

DECLASSIFIED



Defence & Overseas Secretariat

70 Whitehall

London

SW1A 2AS

Telephone

Fax

Email

Web

12 October 2007

MARGARET ALDRED

IRAQ SENIOR OFFICIALS GROUP: LOCALLY ENGAGED STAFF, 11 OCTOBER

You chaired a meeting of the Iraq Senior Officials Group on Locally Engaged Staff yesterday, attended by Jon Day, Jeff Garrett and Roger Hutton (MOD), and (FCO), and (DfID), James Quinault and (HMT), (DCLG), Matthew Coats, Andrew Jackson and (HO) and myself (CO). This note records the main points.

Costs

2. You reviewed the outcome of the Ministerial meetings on Monday 8 October; and the separate basis on which the Prime Minister had been briefed, as recorded in Oliver Robbins' email of the same day. You proposed that there was little to be gained by re-opening the question of costs at this point. It would be better for officials to work on the operational detail of the schemes that the Prime Minister had announced, and so build a more accurate picture of the associated costs. Ministers could then have a more informed discussion when they returned to the issue.

3. Departments therefore now needed to work to ensure that the schemes were operationalised in an effective and robust manner. The Foreign Secretary's statement to Parliament had committed to a further announcement by the end of October.

Eligible staff, planning & legal framework

4. You said that in order to have clear **planning assumptions** (and so proposals that could be costed), we needed a precise list of current staff, as well as a shared understanding of our future presence. Departments also needed to continue to work to refine as far as possible the records for former staff. You asked:

- All employing departments to make sure that, by the end of October, they had an authoritative list of all current staff eligible for assistance, with names, length of service and dependants (**Action: FCO, MoD, DfID**). Home office agreed to circulate the current legal definition of "dependants" to inform this (**Action: HO**).



DECLASSIFIED

DECLASSIFIED

- Ministry of Defence to circulate the planning assumptions for our future presence in Iraq to November 2008, which employing departments should use to forecast when and how requirements for LE staff would reduce over the next 12 months (**Action: MoD & employing departments**).

5. DfID and FCO set out their concerns that the wording of the Foreign Secretary's statement would exclude deserving staff (a) who had left our employ and then returned, and so would not fulfil the "continuous service" criterion; and (b) contracted staff. stressed that contracted staff made up the majority of DfID's current staff, and if they were not included it could lead to an exodus damaging for DfID operations. You asked departments to consider the detail of the small number of cases relevant to (a), and whether a legally robust definition could be constructed that would include them; and also to work on (b) to produce as robust a definition of contracted staff as possible to see whether they could be included, by 19 October. If not, Ministers would need to be advised of the consequences and alternative options (**Action: HO, DfID, FCO**).

6. On the **legal framework**, you noted that at the Ministerial meeting on 3 October, the Attorney General's Office had been commissioned to work with departments to draw up legally defensible language which presented our policy as a hybrid ex-gratia package, whilst recognising the difficulties faced by staff. You asked for this by 19 October (**Action: AGO, all**).

Scheme for Current Staff

7. For the **financial assistance** package you asked departments to work together to agree a formula based on FCO's proposal (**Action: FCO, all**).

8. Giles Lever said that he thought a system for granting **exceptional leave to enter** was achievable, and set out briefly how it might be operated in Iraq. confirmed that however applications were processed in Iraq, they would fall outside normal immigration rules and so would need to be referred to the Home Office Managed Migration team in Croydon for a decision. A resettlement fee (£500) should still be charged as a disincentive to abuse, but the cost would need to be met by sponsoring departments. You asked Home Office to circulate a list of what information departments would be required to provide for exceptional leave to enter to be granted (**Action: HO**), so that the operation of the scheme in Iraq could be agreed (**Action: HO, FCO, MoD, DfID**). Employing departments would need to consider how they would meet those requirements (e.g. providing letters of verification), and ensure that applications could be processed within an agreed time (**Action: all**).

9. Matthew Coats said that for **leave options** once in the UK, Home Office's preference was to grant Indefinite Leave to Remain through entry clearance. It was critical to avoid anything that drove up asylum intake. You asked Home Office to consider the options further and to work up a proposal on leave options by 19 October (**Action: HO**). Matthew stressed that all parts of

DECLASSIFIED

DECLASSIFIED

this scheme would be open to challenge in the courts by failed Iraqi asylum seekers in the UK.

10. We discussed means of **repatriation and reception**. Military flights to Brize Norton would move the majority of personnel, after which some form of dispersal scheme would be needed to avoid the burden falling on the Oxfordshire local authorities. We agreed that there was an advantage in keeping the process as simple as possible, and that a "mini-Gateway" package could be designed to support these staff. The former scheme for Kosovans might provide a model. You asked departments to work up the details of such a scheme and support package by October 19th, setting out suitable incentives for Local Authorities, with a reasonable but minimum level of support, all of which would then need to be costed. MoD would consider what practical and logistical assistance it could offer, including the possibility of services housing (**Action: HO, DCLG, MoD**).

Scheme for Former Staff

11. reported that UNHCR were prepared to work with us on the **Gateway Programme**, but would not be able to carry out processing of applications on the UK's behalf. Numbers would need to be ring fenced at 300. The biggest problem was likely to be the availability of housing in the UK. added that the Jordanians would need reassuring on publicity, to avoid attracting further refugees; on the length of time that applications would have to stay in Jordan; and on what happened to failed applicants. It was not expected that costs would be incurred on Gateway until Fy08-09. You asked Home Office to set out how the administrative chain for Gateway would work, addressing UNHCR and Jordanian concerns, and that employing departments then needed to be clear that they were adequately resourced to process these claims (**Action: HO, FCO, all**).

12. **Next Steps:** For ease of reference I am attaching a summary of actions commissioned. Cabinet Office will convene a further meeting on 22 October to consider this material and other preparations needed for the end of October announcement.

13. I am copying this to attendees and members of the Group, to Simon McDonald (Cabinet Office), Tom Fletcher and Matt Cavanagh (No.10), James Watt (Amman), Christopher Prentice (Baghdad), and Richard Jones (Basra).

DECLASSIFIED

DECLASSIFIED

Issue	Action
Eligibility, planning & legal framework	
Authoritative list of current staff and dependants	Employing depts
Planning assumptions and forecasts for staff employment	MoD, employing depts
Definitions of contracted and continuous staff	HO, DfID, FCO
Legal framework	AGO
Scheme for current staff	
Basis for financial package	Employing depts
Operation of exceptional leave to enter in Iraq, on basis of HO requirements	HO, employing depts
Leave options in UK	HO
Repatriation and reception package in UK	HO, DCLG, MoD
Scheme for former staff	
Gateway operation	HO, employing depts

DECLASSIFIED