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From:

Date: 20 April 2007

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To:	Nigel Casey (agreed in draft)PUS	
	PS/PUS	

ACCOMMODATING ARMORGROUP IPA AT THE CONTINGENCY OPERATING BASE IN BASRA

ISSUE

1. Whether we should continue to accommodate International Police Advisers (IPAs), employed by ArmorGroup (an FCO contractor) in a complex at the Contingency Operating Base (COB), Basra, which offers a lower standard of protection from indirect fire than that enjoyed by other civilian staff.

TIMING

2. Routine.

PREFERRED OPTION

3. That the PUS endorses our intention to continue temporarily to accommodate IPAs at the existing 'Skylink' building on the COB, pending further reductions in our civilian headcount which will enable them to move into our new, more hardened accommodation.

AGREED BY

4. SMD, PSU, Legal Advisers, Press Office, CG Basra, UK Chief Police Adviser.

PARLIAMENTARY AND MEDIA

5. There is steadily growing Parliamentary interest in the threat posed to the UK military in Basra from indirect fire. In the event of a serious incident at Basra air station involving UK civilian casualties, there could be substantial media interest and questions asked around our security arrangements.

Comment [POG1]: This paragraph is mandatory. Ministers need to understand the likely media interest in/reaction to your recommendation when they consider it. They also want to be reassured that you have considered this angle yourself. So you should outline interest so far shown in the issue by any UK or international media, saying which outlet if possible, and if it has been broadly supportive or critical of the Government's position. An indication of whether this media position is likely to continue would be useful. A judgement on whether your recommendation should be proactively announced (either to Parliament or to the media) is essential. If so, a draft statement should be attached. Defensive lines - whether or not the decision is for proactivity - should be included. Finally, some indication of how we should play the decision in the media would be useful: do we want to play it low key? Or should we try and keep a story running? If in any doubt while drafting the submission, please contact your department's press officer. All policy submissions must be cleared by Press Office in draft - please send to your press officer or direct to John Williams, the Director of Communications.

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ARGUMENT

6. We currently have a mixed team of Civilian Police Advisers (CivPol - serving or retired officers on secondment) and contracted International Police Advisers (IPAs - currently from Armor Group) delivering our Police reform work in Iraq. Most of our IPAs are based in Basra, working either at the Air Station or in the Permanent Joint Co-ordination Centre in Basra city.
7. The work of these contracted IPAs, alongside their CivPol counterparts, remains critical to delivering sustainable improvements in the performance of the Basra police. This is a key part of our effort to get Basra to the standard required for transfer of security responsibility to the Iraqi Authorities.
8. We currently have approximately 25 IPAs on the ground in Basra at any one time, deployed as follows:
 - 6 'Police Transition Team' officers, who monitor and work to maintain the capability levels of the Basra Police.
 - 5 Mentors for the Department of Internal Affairs and the Tactical Support Unit, which provide an anti-corruption and strike capability.
 - 2 scenes of crime officers to build forensic capability.
 - 9 specialist advisers who provide mentoring for the key units of the Basra Police. These are the Criminal Investigation Department (successor to the SCU), the NIIA, the Joint Command Centre (PJCC) and the chief of Police.
 - 3 management/administration

Of these staff, some 19 are effectively based at the Air Station full time. The remainder rotate into the PJCC and back to the Air Station.

9. The FCO, which provides accommodation for the IPA (through a third party), owes them a duty of care as contractor. We must be able to demonstrate that we have taken all reasonably practicable measures to avoid reasonably foreseeable harm.
10. Our IPAs have for some time been accommodated at the commercial caravan park known as 'Skylink' at the COB. Although the accommodation in this compound is only

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semi-hardened (the pods have lateral but not overhead hardening, which is impossible for structural reasons), we have hitherto judged that this presents an acceptable level of risk given the low IDF rates at the Air Station and their inaccuracy.).

11. Two things have changed in the last two months:

- First, those other civilian staff whom we have redeployed from Basra Palace to the Air Station have moved into our newly built and fully hardened accommodation. But the number of hardened pods in our new compound is insufficient to accommodate the IPAs, and there is insufficient space to build more.
- Second, the frequency of IDF attacks against the Air Station has begun to increase, as the UK military redeploy out of their city bases. There is not yet a clear trend in these attacks, and the numbers are still lower than at Basra Palace. Over the coming months, the UK military are putting in place additional capabilities to try to reduce the IDF threat to the Air Station (improved early warning, enhanced UAV cover and faster-responding counter-battery guns, and the PHALANX anti-missile chain gun). But it is our working assumption that this threat will continue to rise in the months ahead.

12. Against that background, we intend to continue to exert downwards pressure on overall civilian staff numbers in Basra, so as to allow us to move all our IPAs into our new compound as soon as possible (and reduce risk more widely). To this end, we and Post will continue to look critically at all civilian slots, and take an aggressive approach to further reducing our footprint wherever and whenever possible (including downsizing the IPA contingent itself).

13. This is a difficult balancing act: our civilian staff play a critical role in securing the progress necessary to complete our overall mission. Pulling too many out too quickly will undermine our chances of success, and potentially prolong the need for our presence. But we will aim to get everyone into fully hardened accommodation by 31 July. In early August our military will leave Basra Palace and we can expect IDF rates at the Air Station to increase further, as it becomes the sole target for such attacks.

14. In the meantime, we see no other acceptable option than to do what we can to reduce the risk to those accommodated at the 'Skylink' building. We have taken the following measures to actively manage the risk:

- Close co-operation with ArmorGroup regarding security of accommodation for their staff at Post. Recent correspondence with ArmorGroup on this subject is attached at

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Annex B. ArmorGroup have confirmed that they are content with the current arrangements.

- Partial hardening of the Skylink accommodation. Due to the structure of the Skylink building, it is not possible to install overhead protection to the facility. However we have installed T-Walls and Hesco barriers around the accommodation giving it complete lateral protection.
- Close monitoring of the threat level to the COB through the Overseas Security Manager. If the threat level changes in the medium term from its present level of green, we will review our arrangements. Contingency plans are currently being drawn up.
- Fortnightly review by the Chief Police Adviser of IPA staff numbers to confirm that the presence of all staff at Post is mission critical.

Until we are able to get everyone into the new hardened accommodation, we will continue to examine all options to minimise the number of personnel based at Skylink. (One option we have considered and rejected is asking all staff at the COB to double up in the new hardened pods. Basra advise, and we agree, that this would have a serious negative impact on morale, likely to lead to some staff considering leaving Post – which would impact heavily on our ability to deliver our objectives in the critical few months between now and PIC. Staff already face growing pressures from a grim living environment, the growing IDF threat, and increasing restrictions on their freedom of movement at the COB.)

15. We believe that the measures above would allow us to demonstrate that, in the circumstances, we had taken all reasonably practicable measure to avoid harm to the IPA. The explicit confirmation by ArmorGroup that they understand the risks and are content with the measures we have taken to mitigate them may reduce the risk of legal challenge in the event of a security incident. However, responsibility for duty of care continues to rest with FCO.

RISKS

16. In the event of injury or loss of life of personnel based at 'Skylink', we could be open to legal claims for negligence if we fail to demonstrate that we have fulfilled our duty of care obligations. Legal Advisers' view is that the measures we have taken, together with the company's explicit written agreement to the arrangement, in the full knowledge of the

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threat, mean that we would be on strong ground in refuting any such claims. There could also be significant media interest and questions raised about our security measures.

17. If we had to discontinue use of the 'Skylink', we would have to remove the vast majority of our IPA from Basra, or make deep cuts to other parts of our mission. This would severely disrupt our work in Basra at a critical time.

RESOURCE IMPLICATIONS

None.

IPU

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