

How can the UK unsnag the benefits of a whole force approach to security?



¹²DEFENCE ENGAGEMENT
AND THE ROLE OF THE
PRIVATE SECTOR

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INTRODUCTION

Back in April 2015, during the very first Centre for Historical Analysis and Conflict Research workshop – *Contributing to strategic influence and prosperity* – it was observed that the UK's private security sector represented an untapped source of national influence and military capacity, which could be used to augment the over-stretched Armed Forces. It was noted that the benefits of exploiting this capacity would not be confined to the MoD and its chosen partners, but would be likely to spill over into the 'soft power' and influence agenda of both the Foreign and Commonwealth Office and Department for International Development and, by bringing business from abroad to British or British-based companies, have wider income and tax benefits to service the nation's prosperity agenda. This, it was agreed, would be an ideal subject for a subsequent study day.

It was not until October 2017 that the CHACR could finally bring together the right parties to consider the mutual benefits that could be accrued from the generation of a much closer working relationship between the private security-focused sector and the MoD. It is striking that the organisation of this event had taken some 18 months – not because the event was in any way difficult or complex to arrange, nor through any lack of willingness from the prospective military or civilian company participants, but through a general feeling from within the MoD that this was a 'sensitive' and even 'contentious' issue to discuss. This concern was exactly the issue that the CHACR sought to address by arranging the study period.

Many other countries,



and especially some of our closest allies such as the US and France, make excellent use of private companies to supplement their foreign and defence agendas. In so doing they multiply the effects that they can have through the use and deployment of limited defence resources while servicing their nations' wider interests. Such countries have strict employment standards, but use agile and imaginative contractual arrangements to ensure that opportunities are not missed as the enthusiasm and speed of decision-making in both private companies and defence operational bodies is not hindered by a different willingness or pace of contractual process. At the same time, there seems to be a unique suspicion in the British defence establishment (among serving Service personnel and civil servants alike) of employing ex-Service and ex-civil service personnel engaged in the private security business.

It was felt that, with these two reasons as a start-point, and at a time when there is renewed emphasis on the role of defence engagement (and it being the central *raison d'être* of one of the Army's two divisions), this topic needed investigation. The seminar was attended by a wide range of participants, many very senior, both civilian and military, and government-employed and private sector. If nothing else, it provided a really useful forum for these two bodies to air their mutual concerns and to seek areas of mutual benefit. As can be seen, however, from the post-event thoughts of some of the participants that are included in this issue of *Ares & Athena*, the session went much further than that. It is hoped that it provided a much-needed catalyst for the fostering of a new relationship between defence and defence-related private companies (or, more accurately, a renewed relationship, as Britain has a long history of the wise use of civilian enterprise abroad to serve the nation's wider interests).



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WHY WE NEED A BETTER RELATIONSHIP WITH PRIVATE SECURITY COMPANIES – AN MoD VIEW

The 2015 *Strategic Defence and Security Review* set out the Government's vision for a secure and prosperous United Kingdom with global reach and influence. As part of this vision the MoD sought to make defence policy 'international by design'. This was an ambitious goal that recognised no country could address the complexity of the changing security environment alone and that partnerships and alliances lay at the heart of our security approach.

Defence engagement is the primary delivery mechanism for defence's international approach. Defined as the use of our people and assets to prevent conflict, build stability and gain influence, it became a core task for defence for the first time in 2015. The publication of the *International Defence Engagement Strategy* in February 2017 deepened this concept further. The strategy sets out that the UK's international defence objectives are to develop understanding; prevent conflict; build capacity and capability; promote prosperity and gain the UK access and influence.

Defence delivers this strategy using a number of 'ways', from our contribution to key alliances such as NATO, to capability partnership programmes, an expanded programme of defence education and high-level visits. All of this is delivered through an extensive and strengthened global network of attachés and loan service personnel who are supported by force elements drawn from across the Services. Since 2015 we have made significant progress towards the achievement of these ambitious goals. However, to realise the ambition of a "global Britain" set out by the Prime Minister in January 2017 and reinforced by her recent speech at the Lord Mayor's banquet, we may need to deepen our international programme yet further. The complexity of the security environment we face continues to demand that we will only achieve our national security objectives by, with and through the actions of others.

To be successful in this endeavour we not only need to remain credible militarily, but also our engagement needs to be persistent. Self-evidently, persistent engagement requires dedicated resource. Successful capacity building demands detailed local knowledge, trust and programmes delivered for the long term. UK expertise remains highly sought-after and the UK defence brand remains strong. We continue to build successful long-term partnerships based around capability programmes that contribute to interoperability and generate prosperity. Yet defence cannot spread its resources everywhere all the time. There is opportunity here for the private security sector.

The private security sector offers the potential to offer an alternative and innovative 'way' of achieving our international objectives. In MoD we recognise that the sector can bring a wide range of established capabilities and benefits. Its component companies are already persistently engaged worldwide. They have developed an extensive international network of interlocutors and sophisticated mechanisms to understand the local picture. Often they



They [private security companies] are capable of reacting quickly and have developed rigorous mechanisms to assure delivery and ensure ethical standards

have deep specialist expertise and the ability to tap into further expertise in the ex-military pool. They are capable of reacting quickly and have developed rigorous mechanisms to assure delivery and ensure ethical standards. Moreover the sector is worth approximately £6 billion to the UK economy – a figure that could be enhanced if we were to provide more opportunity to deliver on Her Majesty's Government's behalf. Yet defence's use of private security companies is sporadic and episodic. Whilst we have contracted out some aspects of our international activity, it is not routine. We already have policy in place that deals with the use of private security companies yet we seem not to be following it. The key question is why?

Is it because the contracting process within defence is unresponsive to the needs of the sector? Is there a cultural resistance at the heart of defence that still treats this sector with suspicion based on US experiences in Iraq and Afghanistan? Is there simply too much reputational risk inherent in routine contracting? Would our international partners trust a contractor rather than a soldier? Is the onus on the private security sector to better assure Her Majesty's Government that it is acting ethically and delivering value for money? Or is it simply a failing of strategic imagination by defence planners?

There is probably no definitive answer to these questions and we will have to address all of them if we are to move forward. What is clear is that if we are to deliver internationally then we must view private security companies as partners in this endeavour. The CHACR workshop was a really useful way of exposing the issues, proposing solutions and signalling common purpose. The challenge is now to turn these ideas into a strategic way forward with real outcomes. What we must not do is meet again in two years' time and admire the same problem!

PERSISTENT ENGAGEMENT OVERSEAS: THE ROLE OF 1 (UK) DIV THROUGHOUT THE CONTINUUM OF CONFLICT

The concept of persistent engagement overseas and the establishment of load-bearing relationships with our partners will allow the UK to understand and shape events to prevent conflict. It crosses the divide between security force assistance on operations and peacetime defence engagement, by providing a continuum of activity that is rooted in deep understanding of regions of strategic interest to the UK and is applicable across the spectrum of conflict. The result is greater agility with our partners, allies, other single Services and other government departments in response to emerging crises, setting the conditions for successful conflict prevention and conflict resolution. 1st (United Kingdom) Division, with its regionally-aligned brigades, specialised infantry and light force elements forms the basis of the land contribution to persistence.

Persistent engagement overseas provides a different and indirect approach to crisis/conflict resolution. It requires working in collaboration with government, joint and coalition partners to build an enduring and consistent relationship with the Partner Nation (PN) armed forces, so that through trust and cooperation, the UK can assist a PN in the prevention and resolution of crises. Whilst early and effective engagement is key to successful prevention, political and economic realities will mean that predicting and providing the necessary effort upstream may prove impossible. Therefore engagement will be required throughout the continuum of conflict.

1 (UK) Div is able to understand, engage, act and endure in regions of UK strategic interest to help a PN prevent a crisis developing; resolve a crisis, including intervening on the PN's behalf; and, once resolved, prevent a crisis re-occurring. Figure 1 below illustrates the continuum of conflict and the different roles/tasks a persistently engaged 1 (UK) Div is able to deliver:

1. Defence engagement. 1 (UK) Div is committed routinely to defence engagement activity, a core task for defence in the *Strategic Defence and Security Review 15*. The Div, with its Regionally Aligned Brigades (RAB), is able to deploy and coordinate land assets in the conduct of capacity building

and security sector reform, as part of defence's approach to prevent instability and a crisis developing. In a fragile PN, the Div can engage to establish mutually-beneficial relationships; develop an understanding of the country/situation, including the nature of the crisis, motivations and capabilities of the actors and the operating environment itself; and conduct capacity-building activity, deploying training and advisory teams to improve the PN's military capability. A valuable contribution to defence security cooperation, building positive relationships with the PN to meet political and military ends.

2. Focused upstream capacity building. Should the situation in the PN deteriorate, defence's engagement will become more focused as the UK seeks to avert a crisis and prevent conflict. The UK will seek to gain a better understanding of the situation to shape and deter threats and develop opportunities, whilst advising and assisting the PN both conceptually and physically. Effort will also be made to ensure the UK and PN can interoperate – act together coherently, effectively and efficiently to achieve tactical, operational and strategic objectives. This could see a small Div/Bde HQ embedded in a PN formation, supported by the RAB, assisting and advising a PN to plan and execute operations; continue to build the capacity of the PN's armed forces, including the use of specialised infantry dependent on risk, and the levels of expertise and persistence required; and to coordinate UK land assets supporting the PN, which may include niche capabilities that the PN does not have¹. Concurrent to this activity, 1 (UK) Div force elements will continue to assist defence to develop its intelligence picture of the developing crisis and achieve greater situational awareness to inform the planning of broader options for engagement and support to the PN.

3. Limited intervention. Should the situation continue to deteriorate, the UK might respond with a rapid deployment in support of a PN, coalition or the UN to shape and deter,

¹For example, ISTAR support, CSS enablers and advisory teams and Information Manoeuvre advice and assistance.

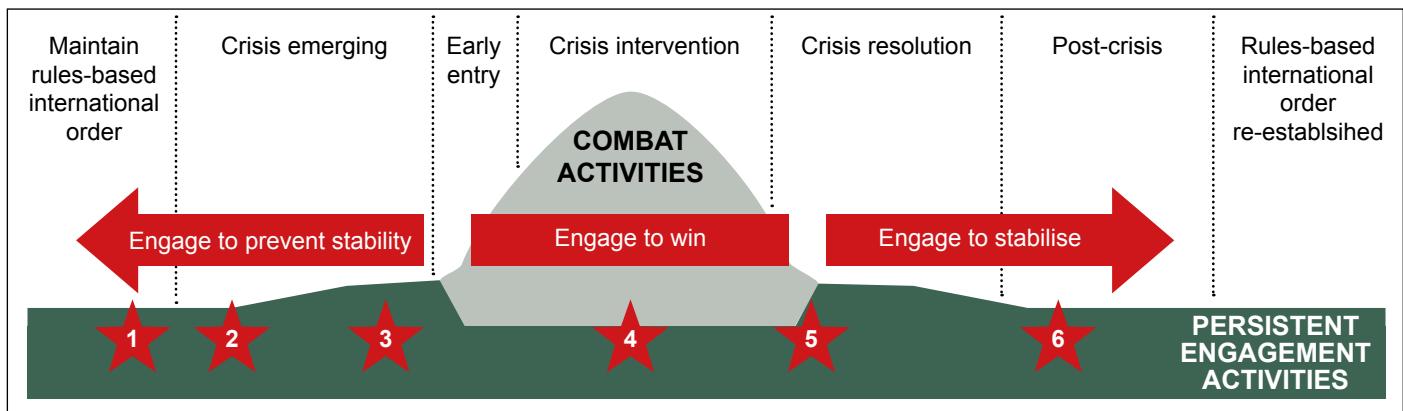


Figure 1: Continuum of Operations



thereby preventing a crisis/conflict escalating. Light forces may be the force of choice, with their strategic and operational mobility, as well as their relatively low profile, for a limited intervention. This could see the Div HQ, providing C2 at the Op/Tac interface, deploying with a light brigade to conduct stability operations, including stabilisation, peace support and counter-irregular activity. The Div would also coordinate persistent supporting activity for the operation, including RAB and specialised infantry engagement for capacity building (advise, assist and mentor) and security sector reform tasks.

4. Intervention. Should the situation deteriorate to an extent that the UK decides to conduct a deliberate intervention, joint expeditionary forces are likely to form part of the intervening force. However, 1 (UK) Div offers further options for defence:

● **Support to a deliberate intervention.** Any 1 (UK) Div force elements that are already engaged can be subsumed into the operation, and potentially reinforced, leveraging their understanding and enduring relationships to assist in shaping the theatre for the intervention force. The RAB will help generate PN acceptance and assistance: harnessing PN capacity to continue to build the intelligence picture and situational awareness, whilst using PN security and logistics to enable the deployment and sustainment of the intervention force. The RAB, Specialised Infantry Group and the Div HQ itself will also continue to build the capacity of the PN armed forces through mentoring and partnering/accompanying them. This will both enable the PN to interoperate with UK-coalition forces and generate invaluable PN dismounted mass, whilst adding the vital indigenous ‘face’ on the operation.

● **As an alternative to a deliberate intervention.** 1 (UK) Div is able to conduct security force assistance at scale as part of a joint or coalition combat operation to support a PN, achieving effects by, with and through the partner. The Div is capable of working alongside and embedding at multiple levels, advising and assisting the PN plan and executing operations, coordinating UK specialist and

niche assets, notably ISTAR and precision fires, as well as mentoring, partnering and accompanying PN armed forces as necessary. The Specialised Infantry Group will play a key part in the latter with its ability to work in small teams embedded with the PN, supported by conventional light forces where greater mass or partnering effect is required.

5. Stability operations. Following a deliberate intervention, 1 (UK) Div is able to generate a follow on force to the Vanguard Div to undertake post-conflict stability operations. Deploying in support of the PN to re-establish security and stability, whilst utilising the RAB and Specialised Infantry Group to conduct capacity building, security force assistance and security sector reform to allow the transition to a PN lead and to prevent the conflict reoccurring.

6. Downstream capacity building. As the PN (re)-establishes security, the UK will wish to remain engaged to prevent the crisis/conflict re-occurring. As with upstream capacity building, the Div – in particular the RAB and Specialised Infantry Group – is able to coordinate and undertake a wide range of capacity building and security sector reform activity in support of the PN, whilst maintaining defence’s understanding and situational awareness.

Conclusion

The character of conflict suggests that fighting opposing military forces only is increasingly less likely, that the conflicts where civilians, rebels, proxies and local civic leaders are as influential as formed armies are more relevant and ‘there is no longer a binary separation between conventional and non-conventional threats’. Through persistent engagement, 1 (UK) Div offers a platform from which relationships can be established, understanding developed, and land activity focused in support of a PN to prevent and resolve crises either through: capacity building, security sector reform and security force assistance; an intervention on behalf of a PN; or as a ‘socket’ through which other UK and allied capabilities can do so.

ESTABLISHING THE SPECIALISED INFANTRY

In 2015, the *Strategic Defence and Security Review* directed and enabled the Chief of the General Staff (CGS) to refine the Army 2020 structures and, amongst other capabilities, form the Specialised Infantry. To understand the Army's newest capability, this article will briefly outline why Specialised Infantry was created, define its role within the land component and consider what is required for the future.

The establishment of Specialised Infantry is rooted in CGS's visualisation of the future of decisive land power employment; his aspiration is to "get ahead of the bang by being persistently engaged overseas to understand and to shape, to deter and to protect, and to enhance our prosperity"². As such, he hopes to contain threats upstream and project influence to enable UK actor prosperity for the future. To realise this, 1 (UK) Division is charged with ensuring the British Army is persistently engaged overseas. It achieves this through a variety of tasks, including: defence engagement, capacity building and, where required, security force assistance. These activities are delivered to foreign military partners across the world.

1 (UK) Division delivers persistent engagement through complementary activities by the Regionally Aligned Brigades (RABs) and the Specialised Infantry. The RABs are the British Army's focal point for their designated region and they provide targeted defence engagement in the land

²CGS's keynote speech to RUSI, Jun 17, page 5.

environment. The RAB HQs provide persistence and an 'understand and liaison' function that facilitates and coordinates activity. Their units engage with a wide variety of partners and deliver short-term training team activities that offer a shallow syllabus of development to a broad audience and routinely last anywhere between two and eight weeks. Training efforts are regular but episodic and allow an impact upon multiple partners. Specialised Infantry seeks to complement RAB training activities; crucially it

also incorporates advise, assist and accompany actions into its support to partner forces.

Specialised Infantry offers a deeper syllabus of development but to a narrower audience, over a more protracted period of time. Consequently, though the number of partners Specialised Infantry can support is less, the development of capacity to each partner is greater.

“Whether specialised or re-roled, UK or other, success in capacity building is generated by an ‘indigenous approach’ – a partner face, tackling a partner problem

Although one of two new capabilities within the Army, Specialised Infantry has been established based on historical and contemporary examples. The British Army engaged in partner force capacity building during the Dhofar campaign in Oman during the 1960s. Similar advisory

activities were undertaken during recent campaigns in Iraq and Afghanistan. These examples and the Specialised Infantry differ in their composition however; advisers in Oman, Iraq and Afghanistan were formed of generalists from within the Field Army, whereas Specialised Infantry is professionalising this activity. Our allies are doing the same. With recent successes supporting partners, the US Army has stood up their own Security Force Assistance Brigades. Whether specialised or re-roled, UK or other, success in capacity building is generated by an 'indigenous approach' – a partner face, tackling a partner problem. As such, Specialised Infantry is

Guiding hand: A British soldier provides instruction in vehicle check point and search techniques to a member of the Iraqi border guard force





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Specialised Infantry is expeditious, agile and always ready for deployment; consequently it trains to operate in higher-threat situations, across a spectrum of conflict and cohabit and converse with a partner in a foreign culture and tongue

engaged to support a partner, in their fight.

To realise the need for an indigenous approach, Specialised Infantry is inherently partner centric. Formed by two battalions of infantry, rising to four by 2019, Specialised Infantry requires all its personnel to complete an assessment cadre prior to employment; soldiers and officers are only selected based on their suitability for the role. Selection is based on humility: the desire to learn; an aspiration to excel at the basics; and an ability to move, shoot, survive and communicate in the most austere, demanding environment. Specialised Infantry is expeditious, agile and always ready for deployment³; consequently it trains to operate in higher-threat situations, across a spectrum of conflict and cohabit and converse with a partner in a foreign culture and tongue. Specialised Infantry has utility for wider defence. Through persistence and immersion, it provides an enhanced ‘first day understanding’ in the event of a crisis; it also provides a crucial and persistent link into neighbouring and partnered forces for the land component commander.

Whilst the conceptual framework for Specialised Infantry has been set, it is yet to be fully established. Nascent operations and tasks in Africa and the Middle East are having a positive impact on the partner force and facilitate capability growth within the group. However, a long term, persistent partner has not yet materialised; this will come with time. Maj Gen Rupert Jones, a former deputy commander for Operation

Inherent Resolve, commented that a partner must truly want us to be there, as efforts with a pressed partner are invariably wasted. He also commented that the partner must also have a base foundation of capability; we partner in a bid to build capacity, not create it⁴. To attract such a partner, the Specialised Infantry realises it must first ‘kiss a few frogs, to find its prince’ – and be comfortable with not achieving success at the first attempt.

Specialised Infantry’s establishment is also set in its advocacy; a factor cemented on an ability to maintain self-appointed exemplary standards and an ability to generate support from a mature and widespread network. Advocates must include regular and reserve militaries at home and abroad, academia, diaspora, contractors, industry and partners across Government. In turn advocacy creates opportunity; the network can identify the appropriate partner, develop understanding or complement efforts to build capacity in a bottom-up, holistic manner. But, fundamentally, advocacy enables the maintenance of the will to succeed; without that, the Specialised Infantry cannot yet claim to be established.

Specialised Infantry was established to help mitigate against the changing character of conflict in the 21st Century and to support CGS’s vision of being ‘ahead of the bang’. Forged from historical and contemporary examples that proved the credibility of military partnering, Specialised Infantry was established within 1 (UK) Division to support worldwide persistent engagement. Inherently, Specialised Infantry is comprised of people who are selected and trained for a specific role. The foundation has been laid; Specialised Infantry must now reinforce two areas. First, find willing and persistent partner forces. Second, ensure advocacy through the development of a robust and defined network.

³The Specialised Infantry Group maintains eight teams and two battalion HQs at 15 days notice to move.

⁴Maj Gen Rupert Jones made these comments during an Exercise Rhino Charge 17 briefing day on 3 October 2017

DEFENCE ENGAGEMENT AND SECURITY CAPACITY BUILDING – A WHOLE-OF-FORCE CONCEPT

With a need to deliver both warfighting and persistent engagement capability, it is appealing to consider outsourcing ‘train and equip’ to the private sector. Whilst the technical detail of some train and equip could perhaps be outsourced, how the function – as one piece of the capacity-building puzzle – fits into the wider picture requires insight only gained by long-term partnership, trust and a whole-of-government perspective.

The ‘politics’ of building whole-of-force in a partner nation is a core defence matter. For the Army, it is 1 (UK) Division’s regional brigades, as the deliverers of persistent engagement, along with Specialised Infantry from a non or semi-permissive perspective, which represent the main military effort in what is a pan-Government capacity-building endeavour. As the Army lead – in conjunction with government counterparts – for counter and anti-corruption, tackling modern slavery, gender and conflict-related sexual violence, governance support, and information activity, 77th Brigade serves to advise persistent engagement on the broader aspects of building whole-of-force, and on how to get to what counts, i.e. beyond building an army as an end in itself, but as part of upstream prevention.

Defence engagement is not just a rapport-building exercise with the aim of understanding an area better prior to the next conflict. To be worthy of one of the three roles for the Army set out by the Chief of the General Staff (see figure 1), defence engagement needs to play its part in achieving the three national objectives set out in the UK’s 2010 National Security Strategy (NSS): protect our people, project our global influence, promote our prosperity.

From a military perspective that might look more familiar as defend the nation, deter violence, and even prevent wars⁵. The tactical functions of the Army provide us with ways for overseas engagement and capacity building to achieve such objectives, and it is not through fires. Manoeuvre may play a part, not in the traditional sense of physical movement of hard force, but in how we think about out-manoeuvring our ‘opponent’ conceptually, behaviourally and culturally. The ways for defence engagement to achieve the full range of NSS objectives is primarily through outreach, with clever use of information activity – both the core role of 77th Brigade.

What in the past has been a ‘free-fall with a late deployment of the Reserve parachute’ to bridge the blackbox between military output and a broader contribution to desired outcome is where 77th Brigade can inform that very black box of what counts. It is more than just train and equip with a side order of governance. It is shaping a whole-of-force.

As we move forward to shape the ground and project our

⁵Former CDS, Gen Houghton, stated the need for the Army to be measured by its ability to prevent wars – CDS Christmas Lecture at RUSI, 16 December 2015.

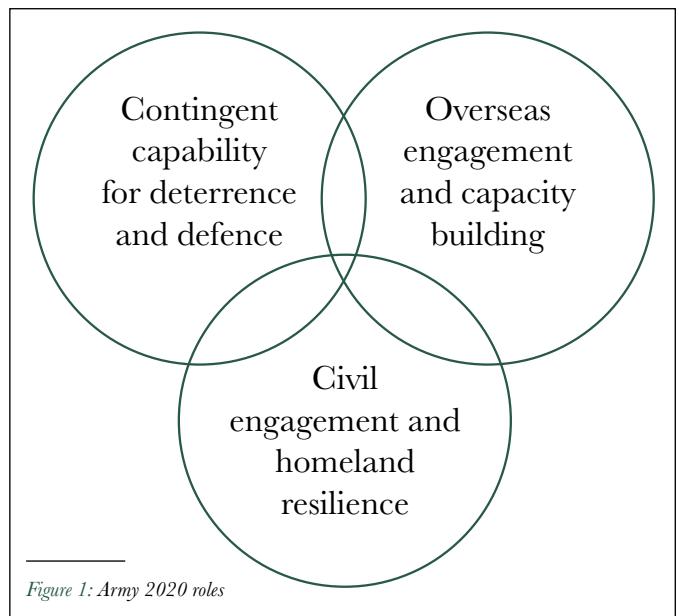


Figure 1: Army 2020 roles

global influence, regional strategies plugged into cross-government policy and into a conversation with our partners will need to inform our engagement and establish the baseline of what counts, country by country. This practice already exists elsewhere in the development sphere – developing a whole-of-force security provider need not, therefore, rebuild the wheel, even if it will need to build country-relevant theories of change to inform engagement.

Such shaping activity does not fit into six-month deployment cycles – it takes considerably more time, and a long lasting relationship that is at the core of the regional brigade concept. With the right mindset, time is an enabler. Our ‘adversaries’ have the time, and so we must adapt to think along longer timelines.

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Manoeuvre may play a part, not in the traditional sense of physical movement of hard force, but in how we think about out-manoeuvring our ‘opponent’ conceptually, behaviourally and culturally

What counts, i.e. the purpose of overseas engagement and capacity building, or outreach, is to use UK prosperity and influence (the means) through the privileged partnership of a ‘brothers-in-arms’ to build the capacity (the ways) of our security partners to graduate from dependent security importers to independent security exporters (the ends). To date, train and equip has been the instrument to try to achieve these ends. Measurement of success has focused too lazily on what can be counted and what we are familiar with. Originally focused on capacitating warfighting skills, train and equip activities are now recognising the insufficiency of such a narrow approach, and broadening into wider institutional development to enable self-sufficiency⁶.

⁶Several studies document the need to go beyond traditional train and equip for warfighting, for example: RAND, *What works when building partner capacity and under what circumstances?* (2013); ODI, *Security Sector Reform and Organisational Capacity Building* (2016).

Private sector delivery of technical capacity can be an attractive offer that looks cost effective in the first instance. The political costs of the second and third order effects that can result from outsourcing, however, are not costed in private sector delivery. Such effects include denuding defence capability over time, increasing private sector monopoly over delivery and pricing, dealing with the reputational fallout from the increased exposure to corruption that lies with outsourcing and, crucially, denuding partner nations of the very outcome we are seeking by robbing them of vital opportunities to build and showcase endogenous leadership. Viewed through the lens of second- and third-order effects, the conflict of interest that lies just below the surface of for-profit private sector delivery takes on new meaning.

Focusing on what counts – as opposed to our traditional reliance on regular sit-reps of what can be counted (soldiers

trained, equipment gifted, infrastructure built) – is at the nub of getting defence engagement right. Capacity building as a whole-of-force concept must look at what is needed to build a whole army, including not only the necessary ‘sharp end’ teeth but also the crucial ‘blunt end’ or tail. A partner whole-of-force concept derives its mission and function from partner national strategy, defence policy and relevant legal underpinnings. It looks at building ‘the force’ from recruitment, through retention, all the way to resettlement. It delivers an army to battle through the conceptual, moral and physical components of fighting power, through combat arms, command support, combat support and combat service support. The private sector might be able to deliver some of the technical detail, but the long haul journey of mentoring, coaching, testing and adjusting according to context, and building self-sufficient leadership capability in a partner nation has to lie with fellow brothers-in-arms.

COUNTER-EXPLOSIVE ORDNANCE: A DEFENCE ENGAGEMENT OPPORTUNITY

“An initial clear export need exists in the field of Counter-Improvised Explosive Devices (C-IED). This provides the UK with the opportunity to use the considerable UK capability in this area and generate a UK C-IED export offer, as the first part of a portfolio of scalable land security solutions.”

– Prime Minister, ‘Delivering Growth’ July 2014

The Defence Growth Partnership was launched in 2014 to focus UK industry and Government on defence exports. A number of UK prime contractors joined forces to generate capability offerings against international opportunities. Under

the ‘Land Intelligent Systems’ theme, led by Victor Chavez of Thales UK, it was quickly identified that C-IED would be a very strong proof of concept; explosive ordnance represents a significant threat to security and stability worldwide. The threat continues to grow and international partners are regularly requesting support. The UK is rightly respected for the ability of the whole force – government, MoD and industry – to deliver to international partners and, finally, the UK supply chain is, by nature, agile and responsive.

A group of counter-IED companies formed a working group, quickly establishing a value proposition for an end-to-end





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Explosive ordnance represents a significant threat to security and stability worldwide. The threat continues to grow and international partners are regularly requesting support

solution to address the threat, based on the NATO Lines of Operation and drawing on the depth of the supply chain. This presented a capability matrix to potential customers rather than an uncoordinated list of suppliers, but importantly it emphasised choice of suppliers.

This end-to-end solution was market tested with potential customers at exhibitions, on inward visits and via marketing channels. Positive interest was both quick and strong and demanded a commercial model to qualify and refine the requirement, add terms and conditions, run a competition and contract with a preferred supplier. Government lacks capacity and capability to maximise the benefits of increased demand and lacks resource to develop and mature opportunities, provide decision support to senior officials or provide a framework within which the potential locked within UK industry can be released.

The Strategic Defence and Security Review 2015 directed that defence engagement become a core-funded task under Defence Strategic Directive 16. At that time, the Defence C-IED Institutionalisation Programme charged with learning and implementing the lessons from recent operations was directed by the then-Director Capability, Army HQ (Gen Nick Pope) and Director Land Equipment, DE&S (Gen Paul Jacques) to do all that it could to preserve and promote the UK C-IED defence industry.

By 2016, it became obvious that a new commercial model was required, to outsource the functions that the public sector could not deliver whilst maintaining the strong link to government-to-government business and existing procurement

conditions. The Counter-IED group, now branded Counter-IED UK, and a regulated Special Interest Group within ADS (Aerospace, Defence, Space and Security – a trade association), had grown to more than 30 member companies and established very strong and trusted relationships within MoD and the Department for International Trade, Defence and Security Organisation (DIT DSO).

Working with staff from the Defence Explosive Ordnance Disposal and Search (DEODS) branch in Army HQ, the Counter-Explosive Ordnance Defence Engagement (CEDE) business case was produced, justifying the MoD contracting with industry to provide requirements management, internal collaboration and commercial effort in order to react to ‘demand signals’ for UK Counter-EO support. The title, Counter-EO, reflected the addition of demining to Counter-IED, important in the context of international requirements. At the time of writing, the business case has been signed off but remains unfunded. Once funded, a competition will be run by Army HQ to contract with an industry supplier to provide full-time staff presence on the fourth floor of the MoD with reach back to the necessary programme and commercial resource to deliver agreed outputs. This is referred to as the CEDE Office.

The CEDE Office, run by the preferred supplier who wins the competition, will respond to demand signals from sources such as: the Assistant Chief of the Defence Staff Defence Engagement (ACDS DE), International Policy and Plans, defence attachés, DIT DSO, the Foreign and Commonwealth Office, the Department for International Development and reports from existing DE efforts (Short Term Training

| Benefits to UK Government | Benefits to UK industry |
|--|--|
| An informed and consistent response to all demand signals for government-to-government support | Access to new opportunities for international business |
| Targeted spend of budgets sourced across government against demand signals | Access to new sources of funding |
| Prioritised use of high value resources | Low business development effort = lower cost of sale (competitive in the overseas market) |
| Deliver on commitments (strategic engagements and industry support) | Agile commercial model = lower cost of sale (competitive in the overseas market) |
| Inform future innovation plans based on gap analysis | Lower risk through contracting for international business through MoD (increased SME prosperity) |
| Vibrant UK industrial base = lower cost of future UK commitment | New business opportunities (UK and overseas) through enabled networking and visibility |
| Proof of concept of Whole Force Approach | Proof of concept of Whole Force Approach |

Teams and Special Infantry Battalions. Each demand will be qualified internally with all relevant HMG departments and in-country agencies to establish existing activity and a view of the imperative to act. The CEDE Office will also engage (directly or indirectly) with the in-country ‘customer’ to shape and understand the requirement, at all times cognisant of other HMG and industry activity.

Business cases will be prepared by the CEDE office for the Joint Coordination Authority (JCA), a body chaired by ACDS DE and Assistant Head of DEODS and attended by all relevant departments for each opportunity being reviewed.

Options for funding include MoD, the Conflict Stability and Security Fund, the Defence Assistance Fund and other government sources. Partner countries will be expected to fund the delivery of capability where appropriate and excess income will be used to fund future years of the CEDE Office operation; it aims to be self-funding from the end of the first year. The JCA will decide which opportunities should proceed

to a competitive tender, which we expect to be for a blend of equipment, training and services – this is not just about training capacity or selling kit, it is about delivering an end-to-end solution to an overseas customer, against the requirement and supporting that through life in the best manner possible. They will also decide which demand signals should be met by the current force generation process and initiate it with the relevant organisation. Whilst all artefacts will be prepared by the CEDE office, MoD Commercial will retain primacy throughout and contracts will be issued under MoD terms and conditions. This provides both HMG and UK industry with assurance and mitigates the risk of international business. The benefits to government and UK industry are clear and shown in the table above.

Counter-EO can deliver strategic effect. It is often the first response to a wider request for government-to-government support, can be deployed quickly and is a visible and measurable benefit to the recipient country and its communities. The CEDE operating model will be a step change in our ability to cohere the effort being expended, delivering enhanced effect and greater capacity in support of wider defence engagement and strategic influence efforts.





THE SECURITY IN COMPLEX ENVIRONMENTS GROUP – A USEFUL TOOL FOR THE MoD

The Security in Complex Environments Group (SCEG) is a self-financing, not-for-profit Special Interest Group, which was formed in January 2011 to define, develop and facilitate robust, internationally-recognised professional standards for the UK private security sector operating abroad. In June 2011, just six months after SCEG was formed, and following a competitive selection process, the UK Government appointed SCEG as its partner for the development and accreditation of standards for the UK private security industry operating in the land environment overseas. The written ministerial statement of 21 June 2011 is available in the House of Commons library and via the SCEG website (sceguk.org.uk).

In autumn 2011, SCEG's remit was extended to include the maritime sector as well as land, reflecting increasing concerns about the rise in successful piracy attacks in the Indian Ocean. SCEG's partnership with the UK Government is vital. It is a unique construct providing industry with a conduit to enable dialogue with government departments whilst providing government with a focal point for authoritative, impartial non-commercial advice on the private security sector.

What SCEG provides

- **Support to the UK government in the regulation of companies which operate in this sector, and confidence that these companies operate at high professional and ethical standards.**
- An authoritative focal point to which UK Government departments can refer when seeking an industry view, when formulating requirements and policy in the field of the provision of private security services.
- **An effective partner for the UK Government in its work to introduce overt, transparent and robust international standards for UK companies, as well as a formal third-party mechanism for monitoring adherence to them.**

- A forum the industry can use to represent its views to UK government.
- **A group in which members and associates can discuss, in confidence, technical issues of mutual interest.**
- Outreach opportunities to facilitate dialogue between SCEG members and stakeholders and clients including the UK government.

Members of SCEG

SCEG members represent the majority of the UK industry delivering security in challenging environments on land and at sea. Members represent the spectrum of companies operating in this specialist sector from large multinationals to small and medium enterprises. By joining, all SCEG members have demonstrated a willingness to embrace regulation, transparency and professional standards. In addition to those members whose core business is to deliver armed security in complex environments, several SCEG members are training and specialist providers to the industry. The legal and insurance sectors are well represented within SCEG with several lawyers, insurance brokers and underwriters enjoying associate membership. Affiliate members of SCEG include the Foreign and Commonwealth Office and the Department of Transport, both of which are members of the Executive Committee. The SCEG Executive Committee would welcome further MoD engagement within SCEG committees and working groups.

Engagement with the UK Government

SCEG engages across government on a sustained basis on a range of issues pertinent to the industry. The Foreign and Commonwealth Office is the principal conduit for the partnership but SCEG is also actively engaged with the Department for Transport, the Home Office, the Department for International Trade and other departments. SCEG would welcome further engagement with the MoD.

INTERNATIONAL STANDARDS AND THE PRIVATE SECURITY INDUSTRY

The private security industry has had a poor reputation from its early days in Iraq. Now one should see Private Security Companies (PSCs) as enablers, which like that well known beer, help businesses, the oil and gas industry, international organisations and government entities reach and work in parts that cannot otherwise be reached whether for reasons of direct or indirect threat, or where general volatility and insecurity present a problem for normal operations. PSCs are not private military companies – they do not fight wars, or conduct offensive operations. They analyse and assess risk; advise on best practice; prepare, warn and train; manage; build capability including of local security entities; track, survey and protect personnel and assets; and defend. Self defence of the client may mean carrying firearms on land or at sea. But in many cases, firearms remain only an option – very rarely employed but an essential deterrent in certain environments.

What the PSC industry has learnt the hard way and probably appreciates more than most is:

- **The structure of a management system for security operations to integrate all the requirements with which private security companies must comply is essential;**

- Human rights abuses, and even allegations of human rights abuses or failures to have the highest levels of HSSE (Health, Safety, Security and Environment), represent a major reputational risk for a PSC and for its clients;

- **Respect for human rights and the local community must be integrated into core company values from the top to the lowest level – from the CEO to the guy on the gate.**



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Accredited certification is not a ‘tick box’ exercise. Specialised auditors familiar with firearms and management process, as well as human rights impacts, check all aspects as much in the field as at a headquarters

The PSC industry is fortunate to have unique standards and an accredited certification process that provide the necessary framework for assessment.

Standards and the precursors

The Montreux Agreement of 2008 was a seminal document in setting out the relevant legal obligations as regards best practice for states in contracting private security. It was negotiated by states, civil society and experts at the instigation of the International Committee of the Red Cross, which was acutely concerned about bad practices in Iraq after 2003. Since Montreux did not offer specifics for private security operations, it was necessary to cascade down the legal principles applying from state to company level with the following negotiation of the International Code of Conduct (ICOC) finalised in 2010. The end result is a slightly odd mixture of the exhortatory, with language drawn from the UN Universal Declaration of Human Rights, and the practical taking account of the experience of the US Department of Defense as the largest contractors of private security, of PSCs and of civil society. For the first time, PSCs had an internationally-agreed framework for the conduct of their operations irrespective of the client.

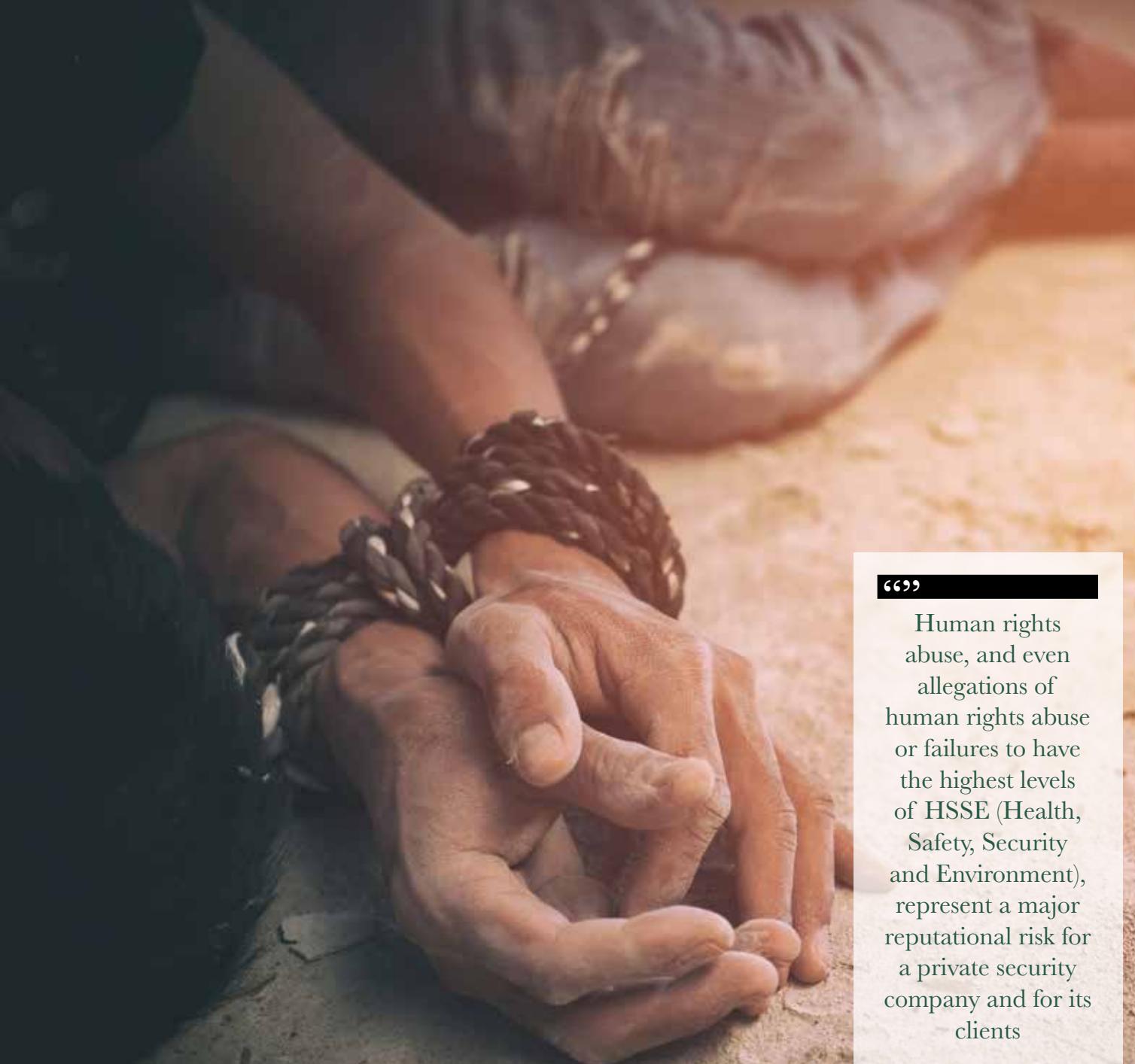
The US Department of Defense inserted language into the ICOC requiring the establishment of “objective and measurable standards for providing Standards based on this Code with the objective of realizing common and internationally-recognised operational and business practice standards” – DoD needed language that could be reflected in its contracting which could be audited independently. The first Standard PSC¹⁷ was negotiated internationally involving governments, PSCs and civil society and published as an American national standard in 2012. Further negotiations in ISO (International Standards Organisation) then turned PSC1 into an internationally-recognised Standard as ISO 18788 (2015). To date, there are some 47 companies globally which have accredited certification either to PSC1 or to ISO 18788.

Separately, because of the sudden rise in piracy in the Indian Ocean and the increasing use of armed guards aboard ships transiting the High Risk Area from 2008, the International Maritime Organisation (IMO) developed Best Practice and Guidance for Privately Contracted Armed Security Personnel (PCASP). In spring 2012, IMO invited ISO to turn its guidance into an auditable standard which was published in late 2012 as ISO 28007⁸. Private Maritime Security

⁷PSC1 and ISO 18788, Management System for Quality of Private Security Company Operations - Requirements with Guidance, ANSI/ASIS PSC.1-2012 - March 5, 2012, see: acq.osd.mil/log/ps/cpm.html

⁸Ships and marine technology - Guidelines for Private Maritime Security Companies (PMSC) providing privately contracted armed security personnel (PCASP) on board ships

⁹Denotes the formal process whereby a State accreditation body assesses and approves a certification body of auditors in respect of their ability to conduct assessments of companies to a specified standard



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Human rights abuse, and even allegations of human rights abuse or failures to have the highest levels of HSSE (Health, Safety, Security and Environment), represent a major reputational risk for a private security company and for its clients

Companies (PMSCs) moved quickly towards accredited certification to ISO 28007 largely because of the involvement of the largest international shipping organisation. Now some 60 PMSCs from around the world – including companies based in China, Sri Lanka, Greece, UK and South Korea – have accredited certifications.

Accredited certification⁹ is not a ‘tick box’ exercise. Specialised auditors familiar with firearms and management process, as well as human rights impacts who are accredited by the UK Accreditation Service under these specialised Standards, check all aspects as much in the field as at a headquarters. They will visit the oilfields of Iraq, the forward operating bases in Afghanistan and the centres of maritime piracy to see how the different companies are complying with their commitments and carrying through best management practice. They carry out surveillance audits ever year and a full recertification audit every three years. They look at the processes and practices of the PSCs and PMSCs from their recruitment, vetting and training of personnel to the procurement, licensing, storage and training

in the use of firearms, incident management, complaint and grievance procedures and human rights impact, health and safety provision, as well as their rules or procedures for the use of force. They will talk to clients and local community leaders and only if satisfied will the company receive accredited certification.

So far, so good. The niche security industry has necessarily gone further than many other sectors in terms of accountability and consideration of human rights. But neither the environment for its operations nor the commitments remain static. States impose additional requirements, new human rights instruments emerge such as the UN Guiding Principles on Business and Human Rights and the British Modern Slavery Act. At the same time, the structure of the industry has changed as it has consolidated. Owners and chief executives are more likely to be bankers and businessmen than former military. Companies and the auditors alike need to avoid complacency and to ensure that their commitment to the principles set out in the ICOC and the Standards is constantly refreshed and kept up to date.

CAPABILITIES – PRIVATE SECURITY COMPANIES TO DELIVER UK DEFENCE ENGAGEMENT TASKS

The boards, senior management and staff of Private Security Companies (PSCs) have usually had years of experience in the public sector as members of Her Majesty's Government's disciplined Services. Typically, they are a cross section of former officers, senior warrant officers and soldiers drawn

Substituting soldiers: More duties, such as routine patrols of camp perimeters, could be conducted by private security company employees, argues the author.



from all ranks, including ex-Gurkha personnel from Nepal and India. These are people who were trusted whilst serving and should continue to be trusted in the security industry having been screened, vetted and subjected to criminal record checks. Their previous experience at Her Majesty's expense means they have a solid foundation of skills and, in their second careers, are once again well trained, motivated and dependable. Consequently, properly self-regulated and carefully selected PSCs are a sensible choice when it comes to outsourcing certain defence tasks, especially non-core ones. The transition from a sovereign solution to the private sector is straightforward. The MoD could be taking more advantage, with minimum risk, of the quality expertise that exists within the security industry. This is particularly true of UK-centric companies that have a global footprint. For example, there are PSCs with fully incorporated and registered operations in more than 110 countries – this reach and experience can be trusted and leveraged.

Capabilities

The aim should be to match MoD defence engagement priorities with commercial opportunities within the PSC world. This is believed to be easily achieved across a broad spectrum of taskings. Key examples are in the capacity-building space, train-the-trainer programmes and the mentoring of a host nation's forces. PSCs can offer hybrid solutions where the UK Government has primacy on more specialist skills. The private sector can be merely on attachment, but crucially, under command. Aspects of intelligence; explosive ordnance disposal and mine clearance; cyber; counter narcotics; chemical, biological, radiological and nuclear defence; training assistance around the globe; convoys to support MoD supply lines; tier two medical training; communications; vehicle maintenance; logistic support; and basic level military induction, through to officer training, are also PSC capabilities.

The security industry can always be relied upon to do the mundane, usually unarmed, but essential tasks, like man guarding at key points inside a perimeter, communication centres, armouries and other stores in both permissive and non-permissive scenarios, and where necessary, with MoD-branded security. PSCs undertaking such tasks would

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The security industry can always be relied upon to do the mundane, usually unarmed, but essential tasks, like man guarding at key points inside a perimeter in permissive and non-permissive scenarios... PSCs undertaking such tasks would free up more soldiers for their daily primary roles. This gives them more downtime rather than going on guard duty or manning a barrier after a long day

free up more soldiers for their daily primary roles. This gives them more downtime rather than going on guard duty or manning a barrier after a long day.

Examples of recent and more advanced specialist training the private sector has carried out are:

● **Counter-IED network defeat.** Delivered discreetly on residential courses held at a specialist training centre in Hereford during a six-year period in the mid-2000s, more than 1,000 members of a NATO ally's special forces were trained in:

1. Foot and mobile surveillance
2. Technical surveillance
3. Close target reconnaissance
4. Covert methods of entry
5. Sensitive site exploitation
6. Data forensics
7. Biometric evidence collection
8. IED defeat

The trainers, in this instance and at the time, were still current in the above skills having been drawn from former UK Special Forces operators, law enforcement and military intelligence officers.

● Another recent – and ongoing – programme relates to the modernisation of the Kingdom of Saudi Arabia's Ministry of Interior's Special Emergency Force. **Train the trainer** is at its core and it covers:

1. Surveillance techniques
2. VIP protection
3. Armoured vehicle operations and gunnery
4. Advanced weapons and RPG training
5. Breaching and breakthrough (mechanical and explosive)
6. EOD and IED defeat
7. Roping and rappelling

A special operations group capability enhancement programme delivered to members of the Japanese Defence Force covered similar topics.

In summary, there is a need to cement a Government policy to maximise PSCs as part of a civilian security component of the military force. The available pool of manpower is substantial and many of the younger members of the industry are Reservists. There are inevitable contractual, duty of care, weapons handling and rules of engagement issues, but none are insurmountable. And it is worth noting that the Foreign and Commonwealth Office – in partnership with the private sector over the course of two decades – has evolved and matured to largely overcome such challenges.

Case study

In 2007, a PSC won an invitation to tender which was put out by PJHQ at very short notice. The tasking was to deploy – within 21 days – more than 160 armed, fully trained and equipped ex-Gurkha guards to Basra Palace for a period of 45 days. The company in question had 72 hours to put its bid, which included a detailed technical proposal and price schedule, together. Following the award of the contract, the civilians were helicoptered in from the UK's contingency



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operating base to perform armed sentinel guarding, access and egress. During the deployment, Basra Palace was subject to a daily barrage of rocket and mortar attacks and, sadly, the PSC sustained two fatal casualties. Crucially, however, the company's civilian staff were not found wanting and were warmly welcomed to theatre and stitched into the British battlegroup.

While an overseas tasking of this kind has not been repeated, several thousand Contractors on Deployed Operations (CONDO) were employed by the MoD in Iraq and Afghanistan. At their height, combined CONDO numbers exceeded 20,000, but none – with the exception of the aforementioned example – were from a PSC.

Summary

Where there is an identified manpower shortage, the use of PSCs to deliver defence engagement tasks is not only inevitable, but makes good sense and provides value for money. The private sector can offer varied and qualified manpower solutions at a fraction of the cost of the public sector and it's widely acknowledged that PSCs are proven and fit for purpose.

US DEPARTMENT OF DEFENSE USE OF PRIVATE SECURITY COMPANIES

When requested by the appropriate military commander, the United States Department of Defense (US DoD) contracts with Private Security Companies (PSCs) to provide non-combat support to operations. The tasks that can be conducted by PSCs include the armed guarding of personnel¹⁰, security of general facilities and property. This may require a mobile capability, such as vehicles and vessels. These PSC-delivered tasks are intended as an economy of force and not as force replacement, as the PSCs perform necessary but non-combat functions, which releases military units from diverting manpower from their core tasks, such as the preparation for, execution of and recovery from combat operations. In short, PSCs are force multipliers.

PSC status

The US DoD considers contracted PSCs' operational staff as civilians or non-combatants under the Law of Armed Conflict. They cannot take part in combat or combat-like activities, which includes law enforcement activities. Combat or combat-like activities and law enforcement activities include such tasks as reconnaissance patrolling; cordon and search operations; acting as a fire controller for indirect fire operations; and route clearance operations. In summary, PSC personnel are intended to provide protection of sites and individuals from unauthorised access or unlawful attack by single or small groups of individuals.

Acquisition process

The US DoD has a thorough, yet agile approach to the acquisition of PSCs. The procurement staff recognises the operational requirement and supports the military commander to acquire the necessary PSC assistance within the stated timelines. This can be enabled by the use of framework contracts and draw down Task Orders (TOs). The use of pre-determined contractual terms and conditions enables the TOs to be put in place quickly and with the minimum of procurement activity. This offers the military commander an assured, fixed-price solution within a very short timeframe.

Training for tasks

As part of the acquisition process, the US DoD specifies the pre-deployment training required by PSC staff. The length of this training reflects the return on investment achieved by the use of military veterans, and while the training is similar to that conducted by the US military, it is very much shorter. Importantly, it is conducted by the PSC's training staff, who tend to be senior ex-military trainers, often recently retired and current. Here is an example of the text from a recently closed contract:

Armed mounted patrol shall receive training specified in FY 16-17 USCENTCOM Theater Training Requirements within ten (10) days of

arrival at final duty location. The training includes, but is not limited to, drivers training, crew served weapons employment, self-defense, escalation of force, and rules for the use of force, user level maintenance and recovery operations.

And another: Mobile Security Requirement: Security services to escort any asset (personnel or cargo) from any US/NATO location to an unsecured outside location and back; or from one US/NATO/secured location to another. Minimum standards of performance are listed in U.S. Army Soldier Training Publication 19-31B1-SM, task number 191-376-4146 (Perform as a Member of Convoy Security Escort Team).

Massed ranks: As US Defense Secretary, James Mattis can call upon the combined might of military personnel and an army of private security companies to deliver operations



¹⁰Including contractor's and sub-contractor's staff, and third-party personnel.

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PSC-delivered tasks are intended as an economy of force and not as force replacement, as the PSCs perform necessary but non-combat functions, which releases military units from diverting manpower from their core tasks, such as the preparation for, execution of and recovery from combat operations.

In short, PSCs are force multipliers

Culture, language, communication and knowledge

The success of Army operations will to some degree be affected by the history, culture and language of the country within which the operation is conducted. The use of a PSC which is operating there, knows the situation, has ground-truth information, understands the structure of the local authorities and has admin staff and translators used to working with ex-military staff is a great advantage. This embedded ‘local adviser’, ‘interpreter’ and ‘litmus test’ for cultural sensitivities is a major benefit when attempting to win the confidence of the local hierarchy and general population.

Authorised tasks

The type of tasks authorised by the US DoD include:

● **Operations room manning and control.** PSCs to establish, man and run effective joint operations rooms with staff who will be ex-military communicators. The provision of effective command and control is a pre-cursor to force protection/duty of care.

● **General guard duties.** Guard duties at US Government facilities and other approved sites, including gates, walls, observation posts and towers, protective mobile and static security for individuals.

● **Access control/entry control points.** Detect, identify, report and guard against access by unauthorised personnel and equipment/material, in order to prevent hostile threats from entering controlled sites.

● **Interior patrols and individual security.** Patrols deployed to conduct periodic checks of the interior perimeter defences, buildings and structures. Patrols may escort and provide over-watch protection for contractors, host nation workers and other personnel requiring escort. Likely to include escort of workers on base construction, maintenance, repair, housekeeping and grounds maintenance activities.

● **Protective security teams.** The provision of mobile security to military and civilian staff to enable official visits to sites off the home base, which may be administrative in nature. General armed convoy security and movement protection.

Examples of PSC support of military operations

● **Mobile and static security in Afghanistan.** In 2015/16 there was a requirement to provide armed security for a contractor workforce at Mazar-e-Sharif airbase. A PSC was contracted to deliver pass accreditation, access control, interior patrols, tower guards, escort of non-military personnel inside the base, over-watch of host country nationals performing work on the site, and mobile and static security for the protected movement of US civilians.

● **Canine search, mobile and static security in Iraq.** The US contingent in Iraq contracted for mobile, static and canine security teams in order to release trained military manpower from mundane duties to their core task of mentoring and capacity building. The canine capability contained both explosive and drug dogs, who were kennelled, refresher trained and looked after by the PSC’s own canine trainers and vets. There were 183 PSC members on this task and all their kit and equipment was provided by the PSC.

● **Accreditation, access control and static security in Korean Peninsula.** A PSC is contracted to deliver all aspects of access control and perimeter security for US Forces based in certain locations in the Korean Peninsula. The tasks include pedestrian access, vehicle screening, camp interior patrols, random checks of badges and passes, and responsibility for the camp’s perimeter integrity.

● **Military mentoring and capacity building in Somalia and Mozambique.** A PSC was tasked to deliver mentoring and capacity building for teams from the Mozambique Marines and static guards in Somalia who controlled access to the Mogadishu International Airport. These tasks were long in duration and had a sustained capacity building effect.

Conclusion

Surely it is time for the UK MoD to follow the US example and gain true benefit from this return on investment provided by ex-UK military hired by UK PSCs, which enables Service personnel to do their core roles?

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INSURANCE IMPLICATIONS FOR THE PRIVATE SECTOR WHEN CONTRACTING WITH THE MOD

Contractors have supported the UK MoD for decades. Recent developments have moved from the provision of equipment to include the provision of services, initially in benign areas but increasingly up to and including the front line. Contractors on Deployed Operations (CONDO) was a significant feature of Op Herrick and one only has to think of the number of contractors deployed in Camp Bastion to understand the reliance on the private sector.

The MoD issued task orders to its suppliers and supervised the deployment of civilian personnel via its CONDO mounting cell, providing transport and identity cards etc. However, the provision of personal protective equipment, clothing, training, risk assessments and insurance were the responsibility of the contractor. The individual contractor became subject to military discipline and the MoD retained the right to deploy personnel wherever the local commander needed them; occasionally this meant to a forward operating base. Risk assessments had to be conducted from the contractor's own resources because the MoD did not share intelligence.

Insurance limits of liability and sums insured were specified by the MoD. In no cases were the very limited criteria met for waiving the need for liability insurance (i.e. allowing Crown Indemnity). Undoubtedly some companies declined contracts because of the difficulty of arranging and paying for insurance, particularly if it was likely that personnel might be deployed to unspecified and probably more dangerous locations. In return, the MoD undertook to provide force protection. However, in the latter stages of the campaign in Afghanistan some contractors (mainly those involved in the exceptionally long and dangerous overland supply chains) were given dispensation to obtain their own security from the private sector. No direction was given as to how this should be done, the numbers and types of weapons to be held by the Private

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Perception of risk is subjective, leading to insurance rates that are often at odds with reality

Security Companies (PSCs) nor the tactics to be followed, nor how to tell good PSCs from bad. It was argued at the time that, if unable to provide force protection itself, the MoD should have contracted private security centrally, using organisations that were vetted to operate to particular standards. Some insurers attached significance to the change in the manner in which force protection was provided.

The case of *Graham Hopps v (1) Mott MacDonald Ltd and (2) MoD* in 2009 acts as another deterrent to deployed contracts. In October 2003 Mr Hopps worked as an electrical engineer for Mott MacDonald on a Department for International Development contract in Basra. He was severely injured in a roadside IED attack while being transported in an unarmoured British Army Land Rover. Mr Hopps claimed the protection provided to him was inadequate and that he should have been transported in an armoured vehicle. The case was dismissed. It is significant that Mr Hopps sued both his employer and the MoD for failures in the exercise of their duty of care.

The decision to allow PSCs to operate on UK-flagged vessels in the High Risk Area can be seen as another example of delegation of responsibility to bear arms, historically reserved by Her Majesty's Government to its own Armed Forces.

Perception of risk is subjective, leading to insurance rates that are often at odds with reality. Robust, responsive insurance policies are crucial if private companies are to be relied upon to undertake potentially dangerous tasks in support of the MoD but it is suggested that consideration be given to the provision of reliable intelligence to support risk assessments.

The performance of the US Government's Defense Base Act insurance policies should be studied and parallels drawn. Similarly, the US Department of Homeland Security (DHS) introduced the SAFETY (Support Anti-Terrorism by Fostering Effective Technologies) Act in 2002. Companies are encouraged to develop technologies to help to combat terrorism and apply for these technologies to be certified under the Act. The DHS determines the limit of liability that should be in place in respect of the technology. In the event of a terrorist act, the liability of the providers and operators of the technology is limited to the extent of its insurance policies. This is a significant safeguard for a company which might otherwise be reluctant to expose its balance sheet to potential claims for punitive damages.

If the MoD intends to join other Government departments in a cohesive approach to security in its widest sense, it must embrace the whole force concept wholeheartedly and encourage crucial support from private companies whilst understanding the framework in which such companies operate, such as competitive markets, being answerable to shareholders and stock markets, legislation such as the Corporate Manslaughter Act 2007 and a host of other considerations faced by a responsible board of directors.



CONDO corner: Camp Bastion – and its surrounding forward operating bases – became home to thousands of civilian contractors during the British Army's campaign in Afghanistan



DEFENCE ENGAGEMENT – THE ROLE OF THE PRIVATE SECTOR IN THE UK

This paper is a review and evaluation of the current state of affairs between Her Majesty's Government (HMG) and the various UK private security companies (PSCs). A climate of derision or disdain prevails through much of the MoD (and wider military) when it comes to working with ex-military UK personnel in the private risk management and security sector and HMG does not work efficiently as it could in regards to partnering in large and small projects with UK PSCs (compared to other nations – primarily France and the USA). In order to develop and generate greater revenue and projects, the UK Government and UK PSCs need to improve working relationships and overall cooperation. Especially as the UK military is finding itself increasingly in the position where it lacks the people and material to achieve the goals it has been set.

The international security industry has long since been characterised by jealously guarded trade secrets, policies and contracts, as well as difficulties in obtaining secure governmental and institutional contracts for the best possible price, especially for small companies attempting to break into the market. This is in addition to the constant frustration at government contracts often being awarded to overseas organisations and conglomerates, which frequently results in disjointed and uncoordinated efforts between contractors and HMG – none more so than in the UK. As the military continues to be committed to numerous tasks, training and operations around the world, whilst suffering from severe manpower and funding shortages, it has begun to increasingly rely on the private security industry (in accordance with the Security in Complex Environments Group) to help meet its obligations.

Results

- The market today lends itself towards governments wanting to work with PSCs as they do not have the resources themselves – especially in regards to specialist trades such as counter-IED, special forces-trained personnel and intelligence operatives. It does also require greater communication and cooperation between the various UK PSCs (large and small), but due to professional difficulties, competitive advantage, proprietary information and jealousies, as a result of the cut-throat nature of the business, this will not prove easy to accomplish. Whilst there are many good examples of where British industry has cooperated in Government initiatives, there are few instances where it has led to tangible benefits to British industry, recognising that industry must serve its shareholders and workforce.

- Other nations around the world (France, USA) specialise and excel in combining the efforts of the government, military and PSCs to help obtain their state goals – as well as generate significant amounts of employment and income for the nation. Any initiatives must recognise the commercial difficulties when competing companies collaborate and the business drivers of the larger PSCs, as well as the needs of the smaller companies.

- The UK government realises the need for greater cooperation between HMG and UK PSCs and accepts the current culture presiding through some of its workforce, which makes it difficult and frustrating for UK PSCs which are attempting to secure work with them. This can, and must, be solved by raising encountered communication issues and difficulties with the MoD – thus slowly developing business links between personnel in HMG and UK PSCs.

Conclusion

Efforts must be made to draw public attention away from the cliché incidences (and subsequent fears) of working with PSCs in volatile environments and focus on the positives of employing highly-trained private contractors to work in partnership with governmental forces (i.e. Executive Outcomes in Angola and Sierra Leone). Even in the case of Britain, a nation not typically known for its deployment of PSCs, it is easy to find excellent past examples of where the UK government and military handed over large-scale aspects of offensive operations, industry and commerce to private industry. When one thinks of PSCs, it is difficult to name one from the UK, whereas perhaps the most famous and comprehensive of them all, still known today across the world, was British – The Honourable East India Company.

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At a time when manpower and resources are becoming ever-increasingly scarce, HMG and its various branches simply cannot afford to be at odds with the UK private security industry

It is undeniably true that today the UK falls behind other nations in regards to cooperation between government departments, the military and PSCs. At a time when manpower and resources are becoming ever-increasingly scarce for governments (due to a general lack of will among electorates for additional costs to the public purse), HMG and its various branches simply cannot afford to be at odds with the UK private security industry any more.

A twofold approach, by both HMG and UK PSCs, is recommended in order to bridge the current gap between HMG, the military and the private security sector, primarily mirroring the United States' commercial portal, DARPA, which allows for maximum clarity and opportunity for US PSCs to gain government contracts. Secondly, dramatically increasing the exposure between representatives from the UK government, branches of the military and private security industry. Simply put, frequent and regular conferences, think tanks, seminars and discussion groups would allow for greater awareness of the industry to develop; as well as take away stigma or perceived notions and create opportunities for business relationships, and then business opportunities, to take place within the UK. Therefore smaller companies must continue to increase efforts to develop effective working relationships with the UK government in order to increase chances of obtaining contracts (at home and overseas) and mitigate the stigma that exists throughout UK PLC in regards to working and partnering with UK PSCs. “Opportunities multiply as they are seized.” – Sun Tzu.

DEFENCE ENGAGEMENT: OWNERSHIP, LEGITIMACY AND POLITICS

The UK International Defence Engagement Strategy 2017 (IDES) signals an important shift in defence policy, placing defence engagement at the heart of the National Security Strategy by promoting it to a core-funded task, directly linked to the UK's national security objectives¹¹. From the perspective of internationally-supported security sector reform (SSR), IDES 2017 represents a conceptual development in recognising the need for a long-term, whole-of-government use of defence engagement for conflict prevention and sustaining peace¹². Capacity building, one of the five activity pillars identified in IDES¹³, thus constitutes a growing field of work for the British military, within which the private sector will perhaps fulfil a role.

The involvement of the private sector in security and development carries its own risks and opportunities. The record of the private sector in the provision of services in Iraq and Afghanistan – as the most obvious instance – has not been exemplary; although it should be recognised that neither kinetic operations nor stabilisation activities could have been undertaken without private sector engagement. These negative dynamics have catalysed the development of innovative governance and accountability structures for private security providers. The Geneva Centre for the Democratic Control of Armed Forces has supported a number of such international norm-setting initiatives in recent years, in particular the Montreux Document (2008) and the International Code of Conduct for Private Security Service Providers (ICoC) (2010). The Montreux Document sets out the extant obligations and good practices for states, which exist under international humanitarian and human rights law. The ICoC builds on the Montreux initiative by applying the existing legal obligations as a series of principles of conduct for private security companies. Neither document, however, is legally binding: they represent ‘soft law’ initiatives which restate and clarify existing norms¹⁴ and obligations rather than directly advancing new obligations.

As we strive for the sustainable development goals 2030 in step with the new UN Secretary General’s sustainable peace drumbeat, the role of the private sector in contributing to peace, and suitable accountability mechanisms involving the private sector, are evolving. The use of the private sector in defence engagement raises certain specific dilemmas of second order consequences in three key areas. Firstly, the challenge of the coming decade in internationally-supported SSR is to move from encouraging national ownership to empowering local leadership. UNSCR 2151 emphasises the need for national ownership in security sector reform without

which capacity building can be counter-productive to the wider goal of legitimacy and sustainability. In practice, many interventions, whilst presenting a veneer of local ownership, have yet to move to a genuinely local and sustainably-led model. Furthermore, the very aim of building capacity can be incapacitated if the opportunities for developing leadership skills and models within armed forces are deleted by foreign private sector (or foreign state sector) delivery.

Secondly, the need to balance accountability and effectiveness in SSR is made more complex where the private sector is involved. Local ownership, the fundamental approach within SSR, requires that a clear line of accountability be established between the implementer and local partner. A private sector organisation, by its nature, designs its approach to maximise the effectiveness of the outcomes it delivers for its client. Maintaining a line of accountability to the local partner is often relegated to a secondary consideration, and removes direct legitimacy. Encouraging local partners to directly engage the private sector to provide the same services brings other difficulties of how the partner will pay for such services without foreign funding and whether the partner has adequate capacity to oversee external service provision.

Finally, while the private sector may be well placed to deliver some technical aspects of SSR, it is not well equipped to engage with nor balance the more nuanced issues of governance reform, as this remains an inherently political undertaking¹⁵. SSR deals with security and justice challenges that engage the very heart of state sovereignty and power structures, and as such any implementer must be committed to ensuring local political engagement at every level. At present, the private sector is ill-equipped to take on such tasks. Defence engagement strategy should, therefore, clearly delineate between the areas where private sector involvement adds value to all stakeholders and where the risks of political engagement are best undertaken by political state actors.

Defence engagement is achieving greater granularity within UK Defence strategy. SSR good practice welcomes the move to elevate capacity building alongside other core defence activities, and the recognition that such an approach requires an holistic, whole-of-government perspective. At the same time, the challenges inherent in SSR remain: it is a fundamentally political process, which ‘needs to be informed by the views and aspirations of the local population’¹⁶, and thereby requires acute sensitivity to long-term local pressures and interests. The private sector’s role in SSR must, therefore, be conceived and managed, in order to reduce the risks whilst maximising the opportunities. The inclusion of private sector capabilities within the SSR arsenal can therefore be better understood as an evolution from the whole-of-government approach to a whole-of-capacities approach.

¹¹UK International Defence Engagement Strategy, 2017

¹²See for example DCAF *The Contribution and Role of SSR in the Prevention of Violent Conflict, contribution to UN-WBG study*, 2017

¹³The five objectives, set out clearly for the first time in the 2017 UK IDES, are Develop Understanding, Prevent Conflict, Capability & Capacity Building, Promote Prosperity, Access & Influence.

¹⁴DCAF, *The Montreux Document and the International Code of Conduct*, p.ii, 2016

¹⁵DCAF *The Contribution and Role of SSR in the Prevention of Violent Conflict, contribution to UN-WBG study*, 2017

¹⁶The Chilcot Inquiry, Section 12.2 SSR Conclusions, Lessons, paragraph 159, 2016

UK DEFENCE ENGAGEMENT AND THE CIVILIAN RISK INDUSTRY: BACKGROUND AND POSSIBLE FUNDING SOURCES

From 2008 onwards, Western governments faced the gravest economic circumstances for a generation in the wake of the financial crash, followed in short order by a host of major foreign policy challenges, many triggered by the Arab Spring: the fall of Gadaffi, the Syrian rebellion, the rise of Daesh, and, as a consequence, the migration crisis into Europe. All of which added to an already fraught foreign policy picture, not least given Western commitments in Iraq and Afghanistan, and a revanchist Russia.

Debate in the relevant part of UK government (HMG) started, if slowly, as a result to consider which capabilities in the UK's private security community might be brought to bear to complement or supplement the resources of central government. Some of this thinking was influenced by, and drawn from, the effective outcomes already provided in stabilising aspects of the Balkans using former officials, NGO support to Western government development projects globally, and the wide range of related and long-standing assistance overseas, and so on. But it was also noted that the risk management, logistics and security capabilities provided by risk or security firms by the late 2000s in Iraq and Afghanistan, principally to US government but also to Western Europeans (amongst which HMG was a significant player), were effective, very agile, employed high professional and ethical standards, and provided significant value for money. Some policy-makers questioned how else the longer-term resource to outcomes equation could otherwise be resolved, if the civilian market remained unused or under-utilised.

The US, faced with its global responsibilities, moved ahead. HMG, a later arrival, but no doubt spurred by a baleful budget deficit of 11 per cent, began to look at how it could consolidate and make more effective the funds it committed overseas. Similar debate started in other northern European capitals, if less energetically. Discussion within UK specialised risk or private security companies (PSCs) on how they might be able to assist HMG with their capabilities tended over the following years to look at three or four possible main funding sources which were, or might become, available. (But these aspirations were often made on the basis of limited experience and engagement with HMG on the topic, and on its broader application.)

First, funds directly managed or owned by departments, for example, the MoD, Defence Infrastructure Organisation, Stabilisation Unit and Foreign and Commonwealth Office, which could be applied for, often via official tender portals. Security provision to HMG diplomatic missions and related institutions, often co-located, had historically provided a major focus of work for UK risk or security firms. There was, however, no straightforward mechanism for the private

sector to take forward defence engagement tasks. Department for International Development funding seemed difficult to contemplate accessing, given the department's legacy and strategy, but there were hopes that this could change in the medium term, with the anticipation of security and development becoming increasingly complementary.)

Secondly, the Conflict, Stability and Security Fund (CSSF), which is overseen by the National Security Council. Created in April 2015, it replaced the previous Conflict (Prevention) Pool and comprised more than £1 billion per year for tackling conflict and instability overseas. CSSF remains closely regulated and its track record of use by risk companies or private military companies is patchy. The two- or three-year period when the framework is closed to additional members can act as a brake on new firms or disruptive technologies arriving in the sector. With an eye to future defence engagement some observers have suggested that in CSSF's next iteration in 2018 some of its funds for operational challenges might be more closely aligned to well-defined and sometimes pressing defence engagement requirements. Just how this could be managed remains a subject for debate.

Thirdly, the Cross Government Prosperity Fund (CGPF). The Department for International Development was able to ensure the bipartisan political commitment to 0.7 per cent GDP remained intact and still does today. There appeared increasing acceptance, however, that a greater proportion of development-related expenditure had to be more closely aligned to UK or Western strategic aims. One of the outcomes from this has been the consolidation of the new Prosperity fund across government (CGPF or sometimes 'Prosperity'), which should provide in excess of £1.3 billion available for operations overseas but which must continue to observe the Official Development Assistance obligations. This requires, inter alia, that the fund is provided by government agencies or their official proxies; is administered with the promotion of the economic development and welfare of developing countries as its main objective; and is concessional in character and conveys a grant element of at least 25 per cent. The primes (firms to win places on the CGPF framework)



will be announced in early 2018, and it's envisaged that there will be fewer than those on CSSF. And a smaller group may provide increased deployment agility and a smaller bureaucratic burden for HMG to manage.

Fourthly, overseas and multi-national providers. On joint tasks, such as working with the EU for stabilisation tasks in Africa, this might be a possibility. Discussion on this is the least developed of the four, but given the UK's commitment to European security, and desire to keep defence off the negotiation table during Brexit negotiations, elements of funding might become a source of support in the longer term if consistent with EU/NATO obligations. Brussels funding or similar thus remains a possibility but requires close support from HMG to sustain flow of funds and unlock new ones.

In summary, funding and mechanisms exist, but the extensive capability of risk firms or PSCs comes across as being to the

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greater part as not fully exploited and the systems involved lacking agility; perhaps because of government unfamiliarity and administrative unease about the risk industry, its standards and scope. There is, however, a welcome increase in dialogue between the two sectors which suggests a closer alignment in the medium and longer-term.



'FULL SPECTRUM' DEFENCE ENGAGEMENT

"We are clear that the main aims of international defence engagement are to enhance our prosperity, our influence and our security.¹⁷."

A key tenet of Government policy is the opportunity that defence engagement offers to spread UK influence and to reduce the likelihood of crises occurring overseas. It contributes to the cross-Government *Building Stability Overseas Strategy*¹⁸. In recent years the UK has also identified the role that defence engagement plays in delivering outcomes through soft effects. Although this aim is increasingly codified into doctrine and recognised to be "part of an integrated approach"¹⁹, it is now time to identify how this can best be operationalised.

Running in parallel to the strategic outcomes sought through defence engagement, the Government has since 2010 increasingly prioritised the Prosperity Agenda²⁰. This directs cross-Government activity to build the UK's prosperity, noting the links in the *National Security Strategy* between security, prosperity and freedom. It supports three key objectives to:

- increase trade and investment;
- ensure open access to resources; and

¹⁷ International Defence Engagement Strategy, Feb 2013, para 15. gov.uk/government/uploads/system/uploads/attachment_data/file/73171/defence_engagement_strategy.pdf

¹⁸ Joint FCO/DFID/MOD approach. (JDN 1/15 p 10.)

¹⁹ JDN 15/1 page 9. gov.uk/government/uploads/system/uploads/attachment_data/file/570579/20160104-Defence_engagement_jdn_1_15.pdf

²⁰ gov.uk/government/speeches/the-uk-prosperity-agenda-growth-openmarkets-and-good-governance

● promote sustainable global growth.

The defence contribution to the Prosperity Agenda is delivered, in large part, through the Defence Growth Partnership²¹. This is a joint endeavour with the Department of Business, Energy and Industrial Strategy, in which industry is also engaged. But it is noticeable that chapter 3 of JDN 1/15 does not cover the role of either DBEIS/DSO or industry in the sections on planning and resourcing defence engagement.

The Chief of the General Staff's ambition is that the British Army is seen by allies as a 'reference army' – with credibility built on fighting power, demonstrated during campaigns since 1945 and a benchmark for others

The Chief of the General Staff's ambition is that the British Army is seen by allies as a "reference army"²² – with credibility built on fighting power, demonstrated during campaigns since 1945 and a benchmark for others. This is becoming institutionalised as part of the Whole Force Approach²³. With a truly integrated approach industry may be able to contribute more to the wider national objectives that defence engagement seeks.

Whilst strategy is specific about "promoting UK exports",

²¹ defencegrowthpartnership.co.uk

²² General Sir Nick Carter, CGS, at RUSI Land Warfare Conference, June 2016.

²³ "The Whole Force Approach is an effective, agile and resilient capability, delivered by an integrated, pre-planned and affordable mix of Regular and Reserve military, civilian and industry resources as a first choice to meet defence outputs" (ECAB definition: WFA Aide Memoire)

²⁴ Defence exports are dominated by the aerospace sector and this area by the sale of high capital value aircraft. (Tracy Buckingham DBEIS DSO at CHACR Study Day Oct 17.)



High value export: Qatar has signed a statement of intent to buy 24 Eurofighter Typhoon aircraft from BAE Systems



Supporting role: A Defence Support Group (DSG) vehicle mechanic replaces the brake shoes on a Mastiff at Camp Bastion in Afghanistan in 2011. The MoD awarded Babcock International a £900 million, 10-year contract for the maintenance and storage of the British Army's land vehicles in 2015. The deal followed the sale of DSG to Babcock for £140 million the previous year.

the reality is that much of this is about hard exports: sales of defence hardware²⁴. However, the through-life cost of capability is typically three-to-four times the initial acquisition cost. In addition, UK provision of a support solution may offer the opportunity to secure enduring influence with the recipient nation. This continues even when such support packages involve a commitment to indigenisation in order to grow skills and capability abroad: this is a positive long-term outcome of defence engagement.

A good example of soft exports is the extensive programme of international defence training led by each of the single Services. This provides a valuable source of third-party income to the individual training schools and is now enshrined in their business models. Similarly, where UK has exported capability overseas, this may provide enduring opportunities to support the prosperity agenda²⁵. The range of services provided to the Army by industry, generally on an enduring contracted basis, includes:

- **Tangible services, for instance the provision of engineering or logistic support. Examples include the Babcock DSG, Leidos and KBR HET contracts as well**

²⁴Contrast the experience of sale of Challenger tanks to Oman, which includes a loan service uniformed support package, to the more recent sale of refurbished CVR(T) to Latvia, which includes an initial spares package but no training or enduring support. gov.uk/government/news/latvian-army-purchases-uk-armoured-combat-vehicles

as a variety of equipment-specific support packages.

- Tangible infrastructure services, including Private Finance Initiative contracts and provision of facilities management services through a variety of providers.
- Fewer tangible services, including back office functions. An example is the Capita Recruit Partnering Programme.
- Support to training. This includes the contracted provision of training design and delivery within individual training schools and support to collective training, whether instrumentation (for instance Saab, Cubic) or support such as the Contemporary Operating Environment Force contract.

The applicability of these offers to potential defence engagement partner nations clearly varies according to local circumstances. However, engineering and logistic support and support to collective training are areas where industry may already deploy overseas in support of UK training activity. It is only a small step from this to a more integrated approach to defence engagement that develops the concept of the reference army to one of a reference defence enterprise. Industry is likely to be attracted to such opportunities, assuming risk is suitably bounded, and in doing so contribute further to national strategy and prosperity.



CHACR

CHACR MISSION STATEMENT

To conduct and sponsor research and analysis into the enduring nature and changing character of conflict on land and to be the active hub for scholarship and debate within the Army in order to develop and sustain the Army's conceptual component of fighting power.