavily involved in this since, and you have an oversight into it now—where do you think the point of failure is? We have the great British public, we have politicians in this place trying to do the right thing and we have a clear moral responsibility to these people. Why is it not happening?

Lord Stirrup: My own view, and it is obviously just a personal view, is that it is the demarcations between different parts of Government: the Home Office, the Foreign Office and the MoD. We all know how difficult it is to get those elements working together coherently; I think the MoD, the Foreign Office and to some extent DFID have started to tackle some of those problems in recent years, but with the Home Office it is a different matter. It is a question of getting a coherent, whole-of-Government response that responds to all of the needs. Clearly the Home Office's pressures are very different from those faced by the MoD.

Q50 **Johnny Mercer:** Forgive me, but is that not what the Cabinet Office is for?

Lord Stirrup: Well, you'd have to ask someone from the Cabinet Office about that. Is it what the Cabinet Office should be for? My answer would be yes.

Q51 **Johnny Mercer:** May I ask you the same question, Baroness Coussins? What do you think is the single point of failure? Is it the inability to draw all these things together, or is it a lack of political will to answer this question?

Baroness Coussins: Up to fairly recently, the policies were not being applied as generously or as flexibly as they could be. We do have a good redundancy scheme, and we are the only coalition country that has anything like the intimidation policy.

Q52 **Johnny Mercer:** So it is just about putting it together.

Baroness Coussins: We have the groundwork, which is very good, but I do not think the MoD has been doing a very good job of communicating what it already does, so people have got the wrong end of the stick. For example, there has a been a lot of press coverage saying that we have not let a single interpreter into this country, but clearly they are only talking about the intimidation policy and ignoring the hundreds who have come in under the redundancy scheme. I think the communication of what we are already doing has been poor. In the LEC Assurance Committee, which Lord Stirrup and I now sit on, we have seen an increasingly generous and flexible approach to applying the intimidation policy.

Q53 **Johnny Mercer:** Great, so what you are saying is that they are listening to what you are saying and change is coming about because of the input you are having.

Baroness Coussins: I think so. That Committee is in its very early stages. We have not met very often. Lord Stirrup and I are currently taking advice from the National Audit Office on what an acceptable level of scrutiny should look like and how many cases we should be looking at to make our role credible.

Q54 **Johnny Mercer:** Do you have an example of policy change directly in response to the concerns you have raised?

Baroness Coussins: Yes; for example, we have requested clarification of wording in the operational guidance. In one or two cases there was a mismatch in the wording. One document said that they needed to prove a "direct link" with their employment with UK Forces and another said it should be a "clear result of"—things like that.

Q55 **Johnny Mercer:** Great; so it is working. Do you think there was a lack of oversight before that Committee was set up?

Baroness Coussins: I am not sure. They did commission an independent barrister to scrutinise a sample of cases before we were set up.

Q56 **Johnny Mercer:** Lord Stirrup, do you think there was a lack of oversight before that Committee was set up?

Lord Stirrup: I think there was no external oversight before it was set up. They sought independent advice on a variety of issues, but that Committee was the first bit of external oversight. But I would re-emphasise what Baroness Coussins has just said. We have not seen a statistically significant sample yet, so we have more work to do. Within the small sample that I have seen, I would say that the Government's policy—we can talk about policy separately—is being applied effectively. One encouraging sign is that in one case that I have seen, the evidence—not just written evidence, evidence from the family—is, to use a technical term, a bit iffy. But the MOD erred on the side of generosity, rather than suspicion, which is exactly what we would wish them to do.

Johnny Mercer: That is very helpful; thank you very much.

Q57 **Graham P. Jones:** To Baroness Coussins: not a single person has been relocated in the UK under the current intimidation scheme. Are the assessment criteria appropriate?

Baroness Coussins: As I said earlier, the policy is that in extreme cases, relocation should be offered. It is not our job on that Committee to comment on the policy, just to comment on whether it is being applied effectively. But if you ask me personally, I think perhaps there might be more room for manoeuvre in the definition of extreme cases, but that comes down to agreement between the Afghan and UK Governments on whether or not we should be encouraging a brain drain.

Q58 **Graham P. Jones:** It would appear that not one single person has been classified as an extreme case, if none have been relocated. You run a traffic light system: green, amber, red. How is that working and is it a sufficiently nuanced assessment of risk in helping people to relocate or

certainly get them in a system where they are considered?

Baroness Coussins: Certainly, on the cases that we have looked at so far, we have agreed that the outcome was appropriate in each case but, as Lord Stirrup said, we have seen very few cases so far. I don't think we can say hand on heart yet that the policy is being effectively applied across the board, only that it is being effectively applied in the very small number of cases we have seen so far.

Q59 **Graham P. Jones:** To Lord Stirrup: how does the way Afghan LECs have been supported compare to how their counterparts were treated during the Iraq war?

Lord Stirrup: There are different terms for the Iraqis and for the Afghans, so they are separate schemes and there are differences between them. The question of whether there should be differences between them is a matter of a court case at the moment, which I would not wish to comment on.

Q60 **Graham P. Jones:** So were the lessons from Iraq properly implemented in Afghanistan?

Lord Stirrup: I would have to say no. I would have to say that we did not think hard enough and long enough, as I answered in reply to an earlier question, about how we monitored and responded to the circumstances of our locally employed civilians in Afghanistan.

Q61 **Graham P. Jones:** Why is it that you think that none have been relocated to the UK under the intimidation scheme?

Lord Stirrup: The reason none have been relocated is because none have met the criteria.

Q62 **Graham P. Jones:** I understand that, but do you think there is an issue with the criteria?

Lord Stirrup: I go back to the answer that Baroness Coussins gave. I personally would wish to be much more sympathetic to people who want to come to the UK who worked for us in Afghanistan, but there is a policy agreement between the UK Government and the Government of Afghanistan that we would only relocate them if it is considered that the risk to their security cannot be countered in any other way. So far, the evidence is that the risks to their security are able to be countered by relocation within Afghanistan. Of course, as your previous witnesses pointed out, there are a lot of difficult consequences of that relocation in Afghanistan, although there are difficult consequences of relocation in the UK as well. Those are wider questions but they come back to the fundamental policy agreement between the two Governments.

Q63 **Chair:** Do we know how many former LECs have been killed or otherwise attacked in Afghanistan?

Baroness Coussins: I don't think we do.

Lord Stirrup: I have asked the question and no clear evidence is available to us on any numbers.

Q64 **Chair:** The *Daily Mail* supplied a fairly detailed dossier that dealt with a small number of cases, and it seemed quite convincing that people had died under these circumstances. If I remember correctly, there was at least one case of someone who had committed suicide while waiting, having been refused admission. How does that sit with an enlightened policy? On the question of the brain drain, is there not something a bit unsettling about the idea of saying to someone who has risked their life serving alongside UK Forces—and with interpreters, Lord Stirrup, what you said has to be right: no matter how you choose to employ them indirectly, they will be cheek by jowl with our soldiers on the frontline—"Well, your brain is too valuable to the country, so even though your life and safety may be at risk, we think it is in Afghanistan's interests for you to stay, even though you want to leave"? Is not that situation really worrying? How do you feel about that?

Lord Stirrup: I agree with the sentiment behind your question, although it is not the case under the existing policy that they have to stay even though their security could be at risk. If the judgment was that their security would still be at risk even if they are relocated in Afghanistan, they would be eligible for relocation in the UK, but your broader question is entirely pertinent.

Baroness Coussins: I agree with you. If somebody has been living in fear and going to great lengths not to draw attention to themselves, they are hardly likely to be the sort of person who wants to step up into a prominent, public, professional role to help to build the new Afghanistan. I think there is a case for loosening up the policy a bit, because if people are prepared to look at illegal immigration and put themselves in the hands of traffickers to get here, they are not likely to be the people who will build a new country and want that level of public prominence. Perhaps it is ultimately down to the politics of that agreement between the two Governments, and that perhaps needs to be reconsidered.

Q65 **Chair:** Coming back to my earlier point about the two schemes, I know that this is a speculative issue for you to pronounce upon, but do you think that most of the people who would likely feel intimidated or at risk of reprisal would have qualified under the terms of the redundancy scheme and therefore would have come by that route?

Baroness Coussins: I don't know that we know that.

Lord Stirrup: I really don't know the answer to that question, but I can make a related point. You talked about the two schemes. The problem is that one is intimidation and one is redundancy, and they are both pretty narrow. The real questions we have to ask ourselves are not just how we should pay the people we employ in these situations—we do pay them generously, as your previous witness indicated—but what challenges will they face in reintegrating into their own society in future, and what sort of financial compensation do we attach to that? Part of the problem for the people who left before 2012 is of course that they don't qualify for the ex-

gratia redundancy payment—quite naturally, because they were not made redundant. However, that does not address their issue, so I think there is a much wider question to be asked here about the long-term reintegration of locally employed civilians within their societies and what that means in terms of financial reward or relocation.

Q66 **Mrs Moon:** Have you looked at the schemes operated by other countries, and are there lessons we could learn from those?

Baroness Coussins: There has been a lot of misleading publicity suggesting that the UK scheme is much inferior to those of other NATO countries, but I actually do not think that that is true. It is very difficult to exactly compare like with like, because the elements of different countries' schemes are so different, but under our ex-gratia redundancy scheme, for example, LECs with 12 months' frontline service qualify for relocation here without having to meet any asylum criteria, which are necessary for most other NATO-nation schemes.

Neither is it true, as I have seen alleged in various places, that the US and German schemes are more generous than ours. Our redundancy relocation option doesn't require an LEC to prove that they are at risk, whereas other NATO countries' policies are largely based on asylum criteria. It is very difficult to compare like with like exactly, but in general, broad terms, our schemes, although not flawless, are among the most generous of all those on offer.

Q67 **Mrs Moon:** We heard from a previous witness that individuals sometimes did not have a single employment record. They might have worked for one nation, faced intimidation and perhaps gone somewhere else and worked for a third sector organisation—UNICEF or Save the Children—and then perhaps worked for another nation. Have you seen that causing problems for people applying for the UK scheme, where they have, for part of their time, worked as interpreters for other organisations?

Baroness Coussins: I don't think that element has yet cropped up in any of the cases that we have examined on the LEC Assurance Committee.

Lord Stirrup: No. I have not seen it, but we have seen a very small sample.

Q68 **Mrs Moon:** I've come across a case in which an individual who worked for the British as an interpreter was helped to get into America by marines who worked alongside the British, but has then faced problems being accepted under the American scheme. It would appear the only way for him to get on to the British scheme now would be to go back to Kabul, which would place him at extreme levels of risk. Does there need to be a degree of flexibility in recognising the difficulties that some individuals face in, effectively, saving their own lives?

Baroness Coussins: Yes.

Mrs Moon: Thank you.

Q69 **Gavin Robinson:** Could I follow up on that? Mrs Moon asked if you have

seen a case that involves somebody who has a varied work record. You indicated no, and that the sample size is only seven thus far. Can you request a thematic sample? Could you, for the next LEC Assurance Committee, say that you would like to look at the theme of work records and the variance in those, and see samples that relate particularly to those experiences? Is that within your purview? Is it something that you may do?

Baroness Coussins: Yes. That is a very good example of what we can do. Thank you for that suggestion.

Lord Stirrup: We have said, for instance, that we want to look at cases in which the initial assessment was different from the final assessment—particularly where the final assessment was of a higher risk than the initial assessment—and to judge why that was. I think it is important to say that we may debate the policy, but my experience on the committee so far is that there are quite a large number of people working very hard and very earnestly to apply the policy correctly. It may not be the right policy, but they are working hard, and I think we should recognise their efforts.

Chair: Thank you. One outcome of these hearings has been perhaps to advertise the fact that rather more people are coming to this country from Afghanistan, albeit under a redundancy scheme rather than an intimidation scheme. Unless either of you have any final observations you would like to make, it just remains for me to thank you both very much indeed, both for testifying today and for undertaking the work you have undertaken on the Committee concerned.