



House of Commons  
Defence Committee

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# **Operation Isotrope: the use of the military to counter migrant crossings**

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**Fourth Report of Session 2021–22**





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**Fourth Report of Session 2021–22**

*Report, together with formal minutes relating  
to the report*

*Ordered by the House of Commons  
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## Summary

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This Report focuses on a narrow issue - the announcement that the Royal Navy would be responsible for the operation to counter small boats crossing the Channel. Following the announcement, we sought clarity on the role which would be played by the Royal Navy, the assets which it would use and the details of strategic and operational responsibility. The Government has failed to provide that clarity. Furthermore, during this short inquiry we have heard numerous criticisms of the aspects of the operation which the Government has publicly announced.

We conclude that there are valid concerns about the objectives, the timeline and the measures for success of the operation. The impact which the operation could have on the Royal Navy's budget and the availability of its ships and personnel is worrying—particularly at a time when the tasks of the Royal Navy are increasing. There are also potential impacts both on the Navy's reputation and its relationship with its French counterpart. In short, this policy announcement was premature and the decision-making behind the policy is flawed.

# 1 Our inquiry

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1. This was an inquiry in response to an announcement to the media of proposed Government policy on 16 January 2021: ‘Boris Johnson calls in military to stem flow of migrants’.<sup>1</sup> The announcement suggested that UK military assets would be used to counter migrants crossing the Channel in small boats, called Operation Isotrope. Given the lack of detail, an Urgent Question was granted in the House of Commons on 18 January 2022 (repeated in the House of Lords on 20 January 2022). Unsatisfied with the information provided to members of the House (and therefore the wider UK public), we decided to undertake a short inquiry.

2. Our inquiry was intended to examine the following questions:

- What should the role of the Navy be in countering migrant crossings of the Channel?
- What was the process that led to the decision to start the operation and was the National Security Council involved? How does this fit within the terms of the Integrated Review?
- What are the operational and political (A) reporting arrangements and (B) associated chain of command, up to and including Cabinet?
- What capabilities do the Armed Forces, particularly the Royal Navy, bring that were not available to the Border Force?
- Is this a permanent move of Border Force policy from Home Office to MOD and will the budget be moved accordingly?
- What assets will be engaged (including personnel and the military estate)? Will the Army and the RAF be involved?
- What will the protocols be? Under what legal basis is the operation taking place?
- What military engagement and cooperation will there be with the French armed forces and civilian authorities?
- What is the potential impact on other Defence commitments?
- What role will the private sector play, for example in the supply of equipment and crew? And under what rules will they operate?
- What consideration will be given to training the Border Force to take over operations?
- How long is the operation expected to last? How will its success be measured? How will mission creep be prevented?

3. We took evidence from Vice-Admiral Sir Charles Montgomery KBE, a former Second Sea Lord and Chief of the Border Force, and Commander Tom Sharpe OBE, a former warship captain. We would like to take this opportunity to thank them for the invaluable

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1 The Times, [Boris Johnson calls in military to stem flow of migrants](#), 16 January 2022

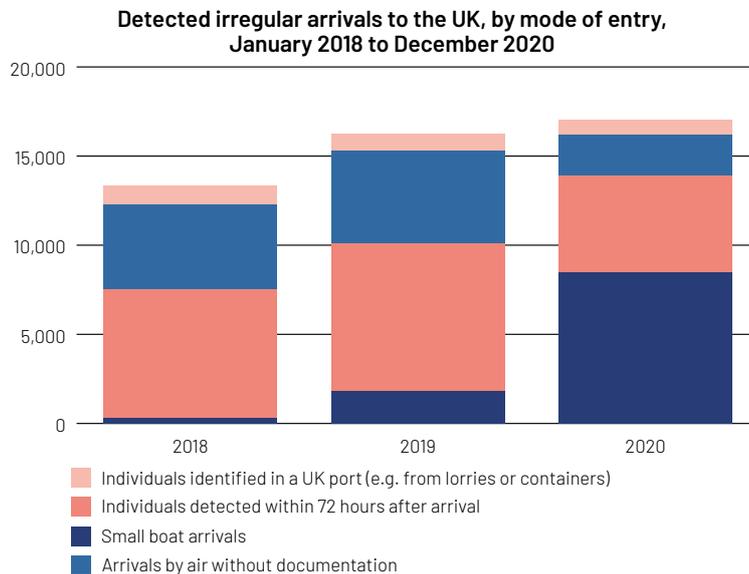
insight which they provided. We would also like to thank all of those who provided written evidence to the inquiry. We invited Ministers and officials from both the Ministry of Defence and the Home Office to give evidence to this inquiry. Neither Department took up the invitation. The motivation for refusing to provide evidence appears to be a lack of agreement between the different Departments as to what the military's role will be. We draw this conclusion from the differing responses by the Minister for Armed Forces to the January UQ and those by the Home Secretary to the Home Affairs Select Committee on 2 February 2022. The differences in the information presented were subtle but enlightening.

**4. The announcement of this policy appears to have been made prematurely. When the Government has been asked for details, it has consistently responded that these were being worked out. Announcing a policy before finalising the details is bad practice, particularly when that policy area is so sensitive. We question why such a premature announcement was made.**

## 2 Migrant crossings of the Channel

### Scale of the problem

5. Since 2018 increasing numbers of people have sought to enter the UK via small boats crossing the English Channel. On 28 December 2018 the then Home Secretary, Rt Hon. Sajid Javid MP, declared a “major incident” in response to attempts by at least 221 people to cross the Channel by small boat between 1 November and 27 December.<sup>2</sup> Following this, and alongside enhanced co-operation between UK agencies and between the UK and French governments, two Border Force cutters were for a time redeployed to the Channel.<sup>3</sup> These enforcement activities had two objectives: securing the border and preventing deaths in the “world’s busiest shipping lane”.<sup>4</sup> Police were reported to have likened the attempt to cross the Channel in a small boat to “trying to cross the M25 at rush hour on foot”.<sup>5</sup>



Source: HM Government, [New Plan for Immigration: policy statement](#), March 2021

6. Despite these efforts, the numbers crossing the Channel have continually increased. The growth has been attributed by the Government to investment by the UK and French governments in securing Eurotunnel and the ports of Calais and Coquelles, which had driven migrant traffic away from the ports and on to the beaches of northern France.<sup>6</sup> A total of 8,461 people arrived across the Channel in the whole of 2020.<sup>7</sup> According to UK Government figures, whilst the number of people arriving in the UK clandestinely rose only slightly between 2019 and 2020, the proportion of those arriving by crossings in small boats rose from 11% to 50% of the total in the same period.<sup>8</sup>

2 BBC, [Channel migrants: Home secretary declares major incident](#), 28 December 2021

3 HM Government Press release: [Home Secretary bolsters Border Force fleet in the Channel](#), 31 December 2018

4 The Guardian, [Two Border Force cutters redeployed to English Channel, says Sajid Javid](#), 31 December 2018

5 BBC, [Channel migrants: Home secretary declares major incident](#), 28 December 2021

6 [Oral evidence](#) taken before the Home Affairs Committee on 3 September 2020, HC (2020–21) 705, Q11 [Chair]

7 [Letter from the Home Secretary to the Chair of the Home Affairs Committee](#), 26 March 2021

8 HM Government, [New Plan for Immigration: policy statement](#), March 2021

7. In 2021 the numbers crossing continued to increase rapidly. In November 2021, the Minister for Justice and Tackling Illegal Migration, Tom Pursglove MP, told the Home Affairs Committee that there had been “over 23,000 arriving on small boats” so far in 2021 and that:

we are seeing that small boat arrivals are becoming the route of choice for facilitations by evil criminal gangs. These smugglers are becoming more audacious. We are seeing risky behaviours. We are seeing bigger boats being deployed. We are seeing a wider array of crossings originating from a wider stretch of coastline. For example, in the earlier days of this happening, we were seeing crossings being mounted from around a 50-kilometre stretch of coastline. We are now seeing that from a much wider stretch of coastline, around 200 kilometres. That is very troubling. We have seen small boats being deployed rather than the use of other clandestine routes that were more common in the past.<sup>9</sup>

8. It has since been reported that 28,395 migrants crossed the Channel throughout the year 2021.<sup>10</sup> This is 100 times larger than the total which prompted the then-Home Secretary to declare a major incident in 2018. The Minister told the Home Affairs Committee that of the over 23,000 individuals arriving via small boats in the period January–November 2021, five had been returned to other countries.<sup>11</sup>

## **Border Force assets and efforts in countering small boats in the Channel**

9. In response to a written question in the House of Lords on the Border Force’s maritime assets, the Home Office said

Border Force Maritime Command’s fleet includes five cutters and six coastal patrol vessels as well as niche capability in the form of tactical watercraft (TWC) and dedicated mobile RHIB [Rigid Hull Inflatable Boat] capability. Each cutter carries a jet driven RHIB capable of delivering a boarding team. The type of asset deployed will reflect the operational task and may be deployed as a standalone asset or as a combination, to allow for a broad range of tactical options, that can respond to a specific threat or event.

The reply went on to note that:

Border Force Vessels undertake strategic patrols, tactical surveillance and enforcement activity in support of Border Force and other government agencies providing a law enforcement capability at sea.

As a minimum a Cutter and two CPV’s will be permanently deployed to the south east to the 30-mile stretch of coast covering the Dover Straits with additional vessels deployed as operationally required.<sup>12</sup>

9. [Oral evidence](#) taken before the Home Affairs Committee on 17 November 2021, HC (2021–22) 194, Q671; Q675 [Chair]

10. Sky News, [Migrant crossings: 2021 marks record year with more than 28,300 people entering UK via English Channel](#), 4 January 2022

11. [Oral evidence](#) taken before the Home Affairs Committee on 17 November 2021, HC (2021–22) 194, Q699 [Chair]

12. [PQ HL2132](#) [Shipping] 29 July 2021

10. In evidence to the Home Affairs Select Committee in the session on 17 November 2021 the Clandestine Channel Threat Commander detailed the aerial operation:

There is a very comprehensive aerial surveillance operation that we deploy on a day-to-day basis. That comprises two UAVs or drones. They are the first to fly beyond visual line of sight in civilian airspace in the UK. We also have up to three, and sometimes four, piloted aircraft that fly as well. It is extremely comprehensive. The drones themselves normally fly five days out of seven. When they are not flying, we have a number of other alternatives provided by the Maritime and Coastguard Agency and private contractors.<sup>13</sup>

11. Border Force's current fleet of five Cutters and six Coastal Patrol Vessels is due to be replaced, with the Spending Review '21 allocating £74mn to the project.<sup>14</sup> Further details are likely to be announced in the forthcoming National Shipbuilding Strategy refresh but in September 2021, The Times reported that procurement might go further than the Cutters and CPVs:

A Home Office procurement document has revealed a list of equipment being ordered for Border Force. It includes £18 million on military-grade drones to monitor the Channel, £35 million on search dogs that can detect human bodies at border controls in northern France and £1 million on "emergency transport for staff and illegal migrants". The biggest single spending commitment is £200 million on the "replacement of existing cutter fleet". Border Force has five cutters but they are all at least 17 years old and are regularly out of service for repair.

The Home Office confirmed that it had revised up its estimated cost for replacing the fleet from £50 million to £200 million but said the figures could change. It said the upgrade was not related to current or future operations. A spokesman said that planning for the new cutter fleet was in its early stages.<sup>15</sup>

**In line with our general policy on shipbuilding, we call on the Home Office to ensure that any new vessels are built in British yards, to ensure national capacity is maintained.**

## Co-ordination of institutions and agencies involved in countering small boats

12. The 2014 National Strategy for Maritime Security identified 26 different UK Government and Devolved Administration departments or agencies as having roles and responsibilities in maritime security, including the Royal Navy, Border Force, the Police Service, Marine Scotland, the Marine Management Organisation and the Maritime and Coastguard Agency. In 2020 a new umbrella organisation, the Joint Maritime Security Centre, subsumed the two previous coordination bodies (the National Maritime Information Centre and the Joint Maritime Operations Coordination Centre) with the aim of providing the UK with one dedicated 'centre of excellence' of maritime security. The Government notes that:

13 [Oral evidence](#) taken before the Home Affairs Committee on 17 November 2021, HC (2021–22) 194, Q705 [Gary Sambrooke]

14 PQ [75042](#) [UK Border Agency: Patrol Craft] 18 November 2021

15 The Times, [Channel crossings: Border Force fleet to get £200m upgrade](#), 11 September 2021

The monitoring and protection of UK waters is a priority for maritime security leads across Whitehall including the Ministry of Defence, Home Office and the Department. As part of this joined up, multilayered approach, the Joint Maritime Security Centre (JMSC) monitors UK waters using a range of maritime domain awareness technology such as sensors, radar and aerial surveillance.<sup>16</sup>

13. It appears that the JMSC coordinates the response to maritime threats:

The Joint Maritime Security Centre (JMSC) is the multi-agency organisation responsible for ensuring the UK maintains its understanding of the UK maritime domain and develops the cross-government coordination frameworks to respond to threats to security, law and order, and the marine environment. The Department for Transport, Ministry of Defence and Home Office are the major financial contributors to JMSC but, mirroring its multi-agency remit, funding is also provided by a range of other Whitehall departments and agencies with maritime security interests. Cross-Whitehall governance structures are in place to oversee the strategic direction and financial management of JMSC at both official and Ministerial level.<sup>17</sup>

14. The JMSC website states that its Operations Centre uses “cutting edge technology to provide 24/7 monitoring of UK waters”. Its team of staff, drawn from across government, can “swiftly identify maritime security incidents and enable the effective coordination of the UK’s aerial and at-sea assets to respond”. In addition, the JMSC acts as a “central point of UK maritime expertise and understanding” which is able to assist government departments and agencies in their policy and decision making. The website also notes that JMSC works with other states and key international organisations to “support information sharing, relationship development and capacity building efforts”. The Centre is tasked with delivering:

a central point of operational expertise in a holistically designed UK maritime security system

fused information, data and capability to provide a coherent maritime domain awareness picture on which to develop the UK’s maritime threat assessments and response protocols

leadership of cross government security planning and exercising

effective coordination of the UK’s maritime assets and technological capabilities to maximise operational impact and efficiency

maritime security co-ordination across the UK’s devolved administrations, and the Crown Dependencies

support to Global Britain by providing world leading expertise in maritime domain awareness and security to the UK’s international partners<sup>18</sup>

16 PQ [HL545](#) [Territorial Waters: Protection] 4 June 2021

17 PQ [258](#) [Joint Maritime Security Centre] 17 May 2021

18 Gov.uk: [Joint Maritime Security Centre](#), accessed 2 March 2022

15. The Joint Maritime Security Centre is led by a Director, currently Christopher Chant, a former Programme and Project Director at DfID, with a senior leadership team drawn from the Royal Navy, Ministry of Defence, Border Force and the Marine Management Organisation. In addition the JMSC is supported by:

Counter Terrorism Police, the Department for Transport, the Foreign, Commonwealth and Development Office, the Home Office, HM Coastguard, HM Revenue and Customs, and the National Crime Agency, Royal Navy, the Marine Management Organisation, and Marine Scotland.<sup>19</sup>

The current Clandestine Channel Threat Commander at the Home Office was previously Director of the JMSC.<sup>20</sup>

### Previous military engagement in countering small boats in the Channel

16. The military have previously provided support to the Home Office in relation to small boats crossing the Channel on several occasions. In these instances the support was provided under ‘Military Aid to Civil Authorities’ (MACA<sup>21</sup>). MACA is only supposed to be employed when:

- a) The civil authority has all or some capability, but it may not be available immediately;
- b) The urgency of the task needs rapid external support;
- c) The civil authority lacks the capability to fulfil the task and it would be unreasonable or too expensive to expect one to be developed;
- d) There is a definite need to act and the tasks the armed forces are being asked to perform are clear; and
- e) Mutual aid and commercial alternatives have been discounted.<sup>22</sup>

The civil authorities are responsible for funding the costs incurred when MACA is used. For instance, when the Home Office’s MACA request resulted in HMS Mersey being deployed in the English Channel in January 2019—the Home Office funded the £20,000 per day running costs (which included the full crew and items such as maintenance, fuel and other costs incurred as a result of conducting this activity).<sup>23</sup>

17. The Home Office again requested MOD assets and support under MACA in summer 2020. This led to the deployment of an “A400M Atlas transport aircraft; subsequently

19 Ibid.

20 HM Government Press release: [Home Secretary appoints small boat commander](#), 9 August 2020

21 MACA is the help and support provided by the Armed Forces to authorities in the UK, like the Police, NHS or local authorities. The government can call on the military to assist at times of need, to share the burden on civil organisations. MACA may include assisting other government departments with urgent work of national importance such as responding to emergencies, maintaining supplies and essential services.

22 Ministry of Defence, [Military Aid to Civil Authorities \(MACA\): 5 things you should know](#), 15 December 2021

23 PQ [2058 2](#) [HMS Mersey: English Channel] 10 January 2019

replaced by P8-Poseidon MRA1 marine patrol aircraft and Shadow R1 surveillance aircraft”<sup>24</sup> in August 2020. In September and October 2020 a Watchkeeper drone was deployed in support of the Border Force. Evidence we have received notes that:

The drones were only permitted to fly in areas covered by temporary airspace restrictions. It is clear that Watchkeeper’s contribution to operations in the Channel was minimal.<sup>25</sup>

18. In September 2021, the Minister for Armed Forces told the House that UK Defence had “collaborated with the Home Office on countering illegal migration issues in the English Channel for over a year” and that the military had:

provided a range of support including the provision of surveillance, planning expertise, and assisting in the delivery of trials of novel tactics which could help the Border Force and Home Office better interdict and deter migrant vessels. This has currently amounted to four requests under the mechanism of Military Aid to the Civilian Authority during 2021.<sup>26</sup>

19. The “novel tactics” appear to be the development of ‘pushback’ by which UK vessels force migrant boats to return to France - the Home Secretary told the House in January 2022 that:

All aspects of pushbacks and turn-backs—of the approach we take in the channel—are operational. This has been tested, there is a basis on which to do it, and individuals are trained. The MOD, maritime policing and Border Force originally came together, and they will continue to work together.<sup>27</sup>

20. The use of pushback tactics is discussed below.

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24 Drone Wars UK [[ISO003](#)] Para 15–16

25 Ibid.

26 PQ [47078](#) [Military Aid: English Channel] 16 September 2021

27 HC Deb, 17 Jan 2022, [col 4](#)

### 3 Details of the Government's plan

21. The questions that we set out to explore are listed in Chapter 1. From the information available to us, we understand the following to be the intention. However, it is important to underline that—at the time of writing—this operation has not yet started and the details of its organisation are still under discussion.

#### What should the role of the Navy be in countering migrant crossings of the Channel?

22. The Minister for the Armed Forces told the House on 18 January 2022 that the Government have “appointed the Ministry of Defence to take operational primacy for cross-channel counter-migration operations” by the end of the month. He explained that this would mean “a much larger and more visible role for the Royal Navy in operational planning, asset co-ordination and operational delivery” with the Navy bringing together all of the Government’s “assets that set sail”, across all agencies, under the command of Commander UK Strike Force “in order to try to cohere a more robust response at sea”. He explained that this move was “an evolution” of what had previously been done, rather than a replacement of something that had previously existed.<sup>28</sup>

23. The Lords Minister told that House that the role of the MOD would be “to ensure that all vessels transporting illegal migrants across the channel are intercepted before or as they land, preventing the uncontrolled arrival of migrants on UK shores”.<sup>29</sup>

24. The Home Secretary and the Home Office Permanent Secretary gave evidence to the Home Affairs Select Committee a fortnight after the UQs. The Home Secretary explained that the Navy’s role would be:

a hybrid role involving both the Ministry of Defence and the Home Office. A lot of work has taken place in just under two years to look at patrols in the channel and how those could be conducted, but also—importantly—at having a deterrent effect in the channel. ... we do have joint work under way right now with the MoD—not just the Navy—and Border Force. Those details are being worked up right now. A lot of work and planning is taking place, because we have to look at all sorts of aspects of how we operationalise in the channel, in terms of having a clear deterrent impact and message.<sup>30</sup>

The Home Office’s Permanent Secretary told the Committee that:

the overarching intent of the Government’s strategy is deterrence. We want to deter people from making what is a dangerous journey, in order to save lives. ... The changes to the operational or strategic responsibilities in the channel have not taken effect yet. There is no change, as we currently stand on 2 February. There will be a change in the future, because the Prime Minister has decided, and the Home Secretary and armed forces Minister

28 HC Deb, 18 January 2022, [col 201](#); [col 204](#)

29 HL Deb, 20 January 2022, [col 1768](#)

30 [Oral evidence](#) taken before the Home Affairs Committee on 2 February 2022, HC (2021–22) 192, Q298 [Ms Abbott]

have set out previously, what the sorts of changes would be. As the Home Secretary has said, that operational detail is not complete. When it is, the announcements will be made in the appropriate way.<sup>31</sup>

25. There were small but significant differences in the information provided by the different Departments. Most notable was the fact that both Defence Ministers told their respective Houses that the Navy would not be engaged in ‘pushback’ tactics (whereby the small boats containing migrants are returned to French waters, making them the responsibility of the French Government).<sup>32</sup> However, when the Home Secretary and the Home Office Permanent Secretary gave evidence to the Home Affairs Select Committee, she maintained that no such decision had been taken.<sup>33</sup> We deal with this particular issue in the next Chapter.

### **What was the process that led to the decision to start the operation and was the National Security Council involved? How does this fit within the terms of the Integrated Review?**

26. The 2021 Integrated Review stresses the importance of “preventing illegal immigration” and “tackling irregular migration”. The Review states that “the Royal Navy’s Offshore Patrol Vessels, alongside the UK Border Force, will continue to support border surveillance” and emphasises the importance of “coordinated action between the UK Border Force, law enforcement and the Royal Navy”.<sup>34</sup>

27. The Minister for the Armed Forces told the House that the Home Office and the Ministry of Defence had previously worked closely on countering the small boats challenge through the MACA process. He went on to explain that this was an operation which would demonstrate the integration of the MOD and the Home Office on this issue:

Details of how Defence will deliver and maintain the primacy of cross-channel counter-migration operations are currently being worked through. The Government’s objective is that no one should arrive illegally in the United Kingdom on their own terms, and all vessels transporting illegal migrants across the channel must therefore be intercepted before, or as, they land. Defence is committed to delivering that step change. Details of how it will be achieved will be made known in due course, but the House can be reassured that the MOD is working hand in hand with the Home Secretary and her Department to achieve this goal while ensuring the safety of all individuals involved and protecting other Defence priority output.<sup>35</sup>

### **What are the operational and political (A) reporting arrangements and (B) associated chain of command, up to and including Cabinet?**

28. The Minister for the Armed Forces told the House that:

31 [Oral evidence](#) taken before the Home Affairs Committee on 2 February 2022, HC (2021–22) 192, Q316 [Ms Abbott]

32 HC Deb, 18 January 2022, [col 204](#); HL Deb, 20 January 2022, [col 1768](#)

33 [Oral evidence](#) taken before the Home Affairs Committee on 2 February 2022, HC (2021–22) 192, Q301–2 [Ms Abbott]

34 Dr Basil Germond [[ISO001](#)] Para 3.1

35 HC Deb, 18 January 2022, [col 201](#)

Rear Admiral Utley [Commander UK Strike Force] continues to report to the fleet commander, who reports to the First Sea Lord, who reports to the Secretary of State.<sup>36</sup>

We do not feel that this answers the question. Our witness, Sir Charles Montgomery, also felt that there were “fractures of responsibility”<sup>37</sup> in the operation, which we discuss in the Chapter below.

### **What capabilities do the Armed Forces, particularly the Royal Navy, bring that were not available to the Border Force?**

29. The Minister for the Armed Forces told the House that whilst there “may be a requirement for more naval assets—warships—to be in the channel ... they sit too high off the water to be a credible platform from which to cross-deck people from a dinghy”. Therefore the presence of naval assets would probably be “from a command-and-control perspective rather than from an interdiction or interception perspective”. He argued that there are “better platforms within the Government’s inventory, and things that we can lease from the open market, that will be much more effective for mid-channel cross-decking under RN command and control”.<sup>38</sup>

30. The Minister suggested that Class 1 Offshore Patrol Vehicles and P2000s (Archer-class Fast Inshore Patrol Craft) could be deployed to the Channel. He noted that:

three batch 1 OPVs continue and are routinely deployed in home waters. That is not just for fishery protection ... they routinely take on the role of fleet-ready escort and are used for whatever is required to protect the United Kingdom’s interests in her home waters, and this task clearly comes within that bracket.<sup>39</sup>

However, in September 2020, he had confirmed that these vessels would be used as fisheries protection although this was “dependent on wider Defence and HMG priorities”.<sup>40</sup> Two of the P2000s are deployed in UK waters, two are in Gibraltar (alongside the two Scimitar-class patrol vessels), two are used to escort submarines in and out of Faslane and the rest are used by University Royal Navy Units.<sup>41</sup> We return to the naval assets likely to be used in the operation below.

31. Sir Charles Montgomery said that whilst the Navy could call on Naval and wider defence assets, those assets “would, or could, have been available to Border Force if it was leading the operation”. He went on to suggest that this was not in relation to assets but rather the Government had “reached a judgment that the Navy would be in a better place to lead this operation than Border Force—or, indeed, any of the other operational arms that the Home Office has to call on”.<sup>42</sup> Commander Tom Sharpe felt that the Royal Navy

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36 HC Deb, 18 January 2022, [col 204](#)

37 [Q12](#)

38 HC Deb, 18 January 2022, [col 204](#)

39 HC Deb, 18 January 2022, [col 206–7](#)

40 PQ 84648 [[Navy: Fisheries](#)] 8 September 2020

41 Professor Tim Edmunds and Dr Scott Edwards, University of Bristol and SafeSeas [[ISO006](#)] Para 3.2

42 [Q1](#)

offered expertise in four areas: command and control; cohering the intelligence product; surveillance and the ability to track people and vessels; and allocating resources efficiently. However, he felt it important to emphasise that:

we have to acknowledge right at the start, in terms of context, where the solution for this lies. It is not at sea any more than the solution to piracy off the Horn of Africa lay at sea. That is the caveat under which everything else sits.<sup>43</sup>

### **Is this a permanent move of Border Force policy from Home Office to MOD and will the budget be moved accordingly?**

32. The Minister for Armed Forces told the House this was not a MACA request - instead the Navy was taking primacy:

Clearly this will be a multi-agency effort under Royal Navy command. Where agencies are already doing things in the channel, they will continue to be funded by the Departments that own them. Costs will lie where they fall, other than for novel capabilities, in which case there will be a chat with the Treasury.<sup>44</sup>

However, the Minister in the Lords told that House:

Funding will be required for this, and the Ministry of Defence is currently computing costs with a view to informing discussions with the Treasury.<sup>45</sup>

33. Neither Minister suggested that the policy lead was being moved to the MOD. Indeed the Minister in the Lords noted that:

... the broader issues of immigration policy are a matter for the Home Office and the FCDO ... The role of the MoD in respect of this immediate requirement, which I think is a positive participation and involvement, is to try to ensure that migrants who set out on these hazardous journeys are supported to safety in a controlled manner.<sup>46</sup>

### **What assets will be engaged (including personnel and the military estate)? Will the Army and the RAF be involved?**

34. As noted above, the Minister for the Armed Forces told the House that “the units involved initially will be some of the batch 1 offshore patrol vessels that are permanently committed to home waters, probably with some P2000s”. He went on to suggest that:

The Royal Navy or the wider military may be involved in transportation of people when they reach the shore as they enter the processing system. There may be a use for military accommodation.<sup>47</sup>

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43 [Q3](#)

44 HC Deb, 18 January 2022, [col 204](#)

45 HL Deb, 20 January 2022, [col 1768](#)

46 HL Deb, 20 January 2022, [col 1771](#)

47 HC Deb, 18 January 2022, [col 204](#)

35. The Minister in the House of Lords told that House the assets made available for the task would be “already permanently assigned and committed to operations in home waters, including offshore patrol vessels, P2000s and RHIBs”.<sup>48</sup> This means that, as noted earlier, the OPVs will be pulled from fisheries protection duty and P2000s will likely be redeployed from their current service with University Royal Navy Units, training the next generation of naval officers.

### What will the protocols be? Under what legal basis is the operation taking place?

36. The Minister for the Armed Force told the House that he was unable to provide protocols and legal basis of the operation in the course of the urgent question:

I will be honest with the hon. Gentleman: I am not entirely clear about the custom for publishing rules of engagement. Perhaps he will let me write to him with that in due course.<sup>49</sup>

As of 1 March, no such letter has been deposited in the House.

37. When we took evidence, we asked our witnesses what the ‘rules of engagement’ would be. Commander Sharpe said that:

The rules of engagement will be set from the centre. They are then defined by lawyers. As a note, they are never more permissive than the law allows. They are always slightly more restrictive. They define what you can and cannot do. What we are talking about here is what the ship does when it arrives at the boat.<sup>50</sup>

However, he went on to note that the rules which would govern the operation were not ‘rules of engagement’ but maritime law: SOLAS (the International Convention for the Safety of Life at Sea), under which the primary duty of any ship’s master is the safety of life at sea.<sup>51</sup> This duty is enshrined in Article 98 of the United Nations Convention of the Law of the Sea. As we were told in written evidence, the Royal Navy “is just as bound by the law of the sea as Border Force”.<sup>52</sup> Sir Charles Montgomery told us that he “could not agree more” with Commander Sharpe’s assessment of the ‘rules of engagement’.<sup>53</sup>

38. Commander Sharpe explained that SOLAS was one of the greatest obstacles to returning boats to French waters, or ‘pushback’. He told us that:

I cannot conceive of a situation where you are physically turning these ships back that is either legal or, perhaps more importantly, safe.<sup>54</sup>

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48 HL Deb, 20 January 2022, [col 1768](#)

49 HC Deb, 18 January 2022, [col 206](#)

50 [Q18](#)

51 [Q18](#)

52 Professor Tim Edmunds and Dr Scott Edwards, University of Bristol and SafeSeas [\[ISO006\]](#) Para 4.3

53 [Q22](#)

54 [Q19](#)

## What military engagement and cooperation will there be with the French armed forces and civilian authorities?

39. The Minister for the Armed Force told the House that the MOD and the Navy enjoy excellent relations with the French MOD and the French Navy. He went on to suggest that the MOD were confident in their “ability to manage the cross-channel relationships”.<sup>55</sup> The Minister in the Lords told that House the issue would not be managed by the MOD but that instead:

the Home Office and the FCDO will continue the primary discussion with France on the diplomatic front. I reassure her that Defence has a very strong relationship with France, and we regularly speak to our counterparts on matters of mutual interest.<sup>56</sup>

## What is the potential impact on other Defence commitments?

40. When asked whether he could “guarantee that no resource—be that manpower or asset—will be removed from another theatre to which an already overstretched Royal Navy is currently deployed”, the Minister for the Armed Force told the House that he could. He went on to say that:

the ships mentioned as possibly having utility in this context are already committed to home waters.<sup>57</sup>

41. However, as noted above, the assets have been removed from their previous duties, either as UK fisheries protection (in the case of the OPVs) or training the next generation of Royal Navy officers (in the case of the P2000s).

## What role will the private sector play, for example in the supply of equipment and crew? And under what rules will they operate?

42. The Minister for the Armed Force told the House that “there would be leased platforms that are far more appropriate for use in the channel ... I am talking about is contracting platforms to come fully under command”. He went on to say that there was already a vessel contracted for the purpose of “cross-decking people in the middle of the channel” and that the MOD expectation was that it would “contract more of that design”. The intention was to “bring those vessels into service under the command of the Navy commander”.<sup>58</sup>

43. Written evidence provided by both Harland & Wolff and Thales have offered technological solutions to the issue. Commander Sharpe also suggested the employment of sensors on a section of the British Coast to improve understanding.<sup>59</sup>

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55 HC Deb, 18 January 2022, [col 204](#)

56 HL Deb, 20 January 2022, [col 1768](#)

57 HC Deb, 18 January 2022, [col 206](#)

58 HC Deb, 18 January 2022, [col 216–7](#)

59 Harland & Wolff [[ISO009](#)] Para 2.6–9; Thales [[ISO011](#)] Para 2 ; [Q16](#)

## What consideration will be given to training the Border Force to take over operations?

44. Neither Ministers nor the Home Secretary and Home Office representatives at the session of the HASC considered the possibility of Border Force being able to take over the operation. When we asked Sir Charles whether this would become a permanent Defence task, he told us:

I just do not know. ... this task has not been traditionally a defence driver. I honestly cannot help you as to whether this now becomes a more permanent overall defence responsibility and, if so, what its limits are, or whether this is just seen as a short term palliative until a better solution can be found in the medium and longer term. I have already indicated that I am hopeful that a medium term solution will be found with the French.<sup>60</sup>

## How long is the operation expected to last? How will its success be measured? How will mission creep be prevented?

45. The Minister for the Armed Force told the House that success would be not allowing anybody to land in the UK on their own terms. When asked how long he expected the operation to last, he told the House that it would last “until the deterrent effect is achieved and the cross-channel route for small boats collapses”.<sup>61</sup>

46. The Minister in the Lords told that House that the MOD will:

retain primacy of operational control until public confidence is restored and the number of individuals attempting to enter the UK through this route is brought under manageable levels.<sup>62</sup>

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60 [Q34](#)

61 HC Deb, 18 January 2022, [col 203](#)

62 HL Deb, 20 January 2022, [col 1768](#)

## 4 Criticism of the policy

47. During our short inquiry, we have encountered numerous criticisms of the Government's plan. We discuss them below.

### Lack of clarity

48. There appears to be a number of questions the Government is unable to answer: these include what the strategic objective of the operation is, who is responsible for what, what the timelines of the operation are, and what tactics are available to the Navy.

### Objectives

49. The evidence provided during our session indicated that the Government's "strategic objective is to ensure that migrants do not land on their own terms in the UK."<sup>63</sup> This was the conclusion drawn by Sir Charles Montgomery from listening to the UQs in Parliament. However, in front of the Home Affairs Committee, the Home Office Permanent Secretary cited 'deterrence' as the overarching intent of the Government's strategy.<sup>64</sup>

50. Commander Sharpe felt that the use of Royal Navy assets would not be a deterrent. He told us that:

If you fill the channel with ships, you could make this problem worse. You are now making the crossing safer and therefore more attractive, exactly as happened in the Mediterranean in 2015 when boats were put to sea with 12.1 miles of petrol and the phone number of the nearest navy ship. When they ran out of fuel, they rang you and they were taken to safety. In my view, we need to move our mindset very slightly away from this idea of large boats or small boats coming alongside overlaid rubber dinghies. You are creating a safety of life issue right there, even though you are trying to help. ... There is a tremendous amount of risk just associated with what is being discussed, which is why I do not think it is the right solution.<sup>65</sup>

51. Admiral Sir George Zambellas, a former First Sea Lord who provided written evidence, agreed with this assessment:

Increasing the at-sea assets, vessels or aircraft, from any source, will increase safety at sea by creating additional surveillance and rescue opportunities, but are unlikely to deter, delay or reduce sailings. Arguably, the more assets that are at sea, or in the air, the safer the crossings become. The business model is not significantly disrupted by at-sea intervention, unless the rescued are returned to French territory from where they are unable to re-attempt a crossing. And, the at-sea intervention is also the final part of the

63 [Q1](#)

64 [Oral evidence](#) taken before the Home Affairs Committee on 2 February 2022, HC (2021–22) 192, Q316 [Ms Abbott]

65 [Q5](#)

delivery contract with the smugglers. Money has already changed hands, and into the hands of the organisers, and has likely passed up the business chain.<sup>66</sup>

52. **A successful military strategy requires clear ends, ways and means. The ends (or in this case the objectives) are anything but. The MOD appears to regard its objective as ensuring that no migrant lands on their own terms, but the Home Office sees the objective as deterrence. Whilst these are not mutually exclusive, nor do they necessarily reinforce each other. The MoD’s objective is in any case at best incoherent, since the migrants’ over-riding aim is to land in the UK, regardless of whether or not on their own terms.**

### *Timelines and measurement of success*

53. This leads us to timelines. The end state as set out by the MOD Ministers in their respective Houses of Parliament leave a lot to be desired: we question whether escorting those crossing the Channel to Britain’s shore really will act as a deterrent and what a “manageable” number of migrants crossing the channel in small boats would be. We also question the metric for establishing at what point public confidence has been restored.

54. When we asked our witnesses on what the Royal Navy would view as operational success, Commander Sharpe said that it would be the ability to build the operation, carry it out to an end point and then transfer the operation and the responsibility for it (probably to the Border Force). He explained that he believed that the Royal Navy would want an endpoint:

both from a pure resource perspective, to ensure that that is a down arrow and not an up arrow, and from a reputational perspective. There is a real danger here. The expectation of success has been set for the Royal Navy, when, as we have identified, there are so many parts to this that it cannot influence. I would be looking for an out.<sup>67</sup>

Sir Charles was admirably succinct in his agreement: success “would be as early closure as possible”.<sup>68</sup>

55. The point that there are many parts of this process which the Royal Navy cannot influence was made in our written evidence. Professor Tim Edmunds and Dr Scott Edwards told us that:

Small boat migration, like other maritime security challenges, is a radically multi-agency problem. A migrant boat might be identified by the RN, passed over to the National Maritime Information Centre (NMIC) for analysis, then to Border force or the MCA to respond depending on circumstances, before handing over to Immigration Enforcement officers or the police on land. Communication, coordination of action, and trust between departments is thus critical if such operations are to be effective.

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66 Admiral Sir George Zambellas [\[ISO010\]](#)

67 [Q35](#)

68 [Q36](#)

Such relationships take time to build. Different agencies have different organisational and operational priorities and may even be in competition with each other over resources or jurisdiction.

However, they noted that this issue had been addressed by the establishment of the Joint Maritime Security Centre which was already well placed to coordinate operations in the Channel as the Centre “work across civil-military boundaries and governmental departments, have a clear chain of command and reporting arrangements, and are widely understood to provide the UK with a world-leading maritime security capability”.<sup>69</sup> They warn that the transfer of responsibility to the Royal Navy risks at best duplicating the already effective structures and processes currently in place. At worst, the Royal Navy may need “to sustain trust and organisational buy-in from partner agencies such as Border Force or the MCA if its coordinating role is to be effective. These may be uncomfortable about being subordinated to their larger and more powerful military counterpart for the purposes of what are fundamentally civilian policing or SOLAS tasks.”<sup>70</sup>

**56. We are seriously concerned by the lack of a clear endpoint for this operation. Restoring public confidence in the immigration system is a task at which numerous governments have failed. It is not a task Defence is equipped to undertake. The MOD has its own policy failings which it needs to remedy – it should not be made responsible for the failings of other government departments as well.**

***57. We recommend that the Home Office and the MOD agree realistic indicators of success and explain them to both Houses of Parliament. Furthermore, we recommend that an agreed date for the operation to be handed over to the Border Force is published, with the option of extension if so required. This cannot be an open-ended deployment, occupying scarce Royal Naval vessels and personnel.***

## **Responsibility**

58. The Home Secretary remains responsible for border security and immigration control but a large part of that task, the operation at sea, is now with another Department (and therefore under the control of another Secretary of State). The Home Secretary retains control of the operation on land and, alongside the FCDO, control of the co-ordination with the French. This leads to what Sir Charles Montgomery referred to as “fractures in responsibility” leading him to question the impact on strategic alignment and management of the various boundaries between the two responsible Departments of State.<sup>71</sup>

59. When the Home Secretary was asked about this by the Home Affairs Committee she argued that there was no confusion - the two Departments were working together and teams from both Departments should be “given the time and space to undertake that work, look at operational primacy, look at the roles of the two Departments, look at where

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69 Professor Tim Edmunds and Dr Scott Edwards, University of Bristol and SafeSeas [\[ISO006\]](#) Para 5.6

70 Ibid

71 [Q12](#)

responsibilities lie, look at the planning expertise, look at the co-ordination and delivery of assets, and work through proper plans”.<sup>72</sup> When asked for a commitment to publishing the details of strategic responsibility and operational responsibility, she refused.<sup>73</sup>

**60. We believe that the Government ought to reconsider its refusal to publish the details of strategic and operational responsibility. This confusion around where responsibility for the policy lies is compounded by the fact that, as noted above, the solution to this issue does not lie at sea and therefore is outside the control of the Royal Navy (and indeed the MOD), despite its assuming primacy of the maritime operation. The fact that, six weeks on from the initial announcement, the Government is still unable (or unwilling) to answer questions about this issue does not inspire confidence.**

### *Use of ‘pushback’*

61. The Minister for the Armed Forces told the House of Commons three times that the Royal Navy and Royal Marines would not engage ‘pushback’ tactics. On the last occasion he explained that this was primarily because:

simply do not have the platforms that are appropriate for doing so. Arguably, the Border Force does; it has been doing trials with it, so it remains an option. But let us be clear: there are parts of the channel in which it definitely cannot be done, and there is a small part of the channel in which it might possibly be done. That is for the Navy commander to consider in due course.<sup>74</sup>

62. The Minister in the Lords also told that House that “the Armed Forces will not be engaged in turnaround tactics”.<sup>75</sup> However, two weeks later, the Home Secretary told the Home Affairs Select Committee the Minister for the Armed Forces had given his “view” but that the operational work between the two Departments was a “work in progress. It is wrong to say anything specific with regards to work operationally that is still being planned. That work has not completed yet.”<sup>76</sup> This statement resulted in a tweet from the MOD press office:

The @RoyalNavy and the @RoyalMarines will not be using push back tactics in the English Channel, although a military commander will retain the existing ability to instruct Border Force to use them when appropriate. A further update will follow in due course.<sup>77</sup>

**63. A public disagreement between two great offices of state, played out in the House and on Twitter, is deeply unedifying. If one of the objectives is to restore public confidence then this disagreement has done the opposite and the operation has failed**

72 [Oral evidence](#) taken before the Home Affairs Committee on 2 February 2022, HC (2021–22) 192, Q307 [Ms Abbott]

73 [Oral evidence](#) taken before the Home Affairs Committee on 2 February 2022, HC (2021–22) 192, Q308 [Ms Abbott]

74 HC Deb, 18 January 2022, [col 215](#)

75 HL Deb, 20 January 2022, [col 1768](#)

76 [Oral evidence](#) taken before the Home Affairs Committee on 2 February 2022, HC (2021–22) 192, Q304–5 [Ms Abbott]

77 The Times, [Ministry of Defence tells Priti Patel it will not deploy ‘pushback’ against Channel migrants](#), 3 February 2022

**before it has even started. We question whether announcing the policy before agreeing the detail was a wise move or rather one borne of desperation. We hope that lessons will be learned from this experience.**

## Availability of Royal Navy assets and the potential impact on other Defence commitments

64. We recently held an inquiry which examined the future role and capabilities of the Royal Navy. Our report, published in December 2021, noted that:

The Navy’s capabilities are stretched thin between its current missions: additional tasks or an unexpected crisis could break it. From now until at least 2027, it must take on increased responsibilities in a deteriorating international security environment, relying on a mix of elderly vessels that are often unavailable and new and untested assets and processes, with a tight budget for operations and maintenance.<sup>78</sup>

Nothing we have heard during this short inquiry has indicated that the Navy is able to take on primacy of the maritime role in the Channel without it having an impact on other areas of work. This is all the more important given the additional tasks undertaken by the Navy resulting from the increase in international tension because of the crisis in Ukraine.<sup>79</sup>

65. Commander Sharpe warned us that Navy could deploy a number of assets to the Channel:

but there is no fat; there is no spare capacity. The person with the planning board, the stick and the ships is going to be hoping desperately that naval vessels are not requisitioned for this task, because they are all in use for other things.<sup>80</sup>

Sir Charles Montgomery told us that, whilst there might be little short-term impact, there was the potential for the long-term impact to be significant.<sup>81</sup> We explore this further in the section ‘long term impact’ below.

66. Written evidence to the inquiry also showed high levels of concern about the diversion of scarce naval resources from other Defence tasks. Dr Basil Germond emphasised that “in a period of budgetary constraints and geopolitical turmoil”, missions and theatres of operation should be prioritised, and decisions to employ naval resources “should be proportionate to the core national interest”.<sup>82</sup> We also received written evidence from Chris Cope which stated that the Batch 1 OPVs “would be the obvious candidate for assisting with regard to the surveillance of migrant crossings in the Channel” but that this would leave a gap “with regard to the naval vessels available for fishery protection duties”. He emphasised that following the exit from the EU “fishery protection is more important than ever” and suggested that using those ships “for surveillance of migrant crossings would be a retrograde step”.<sup>83</sup>

78 Defence Committee, Third Report of Session 2021–22, “[We’re going to need a bigger Navy](#)”, HC 168, Para 200

79 Both HMS Trent (an OPV) and HMS Diamond (a Type 45 destroyer) have been deployed to the Eastern Mediterranean.

80 [Q5](#)

81 [Q9](#)

82 Dr Basil Germond, [[ISO001](#)] Para 3.5

83 Chris Cope [[ISO004](#)] Para 5

67. Professor Tim Edmunds and Dr Scott Edwards noted that whereas the Royal Navy has many more ships suited to maritime security tasks (including “16 Archer class fast patrol boats, two scimitar class fast patrol boats, and eight of the larger and more capable River class offshore patrol vessels”) all of these vessels “are already in high demand for maritime security tasks elsewhere”. They explained that:

Two of the Rivers—HMS Tamar and HMS Spey—are forward deployed to the Indo-Pacific region. The others are assigned to areas of longstanding UK interest, such as the Caribbean and the Falklands, or now patrol the UK’s fishing waters following Brexit. Likewise, two of the Archers are deployed to the Gibraltar Squadron (alongside the two Scimitars), another two are assigned to security duties at HMNB Clyde, while the others play important roles with University Royal Naval Units. These commitments are only likely to multiply in future. The Indo-Pacific is of growing importance to the UK and RN, as the deployment of HMS Tamar and Spey as well as the despatch of a Carrier Strike Group to the region in 2021 demonstrate. Plenty of other maritime hotspots demand attention too: the North Atlantic, Black Sea and Gulf of Aden in particular. In that context, it seems unlikely the RN could commit additional vessels to the channel without this having a significant impact on important defence commitments elsewhere.<sup>84</sup>

As noted above, the Ukraine crisis increases the maritime hotspots which demand attention from the Navy.

68. The Minister for the Armed Forces told LBC Radio on 17 February 2022 that the Royal Navy will need “additional platforms that are appropriate to the task, you need a very low outboard height to be able to safely bring people from a dinghy into your vessel”.<sup>85</sup> When asked in the House for further information he clarified that the intention was to explore whether the platforms could be leased or would need to be procured.<sup>86</sup> However, putting such a contract out to tender is likely to have an impact on the Defence budget. We explore this matter further below in the section ‘Long-term impact, including budgetary responsibility’.

**69. It is clear that if Royal Navy vessels are to be committed to the operation in the Channel, some existing commitments will be given up. The Government ought to be clear, both with Parliament and the public what it is prioritising this task against and which commitments will be unfulfilled as a result.**

## Engagement with France

70. It is clear that the UK can only manage the symptoms, rather than the cause, of this issue. To truly address it, the co-operation of the French Government is required. Sir Charles Montgomery told us that:

I have always maintained that the really strategic answer for this lies upstream rather than in the channel or on the UK coastline. You could go really upstream to countries of origin and transit routes. If you cannot,

84 Professor Tim Edmunds and Dr Scott Edwards, University of Bristol and SafeSeas [ISO006] Para 3.2–3

85 LBC, [Royal Navy ships patrolling Channel ‘too high’ to block migrant boats, minister admits](#), 17 February 2022

86 HC Deb, 21 February 2022, [col 7](#)

the obvious place is France. There was a time when we did some—I would have to say this, even though I do not like to use the word—pretty intrusive things in France. Anybody who has been to see the Port of Calais, Dunkirk or the rail terminal at Coquelles will see what the UK did to make those ports secure. ... That was done with a political understanding that it was in both countries' interests.<sup>87</sup>

Commander Sharpe agreed that there was little that the Navy could do to stop small boats launching from the French coastline, aside from further relationship building and understanding the status quo so as to assess the situation. He told us that: “In terms of striking this at source and squeezing the business model, this is absolutely outside the Navy’s remit.”<sup>88</sup>

71. It has been emphasised throughout that relations between the French and British Navies are very good (as are those of the Border Force and the National Crime Agency with their French counterparts). Sir Charles suggested that, notwithstanding the French election cycle, the Royal Navy’s involvement may improve the relationship with the French on this particular issue.<sup>89</sup> However, concerns raised by the French member of the Assemblée nationale for Calais about the implications of using Royal Navy assets (including concerns that the Royal Navy might try to “invade French territorial seas to force boats back [to France]”) suggest that reassurance beyond the French military is also required.<sup>90</sup> Whilst this task falls to the Home Office and the FCDO, it is incumbent upon the MOD to ensure that any Royal Navy deployment does not degrade either the military relationship or the overall UK-France relationship.

## Long-term impact, including budgetary responsibility

72. Sir Charles Montgomery told us that in re-tasking, as a result of re-prioritisation:

What quite often go are areas that have very little short-term impact but will require managing in the long term. It may well be periods where assets were due to be giving their sailors either leave or training; it may be periods when ships or other assets were due to be in maintenance, which gets deferred; or it may indeed be operational tasking beyond operational training that is deemed to be a lower priority. ... Both of the first two, that is to say leave/training and maintenance, bring relatively little short-term pain, but quite often develop into longer term backlogs that need to be addressed. The impacts may not be seen until further downstream.<sup>91</sup>

73. Sir Charles was also concerned about the tasks which the Border Force was unable to carry out whilst it was focussed on immigration:

First of all, we have 14,000 miles of coastline in this country. If you also take the various areas of legal control that we have over waters outlying, we have a massive maritime area to police. It is a fact that, in my time in command of Border Force, we were involved in really big operations on

87 [Q23](#)

88 [Q24](#)

89 [Q25–26](#)

90 Angie Hesham Abdo Ahmed [[ISO002](#)] Para 10–11

91 [Q9](#)

counterterrorism and serious crime. In one seizure, we seized £500 million worth of cocaine. I was reading the other day that the Navy had seized one worth £15 million. That is fantastic, but it gives you an idea of the sorts of things that Border Force is doing in the maritime area, as well as customs control.

It seems to me that the debate about Border Force and its maritime capabilities is all getting a bit focused on immigration through the channel. That concerns me a bit, because there is a hell of a lot else that is happening in this country that is at least as damaging, if not more, to our national security than the numbers coming across the channel. I fear that Border Force is being sucked overly into that.<sup>92</sup>

74. One option explored in our evidence session was the commissioning of the private sector to carry out tasks in the Channel. Commander Sharpe told us that he had concerns about command and control issues; legality issues; and Rules of Engagement issues such as under what regulations and under whose law they are operating.<sup>93</sup> However, Sir Charles Montgomery spoke of his experience of having relied on support from the private sector:

We operated with the private sector in the east Mediterranean. You may not know, but we deployed two Border Force cutters to the Mediterranean at the height of the crisis. We took under control then two ships taken up from trade, as they are termed. They were fabulous enhancements to capability, really terrific, and integrated very closely. I did not sense that there were legal difficulties, as Tom has highlighted, in that operation. In the main, it was humanitarian, rather than enforcement. The private sector does have capabilities that I am sure can be well integrated.<sup>94</sup>

75. However, there is no doubt that (as noted in para 68) this would have a further impact on the Defence budget given that this is not a MACA request but rather, costs will lie where they fall. When we asked about the impact on the Defence budget, Sir Charles pointed out that the cost would depend both on what the Navy is going to provide (i.e. assets in the Channel as well as the command and control element) and for how long.<sup>95</sup> We note that the Minister for Armed Forces told the House that there were ongoing discussions with the Treasury about additional funding for “novel capabilities” but we note that that has not (as yet) been confirmed.

**76. The Defence budget (despite its recent uplift and multi-year commitment) is already inadequate. Adding responsibility for immigration without a further uplift in the budget takes scarce resources from an already overstretched Department. We do not understand why this operation is not being treated as a MACA request and accordingly resourced by the Home Office.**

## Reputational risk

77. The final criticism levelled at the Government’s plan is the potential for reputational risk to the Royal Navy. Commander Sharpe told us that:

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92 [Q29](#)  
 93 [Q28](#)  
 94 [Q30](#)  
 95 [Q32](#)

There is a reputational impact to this, no question, which the Navy comms team will be dealing with. ... Arriving in Dover full of migrants and with a white ensign on the back is reputational damage to the Royal Navy. ... In terms of avoiding becoming a taxi service, this is why it is not just about throwing more ships into the mix<sup>96</sup>

Both he and Sir Charles Montgomery were clear that the presence of Royal Navy ships in the Channel had the potential to increase the migrant flow. Sir Charles warned: “If your strategic objective is to stop the migratory flow, do not do that. All it does is encourage it.”<sup>97</sup> However, he felt that if the strategic objective was to ensure that all of those in the boats were brought ashore and processed then “as long as it is properly communicated, the Royal Navy’s task becomes much less reputationally damaging, because what it is doing is bringing people in for proper processing. Therefore, the mission is being successfully accomplished.”<sup>98</sup>

78. Whilst the MOD are willing to acknowledge this as the strategic objective, it does not appear that the Home Office are. As long as the Home Office continue to insist that the objective is deterrence (without acknowledging the role of the Royal Navy is to bring migrants ashore) then the operation will have the potential to cause reputational risk to the Royal Navy and UK Defence as a whole.

**79. Operation Isotrope’s potential to cause reputational damage to the Royal Navy (and even UK Defence as a whole) is significant. That risk comes from a number of areas: those who believe that this is not a defence task (but rather ought to be carried out by civil authorities); those who believe that the Royal Navy ought to have other, more pressing priorities; and those who believe that the Royal Navy is ineffective in the role, instead becoming a ‘taxi service’ for those crossing the Channel. This reputational damage could likely be countered by clear messaging of what the expectations are upon Royal Navy assets in the Channel and cross-Government agreement of the strategic objective of the operation. However, we have not seen any evidence that that will happen.**

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96 [Q20](#)

97 [Q21](#)

98 [Q22](#)

## 5 Conclusions

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80. The manner in which this decision was announced leaves a lot to be desired. The confusion around the ways and means which will be used to achieve the strategic objective (let alone the strategic objective itself) is unhelpful and does not lend itself to effective scrutiny, particularly when Ministers provide the bare minimum of information. This is compounded by the fact that, more than six weeks after the decision had been announced and we had requested more information from them, we have not received any evidence, written or oral from either of the Departments involved.

81. Furthermore, this operation distracts from other Defence tasks, which is a particular concern given the shortfalls we identified in our recent Report ‘We’re going to need a bigger Navy’. The operation will likely have long-term impacts on training, personnel leave allocation and asset maintenance. It is also unclear why Op Isotrope is not being funded under the normal MACA arrangements. The reputational risk to the Royal Navy, particularly if this becomes a long-term operation, is significant. We can see few positives and many negatives should the Royal Navy assume primacy as suggested.

82. In short, the Government has not attempted to persuade us that Operation Isotrope is anything but an ill-defined policy, prematurely announced. The best case scenario for the Royal Navy is that it will leave with its reputation unharmed: there is no prospect of leaving with its reputation enhanced.

## Conclusions and recommendations

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### Our inquiry

1. The announcement of this policy appears to have been made prematurely. When the Government has been asked for details, it has consistently responded that these were being worked out. Announcing a policy before finalising the details is bad practice, particularly when that policy area is so sensitive. We question why such a premature announcement was made. (Paragraph 4)

### Migrant crossings of the Channel

2. In line with our general policy on shipbuilding, we call on the Home Office to ensure that any new vessels are built in British yards, to ensure national capacity is maintained (Paragraph 11)

### Criticism of the policy

3. A successful military strategy requires clear ends, ways and means. The ends (or in this case the objectives) are anything but. The MOD appears to regard its objective as ensuring that no migrant lands on their own terms, but the Home Office sees the objective as deterrence. Whilst these are not mutually exclusive, nor do they necessarily reinforce each other. The MoD's objective is in any case at best incoherent, since the migrants' over-riding aim is to land in the UK, regardless of whether or not on their own terms. (Paragraph 52)
4. We are seriously concerned by the lack of a clear endpoint for this operation. Restoring public confidence in the immigration system is a task at which numerous governments have failed. It is not a task Defence is equipped to undertake. The MOD has its own policy failings which it needs to remedy – it should not be made responsible for the failings of other government departments as well. (Paragraph 56)
5. *We recommend that the Home Office and the MOD agree realistic indicators of success and explain them to both Houses of Parliament. Furthermore, we recommend that an agreed date for the operation to be handed over to the Border Force is published, with the option of extension if so required. This cannot be an open-ended deployment, occupying scarce Royal Naval vessels and personnel.* (Paragraph 57)
6. We believe that the Government ought to reconsider its refusal to publish the details of strategic and operational responsibility. This confusion around where responsibility for the policy lies is compounded by the fact that, as noted above, the solution to this issue does not lie at sea and therefore is outside the control of the Royal Navy (and indeed the MOD), despite its assuming primacy of the maritime operation. The fact that, six weeks on from the initial announcement, the Government is still unable (or unwilling) to answer questions about this issue does not inspire confidence. (Paragraph 60)
7. A public disagreement between two great offices of state, played out in the House and on Twitter, is deeply unedifying. If one of the objectives is to restore public

confidence then this disagreement has done the opposite and the operation has failed before it has even started. We question whether announcing the policy before agreeing the detail was a wise move or rather one borne of desperation. We hope that lessons will be learned from this experience. (Paragraph 63)

8. It is clear that if Royal Navy vessels are to be committed to the operation in the Channel, some existing commitments will be given up. The Government ought to be clear, both with Parliament and the public what it is prioritising this task against and which commitments will be unfulfilled as a result. (Paragraph 69)
9. The Defence budget (despite its recent uplift and multi-year commitment) is already inadequate. Adding responsibility for immigration without a further uplift in the budget takes scarce resources from an already overstretched Department. We do not understand why this operation is not being treated as a MACA request and accordingly resourced by the Home Office. (Paragraph 76)
10. Operation Isotrope's potential to cause reputational damage to the Royal Navy (and even UK Defence as a whole) is significant. That risk comes from a number of areas: those who believe that this is not a defence task (but rather ought to be carried out by civil authorities); those who believe that the Royal Navy ought to have other, more pressing priorities; and those who believe that the Royal Navy is ineffective in the role, instead becoming a 'taxi service' for those crossing the Channel. This reputational damage could likely be countered by clear messaging of what the expectations are upon Royal Navy assets in the Channel and cross-Government agreement of the strategic objective of the operation. However, we have not seen any evidence that that will happen. (Paragraph 79)

## Conclusions

11. The manner in which this decision was announced leaves a lot to be desired. The confusion around the ways and means which will be used to achieve the strategic objective (let alone the strategic objective itself) is unhelpful and does not lend itself to effective scrutiny, particularly when Ministers provide the bare minimum of information. This is compounded by the fact that, more than six weeks after the decision had been announced and we had requested more information from them, we have not received any evidence, written or oral from either of the Departments involved. (Paragraph 80)
12. Furthermore, this operation distracts from other Defence tasks, which is a particular concern given the shortfalls we identified in our recent Report 'We're going to need a bigger Navy'. The operation will likely have long-term impacts on training, personnel leave allocation and asset maintenance. It is also unclear why Op Isotrope is not being funded under the normal MACA arrangements. The reputational risk to the Royal Navy, particularly if this becomes a long-term operation, is significant. We can see few positives and many negatives should the Royal Navy assume primacy as suggested. (Paragraph 81)

13. In short, the Government has not attempted to persuade us that Operation Isotrope is anything but an ill-defined policy, prematurely announced. The best case scenario for the Royal Navy is that it will leave with its reputation unharmed: there is no prospect of leaving with its reputation enhanced. (Paragraph 82)

## Formal minutes

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### Tuesday 8 March 2022

Physical meeting

Members present

John Spellar, in the Chair

Stuart Anderson

Sarah Atherton

Dave Doogan

Richard Drax

Mark Francois

Kevan Jones

Emma Lewell-Buck

Gavin Robinson

Derek Twigg

### ***Operation Isotrope: the use of the military to counter migrant crossings***

Draft Report (*Operation Isotrope: the use of the military to counter migrant crossings*), proposed by the Chair, brought up and read.

*Ordered*, That the draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 82 read and agreed to.

Summary agreed to.

*Resolved*, That the Report be the Fourth Report of the Committee to the House.

*Ordered*, That the Chair make the Report to the House.

*Ordered*, That embargoed copies of the Report be made available (Standing Order No. 134).

### **Adjournment**

Adjourned till Tuesday 15 March 2022 at 2.00pm.

## Witnesses

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The following witnesses gave evidence. Transcripts can be viewed on the [inquiry publications page](#) of the Committee's website.

### Wednesday 26 January 2022

Vice Admiral Sir Charles Montgomery KBE; Commander Tom Sharpe OBE

[Q1-38](#)

## Published written evidence

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The following written evidence was received and can be viewed on the [inquiry publications page](#) of the Committee's website.

ISO numbers are generated by the evidence processing system and so may not be complete.

- 1 Abdo, Ms Angie Hesham (Sea Power and Chinese politics expert , Hull University) ([ISO0002](#))
- 2 Channel Rescue ([ISO0008](#))
- 3 Cope, Chris ([ISO0004](#))
- 4 Cowan, James ([ISO0005](#))
- 5 Drone Wars UK ([ISO0003](#))
- 6 Edwards, Dr Scott (Research Associate, University of Bristol and SafeSeas); and Edmunds, Professor Tim (Professor, University of Bristol and SafeSeas) ([ISO0006](#))
- 7 Germond, Dr Basil (Senior Lecturer, Lancaster University) ([ISO0001](#))
- 8 Harland & Wolff ([ISO0009](#))
- 9 London, Mr James (Retired Army Officer) ([ISO0007](#))
- 10 Thales UK ([ISO0011](#))
- 11 Zambellas, Admiral Sir George ([ISO0010](#))

## List of Reports from the Committee during the current Parliament

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All publications from the Committee are available on the publications page of the Committee's website.

### Session 2021–22

Number	Title	Reference
1st	Russia and Ukraine border tensions	HC 167
2nd	Protecting those who protect us: Women in the Armed Forces from Recruitment to Civilian Life	HC 154
3rd	"We're going to need a bigger Navy"	HC 168
1st Special	Obsolescent and outgunned: the British Army's armoured vehicle capability: Government Response to the Committee's Fifth Report of Session 2019–21	HC 221
2nd Special	Manpower or mindset: Defence's contribution to the UK's pandemic response: Government Response to the Committee's Sixth Report of Session 2019–21	HC 552
3rd Special	Russia and Ukraine border tensions: Government Response to the Committee's First Report	HC 725
4th Special	Protecting those who protect us: Women in the Armed Forces from Recruitment to Civilian Life: Government Response to the Committee's Second Report	HC 904
5th Special	Fifth Special Report - "We're going to need a bigger Navy": Government Response to the Committee's Third Report	HC 1160

### Session 2019–21

Number	Title	Reference
1st	In Search of Strategy—The 2020 Integrated Review	HC 165
2nd	The Security of 5G	HC 201
3rd	Pre-appointment hearing for the Service Complaints Ombudsman	HC 989
4th	Foreign Involvement in the Defence Supply Chain	HC 699
5th	Obsolescent and outgunned: the British Army's armoured vehicle capability	HC 659
6th	Manpower or mindset: Defence's contribution to the UK's pandemic response	HC 357
1st	Armed Forces Covenant Annual Report 2018: Government Response to the Committee's Eighteenth Report of Session 2017–19	HC 162
2nd	Drawing a Line: Protecting Veterans by a Statute of Limitations: Government Response to the Defence Committee's Seventeenth Report of Session 2017–19	HC 325

<b>Number</b>	<b>Title</b>	<b>Reference</b>
3rd	In Search of Strategy—The 2020 Integrated Review: Government Response to the Committee’s First Report of Session 201921	HC 910
4th	The Security of 5G: Government Response to the Committee’s Second Report	HC 1091
5th	Foreign Involvement in the Defence Supply Chain: Government Response to the Committee’s Fourth Report	HC 1380