

Public Administration and Constitutional Affairs Committee

Oral evidence: The Role of Parliament in the UK Constitution: Authorising the Use of Military Force, HC 1891

Tuesday 26 March 2019

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Members present: Sir Bernard Jenkin (Chair); Ronnie Cowan; Kelvin Hopkins; Dr Rupa Huq; Mr David Jones; Eleanor Smith.

Questions 132 - 176

Witnesses

I: General Sir Richard Barrons, former Commander Joint Forces Command; Air Chief Marshal Sir Glenn Torpy, Chief of the Air Staff from 2006 to 2009; and Admiral The Rt Hon. The Lord West of Spithead, First Sea Lord and Chief of the Naval Staff from 2002 to 2006.

Examination of witnesses

Witnesses: General Sir Richard Barrons, Air Chief Marshal Sir Glenn Torpy and Lord West of Spithead.

Q132 **Chair:** Can I welcome our panel of witnesses to this session on the authorisation of military force? Could I ask each of you to identify yourself for the record, please?

Air Chief Marshal Sir Glenn Torpy: Air Chief Marshal Sir Glenn Torpy. I was Chief of the Air Staff from 2006 to 2009.

Lord West of Spithead: Admiral Lord West. I was Chief of the Naval Staff, First Sea Lord from 2002 to 2006 and Minister for Security and Counter-Terrorism from 2007 to 2010.

General Sir Richard Barrons: General Sir Richard Barrons. I was Commander, Joint Forces Command 2013 to 2016.

Q133 **Chair:** We are very grateful for you being with us today and we will ask our questions as crisply as we can. If you can avoid extemporising at too



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much length, otherwise I may have to pull you up, because otherwise we will run out of time and we will not get through questions.

Can I first by asking how, in your experience, our decisions to use military force are taken? How are these decisions made?

Air Chief Marshal Sir Glenn Torpy: I am quite happy to kick off. I think some of your previous witnesses have pretty clearly articulated the process that has emerged, particularly since 2003. In terms of how on the military front we receive that sort of guidance, clearly when a strategic situation arises where the UK feels that they may have to involve military operations, there is a very comprehensive dialogue within Government and with the Ministry of Defence as to what those options could be. The CDS represents the Ministry of Defence on the military side and he is the Prime Minister and the Government's military adviser. The legal advice that we receive is through the Attorney General and we obviously have our own MoD lawyers as well. That is the process that we use.

Since 2003, clearly there has been a debate as to the role of Parliament in that decision-making of authorising military force. It was clearly used in 2003 by the intervention into Iraq and gaining approval for that. The Cabinet Manual was amended clearly to reflect the Government's feeling that Parliament should have a role in that, although if you look through the various campaigns, it was only in 2013 with the Syrian operation that there was a debate and a vote on whether military action should be taken. So while there appears to have been a convention since 2003, the degree to which that has been recognised or implemented has only since 2013 been enacted.

Chair: Anything to add to that?

General Sir Richard Barrons: Yes, please. My experience is that this has always been a discussion within the Executive between officials and the Government of the day, with a major part played by allies. The discussion about how you put this to Parliament and to the people is subsequent to a discussion within the Executive and at official level, but we should recognise that all these discussions have been about discretionary interventions, where you are going to do something to somebody else as an away match. They have not been cast in the traditional historical context of war as a matter of existential necessity and we should not lose sight of that.

Lord West of Spithead: I would just add that we have not declared war in the old sense of war for a very long time, because conflicts and things have changed. Even in the case of the Argentinian invasion, we did not declare war, even though they had invaded British territory, because that would have meant that effectively we were saying, "We want to defeat the nation of Argentine" and that was not where we were going.



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What I would say, and we have had it clearly explained by Air Chief Marshal Torpy, are the mechanics of how we should go down ... *[Interruption.]* I am terribly sorry, I will turn it off.

Chair: I will have to put you on a charge.

Lord West of Spithead: Sorry, it is one of my children saying what should they do for Mother's Day, which is really serious stuff. All right, I will kill that.

In the case of the invasion of Iraq, I think it is interesting. Although there is the mechanics of how this should be done, I was told as Commander-in-Chief in June, after a Camp David meeting, that we would be invading Iraq with America in the beginning of the following year. I therefore sent a message to my fleet in the Royal Marines to be ready for war in the Northern Gulf by 31 December. I have that signal that I sent to them. I sailed an MCM force to go out there to be ready in time. I then became First Sea Lord by the end of August, because there was a rapid change. I came into the MoD and I was amazed to find that people were walking back and saying, "Actually, we are not sure if we are going to" and it was quite clear the Government were thinking, "We have to get Parliament and others onside".

I did not change what was happening in the Navy because I thought, "If they do suddenly want to go to war, we need to have all the right kit and everything, so we will let it trundle on" but what was interesting was then as it developed there was all this stuff on WMD and everything. It did seem to me that people were looking at a casus belli that they could discuss in Parliament, which is not of course the mechanics that were meant to be used. I found that slightly interesting, and of course it was because of that from then on it has been assumed one will talk to Parliament before one uses military force. Before that, that had not been the case.

Q134 **Chair:** So there is a disaggregation of timetables?

Lord West of Spithead: Yes.

Chair: That in order to be ready to take military action that it needs—

Lord West of Spithead: If you want to do it on any large scale, you have to get—for example, I had done that with the Navy. Mike Jackson had not done that with the Army. When the Army then wanted to get all the right kit and things it found it very difficult, because the Government would not let them go out and put those orders out, because there had been no decision that anything was going to happen, although effectively I think there had been a decision, but that is a different issue. Chilcot looked into all of that, but that was my perspective of it.

Q135 **Chair:** How do you think the personality of the Prime Minister affects this?



Lord West of Spithead: I think that has a considerable impact. For example, if you look at the Falklands War, the MoD Central Staff and the Secretary of State for Defence and others effectively were telling the Prime Minister, Margaret Thatcher, that it was impossible militarily to do anything, which is not the answer she wanted. When Admiral Henry Leach suddenly appeared at Parliament in his uniform and said, "Look, Prime Minister, we could sail a task group. I can sail it in four days and we are able to retake these islands" she grasped at that. I think if she had not been the type of person she was, they would not have grasped it and they would have said, "No, no, it is all too difficult, we cannot do anything" even though it was an invasion of British territory.

Q136 **Chair:** But in terms of how the Prime Minister wants to engage with different parts of the firmament other than the military bit of it, how do you think different Prime Ministers have behaved?

General Sir Richard Barrons: If I may, I think the things that matter here are how secure the Prime Minister of the day feels in terms of their majority in the House. First, is it something that they have to work on or not? Secondly, it is how they see their place in the international arena, particularly with the United States, and thirdly, their own sense of themselves. My experience has been that a Prime Minister who is ambitious about going to war if they feel it is the right thing to do will take the lead with the Ministry of Defence and the Foreign Office, who will follow.

Air Chief Marshal Sir Glenn Torpy: I think there is another dimension as well and that is the character of government that the Prime Minister generates, the degree to which that is consensual, all-inclusive, the Cabinet is all behind the Prime Minister, rather than potentially you could get one extreme where you have a Prime Minister, a very forceful Prime Minister, that works more in isolation. In terms of legitimacy of an operation, then having a cohesive Cabinet that is united and demonstrably united I think is important. I do think the character of the Prime Minister dictates to a large degree the character of the Government as well.

Q137 **Mr David Jones:** Good morning. Could you tell us from the point of view of the armed forces, what are the key considerations when a decision is being taken to deploy military force?

Lord West of Spithead: Shall I kick off? I think the first thing—and Colin Powell talked about this, didn't he, in America—you need to have a very clear objective of what you expect the military forces to achieve. It needs to be something that is achievable. Going back to the General's point, that is if it is a war of choice. Clearly if you have been attacked, even though you might not think what you are trying to do is achievable, you have to fight to protect your nation and your people, so that is slightly different. But in the wars of choice, I think you have to be sure: what is it that the politicians wish the military to do? I am afraid I think there have been quite a few occasions where they have not been at all



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clear with that. Is it something that is achievable by the military, bearing in mind they will have to be given the resources to achieve that? I think that is the most important.

There is the issue then I suppose of legality, which is important. Again, in the case of invasion of Iraq, we had advice given by the Attorney General. As Chief of the Navy and Marines, because I had seen how much was flowing around about this, I wanted to be absolutely certain that advice was correct and I went and took separate legal advice, whether it was correct or not. That is an important issue. I suppose one wants to think that Cabinet, Parliament and the nation, and even more importantly, the people in the nation are behind you.

Mr David Jones: What would have been your response—forgive me.

Air Chief Marshal Sir Glenn Torpy: Could I just add to that? I do think there is an important other aspect to this, and that is having the time and having decisions taken in an appropriate timescale to allow the military to prepare and deploy. I think the Iraq decision-making demonstrated how that can produce real tensions for the military and potentially compromise the success of the operation as well. If you do have a protracted decision-making process, then it can undermine the ability to generate the forces and then deploy them. That is exactly what happened in Iraq. We found ourselves with a very compressed timescale to deploy the force and prepare the force, which inevitably meant that you were not postured as well as you possibly would have liked.

There is another aspect and that is the impacts when you are operating in a coalition—in general, we will be operating in a coalition—and the way that a protracted and potentially uncertain debate can undermine trust in coalition partners. Again, Iraq is a very good example, where the US, because they were uncertain of the UK's position in the final outcome, had to effectively develop a separate plan that did not have UK forces involved. There it is much more complicated than some people may appreciate.

Q138 **Eleanor Smith:** That was the question I was going to ask in regards to how does that affect working with your other partners, like the coalition, like the US, like other partners in Iraq?

General Sir Richard Barrons: To run the two questions together, the thing is it is nice to know before you start what is the objective and who you are going to go to war with, because our default setting is with allies and that leads to very interesting questions about who is in charge. Who sets the operational plan and what part do you agree to play in it? There is a military dimension to that and then there is a political dimension, but reconciling it generally takes some time. Generally capitals forget that when you commit to an alliance or a coalition, you are committing to a plan that will be led by somebody else generally, and in recent history, the United States.



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The third question is when you are going to do this, so how long it will take to get ready. The truth is, given the armed forces in their present state and indeed the conditions that applied in 2002, about a year if you are going to fight a solid near-peer enemy.

The final question is what happens when we have done this. I think recent history shows that we have not been transparent on the question of objectives, because if we were, we would never start. Every operation I deployed on, at the start I was promised that we would be done in three to six months, so strictly six months in Bosnia and we finished 14 years later; strictly 90 days in Afghanistan and we are still there in some form. It may be just too difficult to have that debate at the start because it would be too daunting. What then: a net fail in Libya, a big question now about Afghanistan and likely to be a net fail in Syria now over the Syrian Kurds, for example. This is a complicated set of questions, some of which you cannot answer until you have started.

Lord West of Spithead: This goes back to my point about a clear objective. Let's go back to the Iraq one, for example. I was at a Chiefs of Staff meeting where I asked the question—it was twice Prime Minister Blair came and talked to us—"What is phase 4?" Phase 4 at that stage was what happened when we won. There was no doubt that with the Americans we were going to beat the Iraqis, there is absolutely no doubt about it. Similarly, a lot of these other operations. In the initial fight, of course we can do that. We, with the Americans, are amazingly powerful. But I was told at that meeting, "Phase 4, the Americans have this all in hand" which was not really good enough, because we did ask the Chiefs, "What exactly does that mean?" We were never told and of course it was not in hand. This then developed and developed and became something totally different.

Similarly in Afghanistan, when we went into Afghanistan—and I supported that, I think it was the right thing to do—we were going in there to destroy al-Qaeda and to dismantle all of the training camps, which were there on a huge scale, and to stop the laboratories that were there on a huge scale. We did that in three months, but then of course we stayed there, then we went and invaded Iraq, then we came back to Afghanistan and went down into the Helmand. Our aim became very diffuse. Were we losing soldiers to ensure that they could send women to school there? Were we losing soldiers to eradicate the poppy production? There was not a clear objective and that a real problem.

Chair: I will just let David finish.

Q139 **Mr David Jones:** Lord West, if I could, you mentioned the issue of legality and your keenness to see the legal advice that had been obtained. What would your action have been had you been dissatisfied with the legal advice that you had seen?

Lord West of Spithead: First of all, I would have mentioned it to CDS, of course, and CDS did ask for legal advice and that came from the



Attorney General. But I think I would have gone and said, "Look, I still do not believe this legal advice is sound" and I would have explained why. If he had not been able to do anything, I would have used my right as a Chief to go and see the Prime Minister and say, "I do not believe this is legal". If the Prime Minister had still said, "We are going on" I think I would have had to resign.

Mr David Jones: Thank you, that is very clear.

Chair: That slightly trespasses on Rupa's question.

Q140 **Dr Rupa Huq:** Yes, I think you have trespassed all over it. I was going to ask you about the evidence that Lords Guthrie, Stirrup and Bramall had given to the House of Lords Constitutional Committee, and precisely mission creep is one of the things they expressed concerns about. They said there are three things needed before any decision to deploy military force: a clear objective that does not overgrow, which you were alluding to, that it is legal and also that there is public and parliamentary support. That one we have not touched on so much. I just wondered what you would say the three things should be. Do you agree with those three?

Lord West of Spithead: Those are three that I said I agree with, and I think in that priority. The most important, I believe, is a very clear objective and a clear understanding of what they expect the military to achieve.

Q141 **Dr Rupa Huq:** It should be deliverable and realistic.

Lord West of Spithead: Absolutely. As the General says, the difficulty is—and this is something politicians do not understand—particularly if you embark on big military operations, certainly a war, you lose control. Things start happening that you cannot control. I think some politicians think we can keep a very tight control of this. That becomes very difficult, particularly in coalition operations with another country effectively running it and things then run away with you, so you have to be really careful when you embark on this.

General Sir Richard Barrons: If I may, one of the challenges for the legal argument in the world we live in is the problem of evidence. We saw a little bit of this with the discussion in 2003 about Iraqi weapons of mass destruction, but we now live in a world where serious harm could be done to the United Kingdom through cyber agents or proxies. You know that has happened, but pointing to evidence to a legal standard about who did it will be much harder to do than pointing to the intelligence that tells you who did it, which you may not be willing to reveal. I think these legal arguments are going to get more and more challenging.

From the perspective of the armed forces, if you are going to war, subject to the law of armed conflict, you are looking for the legal basis for that war, but how you get there may require quite a convoluted legal discussion. I think that once you have been committed to an operation then we should always recognise that war has a dynamic of its own, you



turn up and you shape events. The situation as you understand it when it starts is almost never the situation when you have arrived and changed it and understand it better. We need to allow for that discussion to evolve in Parliament and elsewhere.

Lord West of Spithead: I am reading some notes I have scribbled. I said, "The legality issue is like dancing on the head of a pin and slightly grey" but I said, "What is crucial is that our people, the military, feel they have the full support of Government, politicians and our nation and that the actions they are carrying out in good faith are protected". For example, the recent Iraqi investigations, I think that was shameful. I have to say, this latest—I cannot talk about individuals, but this Northern Ireland thing—again is shameful. That has a real impact on the military.

If we embark on operations and if we are being used in good faith on them, the military have to feel that they will be supported by the nation, Government and Parliament through those actions. Clearly not if they carried out something against the Geneva Convention, but I mean in a general sense.

Chair: I just want to alert you to the sub judice rule. You may have strayed a little far, but no names were mentioned.

Q142 **Dr Rupa Huq:** How do you gauge public opinion for these purposes? If there are 1 million people marching through the streets, as there were on Saturday, for a people's vote, is that the kind of thing that can just be ignored? We have heard over the weekend that in France it is the other way around. If there were 1 million people, the fuel policy would change overnight.

Lord West of Spithead: It is a very difficult one because who are the silent majority? I have no doubt, for example, that in the CND days we could get huge numbers on the streets, but I am absolutely certain the nation overall felt we should keep the deterrent, and you could see that in some of the political debates and what happened to the Labour Party when it decided not to and all these sorts of things. It is quite difficult gauging it by just one march; it has to be more than that. But I think generally one can get a flavour. The military are part of society. They get a good flavour of all these things. That flavour comes and you get a good feel for all those things. I think we do. For example, in the Falklands, I think there was no doubt whatsoever that the vast majority of the people in this country supported our people there. I think when it came to Iraq, it was a little bit more tricky.

General Sir Richard Barrons: I think this paradigm has significantly changed and public opinion is now more readily read through social media, through the tracking of sentiment at scale, as we live in a world where tens of millions of people can have a view they have expressed, inexpertly or otherwise, through social media.



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The second thing we have learnt is that the opinion that tends to swirl around the Whitehall village, and indeed metropolitan London, is not reflected easily necessarily in the rest of the country. There have been recent examples where because people here felt that everyone in the village pointed in the same direction, they assumed the rest of the country was pointing in the same direction and it clearly was not. I think we need to recognise that no Government controls the narrative now and the battle for the narrative is conducted in social media and Governments are generally inexperienced at that so far.

Q143 Dr Rupa Huq: Our next session is on statistics. What about scientifically conducted surveys and polling and all that?

General Sir Richard Barrons: There are now ways—and it was seen very clearly in a recent election—of calibrating opinion through the marking of trends in social media, which gives you a very accurate sense of what people are talking about and how they feel about it. I think that is eclipsing some of the original forms of polling that we were using.

Q144 Chair: On this question of public opinion, there are two questions. One is if it is not sufficiently explained what the consequences of, for example, invading Iraq is, then there might be support for the invasion and getting rid of Saddam Hussein, but there certainly was not support for staying there a long time and trying to manage an impossible situation. What is the answer to that question in terms of what advice you give to Parliament and to Ministers?

Lord West of Spithead: I do not think there is an easy answer to that, but what I would say is there is the other factor and you have almost touched on it. There is a coming together generally of our people when suddenly our military are in harm's way. Even those who possibly thought, "This is not quite the right thing", when you are involved in the hard fighting there is generally a flavour of, "We support our men and women". When that stops, then they have a think about it. In Iraq we saw basically it became more and more—and the same was true in Afghanistan later on, after the initial invasion. That is extremely difficult then.

The General is right about social media. I do wonder how much impact it has on the average soldier, sailor or Marine who is involved in an operation. I do not think he has time to worry too much about that. I think he gets on with his job and does it. Similarly, I have to say I do not think the average soldier, sailor or airman, when he is on operations, fusses himself that much about Parliament's view of it, to be quite honest. Senior officers do, but not the average squaddie.

Air Chief Marshal Sir Glenn Torpy: Can I just add to that? First of all, on the point about gauging public support, I agree with General Barrons. I think there are means now of doing it from a more scientific way than we have done it in the past. Polling of any description is helpful, but you have to be careful how you use it. I do think there is an important aspect,



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which is the Government articulating possibly in a clearer way than it has done in the past what it is trying to achieve and how this is important for the UK. I think one of your other witnesses explained or articulated that the general public is more supportive when they feel under direct threat, so ISIS, they could relate to that. They were less able to relate to Iraq and Afghanistan.

Then I think the Government have to very clearly articulate why the UK feels that this the right thing to do and that comes to down to a large degree on the UK's position in the world. What does the UK's position in the world stand for? Do we feel, as a member of the UN Security Council, that we should do this for political, moral, ethical reasons, that this is a thing that we should be standing up for? I do not think that we have been very good at articulating those sort of arguments in the past.

General Sir Richard Barrons: If I may, I think it is very important that an inquiry such as this does not confine its discussions to the wars of the recent past, where essentially the Government has been in a situation where it has pulled public opinion behind some policy outcome into what we can refer to as a discretionary intervention. It is important that Parliament is able to concede the situations where something has happened and the population at large are mobilised by this and that the "something must be done" spirit is alive and well, expressed through social media, even though the official advice or political advice is the something that you would like to do is either not sensible or unachievable. We will have to think about circumstances where public opinion is pushing the Government to act, even though the Government has reservations, as well as situations where the Government wants to act and has to pull public opinion behind it. The former is historically more normal and the last 30 years, to a degree, are a bit of an aberration.

Lord West of Spithead: That is true, but I think we have to be careful that as the military, yes, it is nice to know that public opinion is behind us or not, but that is not something we should busily be engaging with. Our job is to do what the Government asks us to do. If we start trying to second-guess the Government, then it is a very slippery slope.

Air Chief Marshal Sir Glenn Torpy: Could I just follow up on a number of points that Lord West made earlier? That is the view of the troops and the impact. I know you may come on to it later, but their view of the legitimacy of an operation, I agree to a large degree that they do not take great account of what Parliament says. They do want the support of the general public. I went through exactly this during the Second Gulf War, when there was disquiet among some of our people because of the public debate that was going on and the political debate that was going on. Did it have an impact on the way they executed their job? No. Most military people are fairly cynical about politicians and the media, if I am brutally honest, so they do as they are told, provided they feel that the underpinning rationale and legality is correct. They then very much do



the job to the best of their ability because of the organisation that we are and the way they ultimately feel and they are not going to let down the organisation or their mates.

Q145 **Chair:** I am just going to chip in with one extra thought before we come to Mr Cowan. I do remember Admiral Sir Mike Boyce, as he then was, Chief of the Defence Staff, warning that the armed forces were stretched already. This was before we had gone into Helmand or Afghanistan or Iraq and he then made a speech where he asked the question, "Should we put our hand into the mangle of Afghanistan?" There is a wide perception that that shortened his career. Is it the job of your people in the military to speak truth unto power, in public, if necessary?

Lord West of Spithead: Absolutely, if necessary. Generally we have to be supportive of the Government that is in power at that time. It is wrong to go out talking about, "This little bit of money here, there should be more spent on this" but I think you should speak truth to power. One of the problems with removing—and it was done by Margaret Thatcher—what was I think badly termed "Buggins' turn" as the Chief of Defence Staff, in other words, it was not rotating through the services and each service always tried to put their best person there, but selecting someone meant that the CDS post has become more political. That is not a good thing, because I think politicians and Governments need military people who do speak truth to power.

General Sir Richard Barrons: There is an important distinction here. There is a discussion, which is the job of Ministers, particularly in national security, about what should or should not be done. That is a policy question and the military voice in that is often not welcome and I think rightly so.

There is a second question, which is what can be done. Where I think we have a duty to be unequivocally clear is where we are asked to do something that we know we cannot do without failing, with unacceptable cost. There I think we absolutely would not be in a position where we are somehow gagged when we know we are about to commit to something we are not capable of doing.

Lord West of Spithead: That is what Admiral Boyce did and Afghanistan did expand and expand and expand. Another example is Libya, where the *raison d'être* of stopping genocide in Benghazi was a sound sort of reason, but people had not thought through the implication of what then followed and what was being done and everything else.

Q146 **Ronnie Cowan:** Before I go on to my questions, just to pick up on some of the points we have made here already. My experience in this place is that when we talk about military action, there is this sort of feeling that we have to support the troops because if we do it in a weak way, then it is like we are sending men and women into a warzone half-heartedly and nobody wants to go into wars half-heartedly. The support appears to be there, it can win pretty quickly on public opinion and I think that does



matter, not so much when people are in the conflict, but when they come back from the conflict. It was shown massively in Vietnam with the Americans. All those guys, 200,000 conscripts, did not come back to a hero's welcome. These people were scarred for the rest of their lives. It is beyond saying, "Yes, we should go into this conflict and the public may or not support that" but I think if the public does not support it, there is a terrible effect on the people who served when they come back from that conflict. Agree?

Lord West of Spithead: I certainly agree with that, that is true.

Ronnie Cowan: We have suffered from that.

Lord West of Spithead: But as I said, there is a tendency—and it is correct and I am glad we have it—when our boys and girls are doing the fighting, the nation as well as Parliament are supportive. Even though there might be people who are saying, "Why on earth Libya?" I think there just is, but that of course changes. Of course it is important: if people feel that what was going on is so wrong and they treat returning servicemen badly, that is dreadful, obviously.

Q147 **Ronnie Cowan:** When there is a threat, we support them. When we are burning poppy fields, we are thinking, "Why are we doing this to poor farmers in Afghanistan?"

Lord West of Spithead: That was my point. We lost our way, didn't we? We lost our way as to what the aim was. People were very happy that we were there destroying al-Qaeda. The very size of those training camps where they were training people to come and attack us, I was amazed, as Commander-in-Chief, when I went into Afghanistan to see the scale of them. We stopped all that, but then we lost our way, I think.

Q148 **Ronnie Cowan:** At that point, once we have agreed in terms of a conflict, are the military decisions still being controlled from Parliament or is not up to the military people on the ground to make decisions?

General Sir Richard Barrons: This is an important issue. The armed forces should never been seen as victims. There came a period, certainly in the Afghan campaign, where the armed forces were somehow seen as victims of a situation in which they found themselves and they were not. They were simply going about their business. What became unfortunate was the point in the value of the mission that they were committed to. The situation you have described in Vietnam, where a very large army, conscripted, was committed to an action that the public resented and subsequently came to know they had been lied to about meant that the veterans were essentially shot as messengers.

But there are some complications here. The first thing is sometimes when you start these things, you cannot just decide to stop when you are confronting considerable uncertainty and you have not found a satisfactory way out. Sometimes you are going to do things for a while longer until you work out a decent way out. One of the factors that



amplifies that is you are part of a coalition. If you look at the pattern of withdrawals from Afghanistan, where quite large nations decided, for domestic political reasons, they were going to stop, they left a giant hole in a coalition operation, which reduced the success of those people who remained. There has to be a recognition in Parliament that if you believe in collective security, and we do, that when you commit on that basis, you have to finish on that basis, even if it is difficult. There will be some periods where it is hard charging.

Lord West of Spithead: It goes back to my point, that when we embark on particularly large-scale operations in alliances, politicians fool themselves if they think they have control of what is going to happen.

Air Chief Marshal Sir Glenn Torpy: Could I just add that the solution to many of the security situations we find ourselves confronted with are rarely just a military solution? The aftermath of the intervention in Iraq and Afghanistan should have been a cross-government effort and you look more broadly at the international effort. Without every part of Government playing their role properly, then you will never stand a chance of delivering success. People tend to focus on the military contribution because it is a fairly easy contribution to identify with, but Afghanistan involved most Government Departments, to varying degrees, and they all had to contribute in a co-ordinated and integrated manner.

Q149 **Ronnie Cowan:** From the point of view of the armed forces, how do you determine whether a decision to employ military force is legal?

Chair: I think that could be a quick answer because you have answered it already basically, take your own advice.

Lord West of Spithead: I took separate advice because I was not sure, with what was swirling around in Government at that stage, where it seemed to me people were casting around for a casus belli. Although I had great faith in the Attorney General, I wanted to be sure myself.

Q150 **Ronnie Cowan:** What if that legal advice had come back contrary?

Lord West of Spithead: We discussed that, what would have happened, and how I would have had to go through the whole mechanics of the CDS and then the Prime Minister.

General Sir Richard Barrons: The pivot for me is what is the legal advice that has been presented to the National Security Council? If the Attorney General says it is legal, then that suggests to me that the policy decision by the Government is a reasonable one. There is a second dimension, which is the legality of how you then operate in terms of the law of armed conflict, and that is something where you need more specialist military legal advice.

Q151 **Ronnie Cowan:** So you put your absolute faith ultimately on what the Attorney General is going to say? We have seen some pretty dodgy advice.



Lord West of Spithead: I would normally accept that. It is just that in the circumstances at that time, when I had seen what had happened, having been told we were going to, then arriving and finding what was going on, I just wanted to be absolutely certain. Normally I would not have a difficulty with the Attorney General's advice.

Q152 **Chair:** Is there a distinction between legality and legitimacy? Robin Cooke famously made that distinction. He was not concerned about legality, he was concerned about legitimacy.

Air Chief Marshal Sir Glenn Torpy: There is. If you look back at some of the conflicts—I was reading up before coming to this Committee—the intervention into Kosovo was not legal under international law, but NATO felt that it was legitimate to intervene there. I do think there is a difference and judging the legitimacy of an operation is obviously a much more subjective debate than purely looking at the legality of an operation, but I do think there is a difference. Ideally you would like an operation that is both legal and legitimate, but that may not always be the case.

General Sir Richard Barrons: The debate is somewhat diminished now about the right to protect, to promote this argument about the difference between legality and legitimacy. I do not think that was ever entirely resolved, which may be a good thing. There are clearly circumstances where the act would be legal, but it would not be legitimate because it is beyond you and you would fail.

Q153 **Chair:** What additional assurances would you try to seek if it was like Kosovo, not necessarily legal, but there is a sentiment that it is legitimate?

General Sir Richard Barrons: My perspective is where a Government, or more particularly a coalition of Governments, have decided that it is the right thing to do and necessary to act and that is a policy decision, then the instructions they give our armed forces seem to me to be reasonable. The second order question is the way that they then act has to be necessary, proportionate and discriminate and bounded. There is an important debate about not just whether you do something but also how you do something.

General Sir Richard Barrons: I think that is absolutely right.

Lord West of Spithead: The other important thing is that you win, because when you win, it is amazing how often that seems to be legitimate. If you lose, a lot of what you did is not legitimate, because then other people are judging you.

Q154 **Kelvin Hopkins:** We heard in our first evidence session that since 2003 a convention has been established that Parliament is consulted on decisions to authorise military force. What role do you think Parliament should have in these decisions?



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Lord West of Spithead: I am not at all sure that it is the best thing, that before a decision is made to deploy military force that Parliament does debate it. There are lots of circumstances where that is a real problem, if that happens, some of which has been addressed already. I do think it is important that shortly afterwards Parliament debates and particularly post-hoc, looking at the basis for Government decisions and things like that. But I am not at all sure it is the best thing, and particularly it is difficult now in terms of the debate itself can breed uncertainty in the minds of some of the military.

We have now gone to this hybrid warfare. It is clearly not appropriate, I do not believe, for nuclear response, although there are some issues now where we have gone for possible first use occasionally, but that is a different subject entirely, I imagine. The whole issue of cyber, where speed is very much the essence, and a really major impact can be caused and you have to drive down to someone quite junior in ability to respond to certain types of attack in this sort of thing. There are a whole raft of issues that make it not necessarily the best thing to happen, to be quite honest.

General Sir Richard Barrons: We have been pretty stuck on the sort of debate that the occupation of Iraq in 2003 has provoked, where it seems to me if you are going to make use of armed forces on a planned basis, the sort of notice that the Iraq campaign implied, with allies, it would be remarkable if Parliament did not have a voice in this as a way of gauging public sentiment, but that is only one particular strata of how decisions around war are made. There are circumstances there the Government may have to act out of self-defence, out of imminence, where they know something terrible is about to happen and they have to act now, where surprise is necessary or where you have made an alliance commitment and you have already signed away your discretion under your collective security arrangements, like Article 5. In those circumstances, Parliament is likely to have a debate, but it will be ex post facto.

Air Chief Marshal Sir Glenn Torpy: I would add to that the impact on allies, it has been mentioned before, and the way that that can undermine allies' confidence in the UK as a trustworthy and reliable partner when they are making their plans. I think also we need to make sure that we understand that by having an open and transparent debate, you are handing a degree of initiative to your potential adversary, because you are exposing what your thinking is and the weaknesses in your potential cohesion as a nation and as a potential coalition as well. I think western democracies have a fundamental—we are naturally on the sort of back foot, because we have a transparent and free press and most of our adversaries are not bounded by that sort of constraint. They are also not constrained by the normal norms of behaviour that we would behave under as well. We do need to be very careful about that debate leading to us being at a greater disadvantage that we would already be at.



Lord West of Spithead: What is useful is if Parliament are keeping themselves up to speed by sensible debates about areas of the world that are difficult, problems and issues, so there is a currency, in a sense, with parliamentarians about what all of these things are. That is helpful, but I am not so sure about—well, as we have said.

Q155 **Kelvin Hopkins:** At what point in the decision-making process would parliamentary authorisation have the most impact on the legitimacy of military action?

General Sir Richard Barrons: From my perspective, if you are in the business of mobilising, deploying, organising and then committing forces, if you know that Parliament is standing behind you at the moment where you are at the point of commitment, where a decision is made that you are going to engage in this operation at which point you start deploying and preparing forces, then that carries great weight. The worst outcome is when Parliament takes that decision when you are stood in the line of departure ready to go and you have reached that far, you have reached the point where you are about to engage with the enemy and you are not sure. A parliamentary view early and then I would expect a collective sense of Parliament supporting the deployment of armed forces.

Q156 **Kelvin Hopkins:** What happens when Parliament is seriously divided and there are tiny majorities for a decision to go to war or not?

General Sir Richard Barrons: Quite a lot of the armed forces will just go about their business. If they are following an instruction from the Government, which is lawful in their view, then they will do it and they will worry much more about the person stood left and right of them than anything that goes on in here.

Lord West of Spithead: That is their duty and their job to do that, of course. If there is no majority that is rather different, is it not?

Q157 **Kelvin Hopkins:** In a situation where the major parties are essentially united and there is no serious opposition within Parliament it makes a very big difference between that and somewhere where the vote has been won or lost by two votes or something of that kind. Anyway, I will leave that for the moment.

To what extent might parliamentary debate about whether or not to engage in military action affect operational success?

Lord West of Spithead: I think the Air Marshal has talked on a couple of options there and there are occasions where we might have to take very immediate action. One can think of scenarios where suddenly there may be some terrorist group within a country who get control of nuclear weapons and we have good intelligence that these are going to be utilised in a certain way where we have op plans for things we can do and you need to act pretty well immediately. You do not want to discuss that in Parliament. You have to take action and these are ones normally, going back to what the General said, where you are using a limited amount of



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your capability. If you are trying to generate huge force for an old-fashioned type war then obviously, as the General says, you need to have these sorts of debates because doing that takes time.

I go back to the Iraq thing, where I was very glad when I was Commander-in-Chief and not in the MoD I told the Navy and Marines to be ready for war because I did not then have the problem through the autumn that the Army in particular had—and the Air Force, to a limited extent—because there was this swirling around up here of, “No, we are not. Yes, we are. No, we are not” and they could not take any action. That was difficult for people.

General Sir Richard Barrons: Where I think there is uncertainty or vacillation in Parliament or there is a sense that the Government of the day is trying to manoeuvre difficult political opinion over time there are risks to the outcome. One would be on constraints on preparations. In the case of 2003, where I was a Divisional Chief of Staff at the time we knew that we were going to commit a brigade as the follow-on force. We absolutely could not prepare it or order the stuff that it needed because it was engaged on the firemen’s industrial dispute and that was seen as the domestic priority. Its preparations were curtailed by that domestic situation.

Parliamentary uncertainty could jeopardise success by undermining the time for preparation, or worse, by constraining the nature of the operational plan by putting bounds on something that essentially puts one hand behind the military commander’s back, so that when he is committed to operations he is not in the best place to win.

Air Chief Marshal Sir Glenn Torpy: You are effectively losing control of the narrative when you start having a debate in Parliament. I say that in the context of one end of the spectrum would be you have a very solid parliamentary view that it is absolutely the right thing to do. That sends a very powerful message to your potential adversary. At the other extreme you could have, as we did in 2003, a lively debate and different views. That sends a view to your potential adversary, which is not something you would like them to see.

Syria was another interesting one, when you could say that our decision not to take action emboldened the Assad regime. I think there is an important broader question about how you control the narrative and to exploit that to maximum effect so that you can deliver success.

Lord West of Spithead: I touched on the fact that I think Parliament debating and talking about these issues in a general sense was very important. There is one area that I do think we should have taken some action and that is the whole area of flexible sub-strategic response. This was when we changed in 2000 that we would never use a nuclear weapon to manipulate and we would only ever use them as a deterrent if someone attacked us. We changed that in 2000 and I understand all the reasons why that was done. However, what that has done, I believe, is



put the submarine CO in a very difficult position because he will not know what the targeting is that is being used and there needs to be complete clarity that the submarine CO is not going to be held responsible for taking illegal action in international law by targeting where the target has been set by politicians and planners in London. They have to have the sole responsibility for that and I do not believe that is the case and that is not satisfactory.

Q158 **Ronnie Cowan:** I am so glad you raised that point. Could you just clarify that last bit to me? The CO is on the ship.

Lord West of Spithead: For example, wiping out a whole city is very understandably completely illegal under international law and normally there are certain bases to do these things. Because of this flexible sub-strategic response, what that in theory allows is use of a nuclear weapon. Rather than your total response to us being wiped out, a single nuclear weapon for a specific reason. Where that is targeted the submarine CO will not know, because none of our warheads at the moment are targeted. They are untargeted.

What happens is when the codes come through, if it is a flexible response, he will have a single missile and one warhead that will be targeted somewhere. He will not know what it is and yet in international law as the man who says "go" he will be responsible for this. Do you see what I am getting at? That needs to be clarified, I believe, and it needs to be removed from him. I think that is important.

Q159 **Ronnie Cowan:** We have received substantial written evidence on this very topic and it would have been good to take this conversation further.

Air Chief Marshal Sir Glenn Torpy: To be absolutely clear, with the targeting we have a very mature process for targeting all of our weapons and it is completely under political control.

Lord West of Spithead: Absolutely, but they need to be the ones. It is going to be a politician in the dock, not the submarine CO, that is what I am saying.

Q160 **Ronnie Cowan:** It does raise the legality of the person who turns the switch to launch that missile if he does not know where it is targeted.

Lord West of Spithead: Absolutely, which is why I believe this needs to be clarified. It does not need to be clarified for the normal deterrence criteria. That is different and that has been done effectively.

Q161 **Chair:** But that is impossible to clarify for the inventory officer in the heat of battle or the helicopter commander, wondering whether to—

Lord West of Spithead: Absolutely. This is a one-off situation, I believe.

Q162 **Mr David Jones:** You have outlined the sorts of circumstances in which military action may be necessary without prior reference to Parliament. If it were the case that such action was subject to retrospective



parliamentary approval, what would you say would be the effect upon the way that the armed forces conducted the relevant action?

General Sir Richard Barrons: I am not quite clear what you are saying.

Mr David Jones: If it were to be the case that such action were to be subject to retrospective parliamentary approval, what sort of effect do you think that would have upon the forces involved in the action?

General Sir Richard Barrons: If I have understood the question right, it is a fact that every single military action I have ever taken part in has been the subject of some sort of retrospective parliamentary analysis and approval. The fact is it has no consequence on the way the action is conducted at the time because the commanders at the time will always be trying to do the best in accordance with their mission with the resources available to them following the law of armed conflict. If they fail to do those things then they have not done their job anyway and would face sanctions in any case. I think it is unlikely that we would be in a place where a military commander is going to be timid in what he does or restrained on the grounds that he may be subject to parliamentary disapproval at some point in the future. That is not his job.

Air Chief Marshal Sir Glenn Torpy: I agree with that entirely.

Lord West of Spithead: I agree.

Q163 **Mr David Jones:** Given that most parliamentarians have little or no military experience and certainly do not have access to the sources of intelligence that the military clearly do, what would you say about the quality of the debate and the decision-making process in this place when we are considering matters such as this?

General Sir Richard Barrons: I would say it is lousy. I think there is a massive failure in the education and training of political leaders, who often have no interest in—bar a very few—and have no training or education in the business of conflict and security, who come to it as a snapshot and who have to take frankly quite important decisions and do not even share a common lexicon with their officials and the officials in Whitehall do not even speak the same language. Our conversations and our political discourse about conflict and security are generally uninformed and poor.

Lord West of Spithead: I think there are some individuals within Parliament who do understand it, but it is a very small number and in a general sense I would agree with what the General says. It also goes back to I think a lot of politicians who do not really understand it at all think they are able to control events once they unleash things. If you unleash things and particularly when you are working with lots of allies and particularly if it is on a bigger scale, let us think of even bigger scales than some of the ones we have done, you lose control of events. They think we can control it all and they do not understand it and do not understand all of the issues. That is extremely worrying.



Air Chief Marshal Sir Glenn Torpy: Also the nature of many of our operations are becoming increasingly complex and some of the new capabilities such as cyber make it doubly difficult to analyse what the problems are, what the consequences are and what the likely solutions are. Even those of us for whom it is our bread and butter and our careers, it is a real minefield and difficult to weave our way through. I am not sure that Parliament is the right place to have that sort of debate.

Q164 **Mr David Jones:** How could this state of affairs be improved? How could the parliamentary debates be better informed? What could be done to assist parliamentarians?

General Sir Richard Barrons: I think there are two primary routes to this. The first is an investment in the education and training of our political leaders. There are plenty of people in London who can do this, but there would have to be a commitment of time and resources to grow political leaders who are schooled in this deliberately out of their own interests, the interests of their parties and the interests of good Government. We do not really do that.

The second thing is in the way that Parliament exercises oversight of military operations, there has to be a level of scrutiny that is provided with full access to the intelligence at the above secret level, which can happen in a small way and is supported by an investment in advice and advisers who can guide that discussion. Those two things would dramatically improve the level of scrutiny.

Lord West of Spithead: One of the things, because they have hardly any people who have been involved in military, as you rightly say, there is a tendency with some of the actions that are going on at the moment that they forget how visceral and thoroughly nasty it is. Wars effectively mean killing people and killing them in a pretty nasty way. Somehow they miss that factor, because it is one removed. They have never done it themselves. We all have been next to people who have been burnt to death or been blown up and you realise how bloody awful war is. There is a tendency among some people to be slightly removed from that visceral horror of it and that does not help either. I can think of Lord Fisher's quote, "Moderation in war is imbecility". That sounds absolutely frightful, but in a sense, when you are fighting to win at that point of contact it is nasty and has to be to win.

Q165 **Chair:** Going back to the Syria debate, which I took part in, what was your reaction when you heard MPs debating the intelligence and the legal opinion and whether there was sufficient evidence to prove that Assad had been personally responsible for the use of chemical weapons? What was your reaction to that debate?

General Sir Richard Barrons: I felt at the time that there had been a failure of political mobilisation. There had been a discussion in officialdom that had gone to a point of certainty that this was the right thing to do and it had not been matched by a sufficient investment in briefing



parliamentarians about what was going on, so you ended up with a rushed and rather amateur debate, which took the decision that it took.

Lord West of Spithead: My concern, although it was a red line that was crossed, was looking at what was being proposed within the MoD we had not thought through exactly what it is we want the military to do here. Do we want to topple him? Is that going to end up with us having boots on the ground as well? Do we think we can do it just by these raids?

Chair: My question was slightly different.

Lord West of Spithead: Yes, but that was what was crossing my mind, because people were thinking of embarking us on military action rather like they did in Libya, without thinking through what all the other things were going to be.

Q166 **Chair:** I appreciate that, but to that extent, to what extent do you trust the House of Commons to be making that decision and should we not just leave that decision to the people who hold the seals of office and have legal responsibility for the outcome and hold them accountable afterwards for what happens, rather than try to prejudge the decisions that they have already made?

Lord West of Spithead: As I have said, I am not sure that it had been discussed in Parliament that for a lot of these options it is the best thing to do. In fact, I do not think it is, but that is my own personal view.

Air Chief Marshal Sir Glenn Torpy: I think there has to be trust in any organisation for that organisation to work. There has to be that trust that leads to delegation of responsibility and accountability. At the end of the day the Government are accountable for their actions. They are accountable to Parliament and there has to be that level of trust, I believe. That is why I would not favour a debate where Parliament have a veto over the authorisation of military forces. I think that should rest with Government, but they are accountable to Parliament.

I think there are some parallels with what our experience has been on the way that we do targeting and the way that has matured over the last 20 years. When I started in this business, Ministers wanted to crawl over every single target because they did not have the experience, they had not seen the way that the process worked, but over time they gained that trust in the process that we had and they were willing to delegate.

There is also a time imperative here. There may be some operations where you can crawl over every target at your leisure, but the pace of operations can mean that practically you cannot do that. That is exactly the situation we had in Iraq the second time around where the Government, because of the confidence and the trust they had built up in the process, were willing to delegate targeting to a much lower level than they had ever done in the past.

Q167 **Chair:** Parliament need to do the same kind of thing?



Air Chief Marshal Sir Glenn Torpy: Correct.

Chair: That is a very important statement.

Q168 **Ronnie Cowan:** I am a little bit concerned with something that you said there, Chief Marshal. Yesterday Parliament said they did not trust Government to negotiate trade deals and control of that and what you are saying to me is we should trust this Government with decisions about going to war. It is a very complicated field, I get that, but I think it is very dangerous for me to put our absolute faith in any Government in any position. It has to be continually scrutinised. The problem I have is are we debating—and the answer is no—on an informed position? We are not. We are politicians. Unless we are getting the right information from the very heads of the organisation, which may go through the Privy Council at some point, where does that information stop and at what point can we not make that public because it is militarily sensitive? It is always slightly that we are working in the dark here, are we not? Have Parliament ever got it right?

General Sir Richard Barrons: Notwithstanding the remarks we have already made about the imperative for education, training and information so that the sense of awareness in Parliament and the ability to scrutinise is dramatically improved, I still think there has to be a sense of the scale, scope and endurance of a military commitment.

In the case of Syria, what you are talking about is a very limited, one-off, small-scale kinetic strike designed to deter the use of chemical weapons, so there is a degree of imminence here, where you are acting with allies and partners and that matters in the region and internationally. I believe the Government should have the ability to do that and then tell Parliament why it did it.

If the Government were thinking about going to war with Russia on the back of Syria or boots on the ground in a planned intervention, that is a completely different debate. The absence of the ability to have the debate about scale, scope, endurance and nature, given the lack of education and training, makes the situation a double jeopardy.

Q169 **Ronnie Cowan:** If contrary to the convention of 2003 military action were to be taken by Government without consulting Parliament and it later became clear that there was considerable parliamentary opposition to that action from the point of view of the armed forces, how might this affect the legitimacy of the action?

Lord West of Spithead: We have already talked on the legitimacy and the legality. My approach would be to say would that impact on the performance and what the military are doing? I do not think it would. I think the military would still be conducting the action on the basis on which they were committed.

Air Chief Marshal Sir Glenn Torpy: It could clearly have an impact on morale, but I do not think that would fundamentally change the way that



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the military responded. Then it is very much a question for the Government as to what action they are going to subsequently take if they feel that parliamentary support is not there for the operation.

General Sir Richard Barrons: My view would be we are on the ground, we have been committed and we have started. We are acting with allies and we have shaped the situation on the ground. If Parliament disapproved of what was happening I would want to know pretty quickly, "Does that mean we are going to stop? Does that mean you are going to inhibit how we operate so that we become pointless or even counterproductive to a coalition effort?" and I would want to know if that meant that we were not going to see the thing through properly, in which case we should not have started in the first place. I would have those discussions as a Commander with Whitehall. I would absolutely not let it affect the actions on the ground where you are putting people in harm's way and that has to be done thoroughly and unequivocally.

Chair: Eleanor Smith, you may feel that has been a bit covered already, but do ask anything else you would like.

Q170 **Eleanor Smith:** What effects do you think that parliamentary approval for military action, or the lack of such approval, has on the morale in the armed forces?

Lord West of Spithead: We have touched on this one already.

Q171 **Eleanor Smith:** You did. One of the things that I wanted to ask about, because you talked about the narrative, it was the narrative of the family of forces that changed the public perception, was it not, in regards to how they felt? When you think about the families of the individuals that went to war, it was them that changed the narratives and the perception of how the public began to see the sense of the wars.

Lord West of Spithead: Are we talking about Afghanistan here?

Eleanor Smith: Yes.

General Sir Richard Barrons: In Afghanistan there was a perception that we were engaged in a campaign that did not appear to have an end or an achievable objective, where people were being killed and wounded and people could not see the point of it. That is not unique to the Afghan campaign, but it is something that is pretty vivid. Does that weigh on the soldier's mind? Yes, of course it does, and if they are in harm's way and their families are equivocal about it, then that will worry them. It will not stop them doing what they are being told to do, but it does mean that there is now a big question mark over the longevity of that operation.

Lord West of Spithead: It has an impact on things like recruiting and those aspects as well, the longer-term things.

Q172 **Eleanor Smith:** Is that because of the families coming out?

Lord West of Spithead: Yes.



Q173 **Kelvin Hopkins:** What has been your experience of how other countries authorise military action and do you think there are any lessons for how the UK authorises military action?

General Sir Richard Barrons: From my perspective, particularly as the Deputy Chief of the Defence Staff for military strategy and operations, I had to deal with this on a regular basis and the diversity is stark. The hold that Bundestag has over the German armed forces and what it does and how it does it is incredibly inhibiting. It breeds a lack of confidence in their military commanders when they are deployed. They are always looking over their shoulders. I think it is very unhealthy.

Contrast that with France. When the situation arose in Mali, France was bombing six hours later on the word of the President. Now, they were in Africa, so it was relatively easy to do, but they were then looking at allies such as us and wondering why we could not keep up with them. That is a very executive approach.

The dispute in America between the legislature and the Executive I think is alive now, where the Commander-in-Chief, the President, can commit to war, but the legislature can turn it off and starve the money and they will have a debate that will run over several months. Every country has its own problems and when you are committing to an alliance there comes a point when you have to subordinate your national differences behind a collective view within NATO or a coalition or you end up with an operation that is significantly less than the sum of its parts.

Air Chief Marshal Sir Glenn Torpy: Could I add on being a coalition partner? One of the things you are aiming to do is cause a minimum amount of friction in a coalition as a partner, because that undermines trust in you as a coalition partner. Ultimately, if you are deemed to be untrustworthy, it degrades your influence long term, both in that particular coalition but in the future as well. Anything that is likely to cause friction and delay and uncertainty is not helpful.

Lord West of Spithead: There is no doubt to me that the German equivalent of Parliament involvement in this is a real inhibitor for them. It causes them real problems operationally and we all know historically why that might be the case of course. We understand that. There are a couple of other countries in Europe that are the same and I agree entirely with France. The President effectively says, "Let's go" and they go. Maybe they are too much that way.

It is always interesting when I was having great difficulty removing what I thought were terrorists from this country and sending them back to their own country and we found it very difficult legally to do it. I phoned my opposite number in France and said, "How do you do it?" and he said, "I put them on the plane and send them back". They have a way of not necessarily following the same route as we would and that is probably something we would not like to see either, but it does vary quite dramatically between these countries.



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More broadly than that, I do not know enough about all of the various countries in the world and how they would do this to be able to comment on that.

Air Chief Marshal Sir Glenn Torpy: I do think this plays into where the UK wants to be in the world and we historically have demonstrated the political will and we have the military capability to act militarily. Successive Governments of different views have demonstrated that and that has secured us a particular role in world politics. I think that is something important that we need to think about and take account of.

Lord West of Spithead: I would add a caveat to that. I think we have reached a position where we are in very real danger that our military are not capable of doing the things that many of the people in our nation think it can do and quite a lot of politicians think it can do because of the reductions to its capability. That is very worrying because historically, exactly as the Air Chief Marshal says, our Foreign Secretaries and Prime Ministers have had a huge impact around the world because, yes, we have soft power, but we have also had hard power as well. They are listened to because of that hard power aspect and that has been rapidly diminishing.

Kelvin Hopkins: It is a big subject that we need to pursue, but I think not today.

Q174 **Chair:** I think we have to round off our session now. You have talked about the confidence of military commanders if Ministers are able to take agile decisions and I suppose that reaches across into national strategic confidence and we talked mainly about the deployment of military force. We have touched on cyber, but as we move into the era of hybrid warfare, where warfare seems to take place in other theatres using non-manned techniques, drones, the speed of events can be so quick and what we call a major conflict could be fought in these other theatres, private theatres, how do you think parliamentary oversight of those decisions operates or is it possible at all?

General Sir Richard Barrons: There is a danger of Parliament being left behind here. If we accept that Russia thinks it is at war with the west every day and we are essentially locked in a confrontation with Russia that we did not choose, but we are in it and that confrontation has a military dimension to it, but it is quite small, and its normal expression is through all the other levers of power the Russian state has to deploy—cyber, social media influence, money, proxies, agents, politics, diplomacy, in this fusion of things that has become known as hybrid or grey space or political or tolerance war—if we are locked in this confrontation now with Russia and we might assume that there is a difficult relationship with China coming, then there must be something in the way, first of all, that Parliament is able to oversee that confrontation from a policy perspective, understand what is going on and have a voice on how we identify it, call it out and push back.



Then Parliament needs to recognise that if that hybrid confrontation spills into conflict it is going to happen at click speed, which is cyber, and missile speed in the era of the primacy of the conventional ballistic and cruise missiles, particularly with hypersonics and no one has thought through that. There is a subordinate dimension, which is you are looking at a Whitehall that does not know how to do this well. It is not organised for it and so the UK is being diminished until and unless it establishes the capability to be effective in the hybrid space.

Q175 **Chair:** Please wait for a future inquiry forthcoming on how Whitehall should be organised.

Lord West of Spithead: It is in the civil area. The thing is hybrid warfare covers everything, social media, and there is no doubt, for example, because there was a mention of China, China have a very clear grand strategy of where they wish to be in 40 or 50 years. We do not at all and that includes all sorts of things. Putin sees himself at war with us now in a sense, in a strange sense, and that is very worrying, in all of these areas.

Q176 **Chair:** In terms of parliamentary oversight of the decisions in this ongoing conflict, as you see it, how should Parliament oversee this or does it have to let it happen and judge it afterwards?

Lord West of Spithead: No. I cannot give a straight answer on how to do it, but I think this is something that has to be tackled. We have to get there.

General Sir Richard Barrons: This is a confrontation that is playing out every single day across a number of levers of power. It has to be overseen like a campaign, so periodically Parliament must be briefed by the Executive as to what it is doing and judge whether it is doing it well enough. In the absence of that, good people in the Executive will just get on with it.

Chair: We have completed our questions and it has been an absolutely fascinating session, very different from previous sessions and we have a good spectrum of evidence to draw on for our report. Thank you very much indeed.