

REVIEW OF MCA AERIAL SURVEILLANCE AIRCRAFT TASKING FOR PROACTIVE ILLEGAL MIGRATION PATROLS

OVERARCHING SITUATION

Due to the inherently dangerous nature of the migration activity that is currently occurring within the English Channel, all suspected or confirmed migrant vessels that are brought to the attention of HM Coastguard are treated as persons in potential or actual distress that require immediate assistance to recover them to a place of safety. Upon disembarkation, these persons are handed over to either, a medical professional for a higher level of care or the appropriate immigration agency (generally Immigration Enforcement) for processing.

HM Coastguard are responsible for the initiation and coordination of all civil maritime SAR in the UK Search and Rescue Region and as such are the agency responsible for the management, allocation and coordination for all surface and aeronautical assets, be those declared or additional that have been tasked to such incidents.

Neither the Joint Maritime Operations Co-ordination Centre (JMOCC) or the Joint Maritime Security Centre (JMSC) have either the mandate or authority to co-ordinate any Search and Rescue activity.

MCA ASV role

In support of these incidents and in recent months, the MCA's Aerial surveillance aircraft has been tasked to carry out proactive patrols with the intended aim of identifying suspected migrant craft as early as possible. This supported HMCG to task surface assets to locate suspected migrant vessels as quickly and efficiently as possible in an Op Deveran area which is an agreed Border Force patrol area. Historically this activity has been requested and paid for by UK Border Force utilising the tasking budget held by the JMOCC. These tasking have generally been against weather window and it is fair to say generally because there has been finances available to the JMOCC from other funding streams. Following high level discussion between both the MCA and the JMSC it was acknowledged that as this activity is generally to support SAR (preventative and not necessarily reactive) and that the lead agency for SAR in the UK is the MCA, then in the future the MCA that would fund these flights. The agreement was also such that these flights would always take place on "red days" (appropriate weather window) but not corroborated with any supporting intelligence.

Current difficulties/developing issue

- Despite agreeing that this activity is SAR and therefore under the direction of HMCG, the JMOCC still believe that the aircraft tasking is under their direction and wish to have overall control of when and where the aircraft is deployed.
- The agreement that this flying activity will be undertaken on every 'Red day' where no supporting intelligence exists, opens the MCA up to exploitation. Essentially the tasking will purely be on the basis of a weather assessment created by BF. As the weather gets

better, the MCA will potentially have whole extended periods that will be assessed as 'Red' and run this risk of burning through too many flying hours, thus potentially creating operational risk to other core business areas of the MCA.

- Due to potential mixed messaging immediately post this change in policy, the JMOCC are of the opinion that we will fly on both Red and Amber days. This is incorrect. If not, then a policy review is urged.
- There is an official Met Office product that analyses the likelihood for migrant crossings, but this is a 7-day forecast that diminishes in accuracy after 2-3 days. This has been ordered and paid for by BF. BF have been asked if they would be willing to review the 7-day forecast and reduce it to a 3-day forecast and that this, as an independent and professional assessment, becomes the one official forecast. They have not agreed to this and want to retain the 48hr forecast that they create themselves. This does not leave operational autonomy with the MCA for tasking against our budget.
- By almost guaranteeing our aircraft for this activity whenever the JMOCC want it, **Sensitive & Irrelevant** if our aircraft is constantly being flown for these incidents or we run out of flying hours due to excessive taskings.
- Intelligence flows into the NMIC that relate to migrant movements are often very short notice and may arrive outside of normal working hours.

Recommendations:

- As the co-ordinating authority for all civil maritime SAR, HMCG are the natural lead agency for this type of activity and as such the final decision of, if, when and where the aircraft should be deployed, should remain with HMCG unless there is viable and supporting intelligence identifying specific areas to search. It should be made clear that the aircraft on a non-specific tasking is not deployed under JMOCC support.
- The NMIC Liaison officers are well placed to receive both the weather assessments (ideally from the Met office) and intelligence from Law enforcement partners and should continue to do so.
- Utilising pre-populated tasking forms that have been created in collaboration with both 2Excel and Tekever, these can be submitted to the ARCC swiftly and will aid in cutting down on the workload of the Liaison Officers.
- If intelligence is received into the NMIC out of hour's it should be passed to the MCA NMIC LO's via phone call from the BF MIB. It is unacceptable for our staff to be required to monitor the NMIC inbox outside the working day late into the night.
- If reliable intelligence has been received that points towards migrant movements in a defined time period (of no more than 12 hours in duration), we should accept this tasking if appropriate and proportionate to do so.
- If it is classed as a 'Red day' and reliable intelligence has been received that points towards migrant movements in a defined time period (of no more than 12 hours in duration), we should accept this tasking if appropriate and proportionate to do so.
- If it is classed as a 'Red day' and no reliable intelligence has been received, we should not automatically accept this tasking. This allows support to other core business that

either the MCA or other stakeholders could use the aircraft for, such as inland search to support the police.

- All post flight reports should reflect that these are now HMCG patrols and not Border Force patrols. These are the property of HMCG and can be shared with partner agencies as appropriate.
- All aircraft taskings will deploy under a new title of Op EOS so that we can accurately show the MCA budget commitment to these patrols and to formally differentiate those from Op Deveran the previous JMOCC / BF tasking.
- Consideration be strongly given to only flying on red days where there is supporting intelligence or where there is a clear tasking requirement that benefits wider SAR activity or when the JMOCC sponsored drone is not available
- Formally recommend that the coordination of both the aircraft and drone is through the ARCC and not the JMOCC to allow proper in-flight tasking, deconfliction and risk analysis.

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- JMSC senior managers need to be formally told that all operational decisions rest with Director HMCG or nominated individuals and not Director Commercial & Programmes Director
- MCA to formally state that the agreement to fund this activity and supply the aircraft remains at the discretion of the Director HMCG and can be withdrawn at any stage.

Of note, we have assessed the product supplied by the Met office security team and they have assessed the current weather as an Amber Day. The Border Force product suggests this is a Red day which then shows that we could be flying against varying met sources.

Finally, the MCA need to be clear in our position on the use of this aircraft and that it is an MCA asset first and that it can support JMOCC activity second. There is a real risk in losing control of its regulated and controlled tasking in considering general MCA business against speculative migrant flying if the JMOCC feel they have a level of priority over the use of the aircraft.