

Witness Name: Gary Ferguson
Statement No.: 1
Exhibits: 15
Dated: 17th November 2024

THE CRANSTON INQUIRY

WITNESS STATEMENT OF Gary Ferguson

I, Gary Ferguson, Head of Specialist Operations at RVL Aviation Ltd, Anson Road, East Midlands Airport, Castle Donington, Leicestershire, DE74 2SA will say as follows:-

Introduction

1. I make this statement on behalf of RVL Aviation Limited in response to a witness evidence request dated 30 July 2024. I am authorised to make this statement on behalf of RVL Aviation Limited.

Background Information regarding RVL Aviation

2. RVL Aviation (RVL) is a specialist aviation services provider operating and maintaining a fleet of multi role aircraft. RVL provides services to a range of private and public sector clients and offers expertise in areas as diverse as aerial surveillance and survey, passenger and cargo ad hoc and long-term charter, temporary and permanent aircraft modifications for project work and aerial spraying of pollution dispersants.

RVL holds various regulatory approvals – including:

- UK Air Operator Certificate
- EASA Part TCO
- Type A operating licence

- Dangerous Goods approval
 - Approved Training Organisation
 - Part 145 Engineering Approval
 - 2-REG 145 Approval
 - Part M/CAMO Airworthiness
3. RVL Aviation Limited is a wholly owned subsidiary of Reconnaissance Ventures Limited (T/A RVL Group). RVL Aviation wholly owns RVL Airtech Limited, its Part 145 Maintenance Company.

Work Undertaken for the Home Office in 2021

4. RVL provides airborne intelligence, surveillance, and reconnaissance (ISR) services to the Maritime & Coastguard Agency (MCA) as a supplementary activity to its long-standing contract for the delivery of marine counter pollution services using specialist aircraft and subject matter expertise. Specifically, RVL operates a Beech B200 aircraft that is modified with surveillance sensors and communications equipment. The aircraft's registration is G-RAFL, serial number BB-1832. The standard 'company' call-sign for the aircraft is "Endurance 99." When utilised for search and rescue operations, the aircraft utilises the call-sign "Rescue 99." The aircraft shall be referred to hereafter by its registration, G-RAFL.
5. Prior to RVL's direct involvement with the Home Office, the equipment fitted to G-RAFL included an electro-optic infra-red (EO/IR) imaging system in a turret form-factor, integrated with a mission system. G-RAFL was also equipped with the following line-of-sight communications equipment: VHF-AM radios (for

aeronautical communications), a VHF-FM radio (for maritime communications), and an Automatic Information System (AIS) receiver (for the receipt and decoding of transponding vessel positions). For beyond-line-of-sight communications, G-RAFL was equipped with an Iridium satellite communication system (for voice and limited data communications with global coverage.)

6. Under the commercial agreement between RVL and the MCA, RVL is obligated to make G-RAFL available to the MCA in line with response requirements, but outside of those requirements, RVL is free to operate the aircraft for other purposes.

7. In late 2020, RVL responded to industry engagement opportunities with the

Home Office

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13. Operationally, the scope of Project Reveal was given a minimum period of 12-weeks once the aircraft was made available to the Home Office **Public Interest/Operational Sensitivity** and a minimum activity level of 120 flying hours.

14. The Contract Change Notice was signed on 4 June 2021. The first operational flight of Project Reveal was on the night of 9 October 2021. The final operational flight of Project Reveal was on 25 January 2022.
15. To quickly supplement RVL's cohort of aircrew, particularly suitably qualified and experienced sensor operators, it subcontracted a company called Meta Mission Data Limited (now Metrea Mission Data Limited) for additional rear-seat crew members.

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This communication was either verbal or via email using the aircraft's Iridium satellite communications system. Post flight, imagery and data supporting those observations was compiled into a report for distribution by email to CCTC personnel.

19. During the operational phase of Project Reveal, RVL was proactively tasked by CCTC based on the anticipated likelihood of crossing attempts which was derived from meteorological forecasts. "Small boat launching conditions" for the period between 22:00 and 06:00 UTC every night was categorised as either red/amber/yellow/green – with each colour indicating the assessed probability of small boat launches. "Red" indicated "Highly Likely." "Amber" indicated "Likely or Probable." "Yellow" indicated "Realistic Possibility." There were different shades of green but essentially they represented "Unlikely." With this information, the CCTC would typically task a Project Reveal flight on yellow, amber, and red nights. Once CCTC had identified a requirement for a Project Reveal flight, a tasking form would be completed and submitted to the Maritime

& Coastguard Agency's Aeronautical Rescue Coordination Centre (ARCC.) The ARCC would then formally allocate the tasking to RVL and G-RAFL. For further task-specific communications and updates, RVL and the CCTC would continue to liaise directly.

20. It is important to note that RVL's undertaking of Project Reveal on behalf of the Home Office was work in addition to its existing operations for the MCA. Simplistically, G-RAFL was being used for the MCA during the day, and by the Home Office at night. (Albeit that commercially speaking, the Home Office flights were still facilitated by the MCA contract.) Furthermore, RVL has on occasion fulfilled some of the 'consequence management' flights in place of its counterparts that normally provide the routine over-sea airborne surveillance, using the optical sensors fitted to G-RAFL. RVL received such taskings from the MCA via its ARCC, and would remain under the coordination of the MCA for the duration of the missions. These missions would be defined as 'Operation Eos' flights, requiring a different flight profile wherein the aircraft is operated at lower altitude for the purpose of detecting, assessing, and tracking small boats at sea visually.

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The Events of 23-24 November 2021

22. At 10:43am on 23 November 2021, RVL received an email copy of a tasking request that had been submitted by the CCTC to the ARCC. (Exhibit GF/01; INQ007167) The tasking required that G-RAFL was operational in the Dover Strait between 22:00 UTC on 23 November 2021 and 05:00 UTC on 24 November 2021.

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23. The Project Reveal tasking on the night of 23/24 November 2021 was completed by RVL across three flights. The flights were undertaken using G-RAFL, call-sign "Endurance 99." The first flight departed East Midlands Airport at 20:10 UTC 23/11/2021 and arrived at Southend Airport at 21:00 UTC 23/11/2021. This first sector was to refuel at a forward position nearer to the operational area. No surveillance was performed during this first flight. The second flight departed Southend Airport at 21:45 UTC 23/11/2021 and arrived back at Southend at 00:50 UTC 24/11/2021. This was a surveillance sortie as per the tasking. Following a refuel, a third flight departed Southend at 01:40 UTC 24/11/2021 and returned to East Midlands Airport, arriving at 05:05 UTC 24/11/2021. Surveillance was performed during this third sector as per the tasking.

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25. The above observations **Public Interest/Operational** is detailed in the post flight report (produced as exhibit GF/02; INQ007166).

26. Additionally, **PIOS** relating to the above four observations is supplied to the Inquiry. The **PIOS** relating to the sighting at 22:15 UTC are produced as exhibit GF/03; INQ007158, and exhibit GF/04; INQ007159. The **PIOS** relating to the sighting at 00:12 UTC are produced as exhibit GF/05; INQ007151, and exhibit GF/06; INQ007152. The **PIOS** relating to the sighting at 02:42 UTC are produced as exhibit GF/07; INQ007153, and exhibit GF/08; INQ007154. **PIOS**
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The **PIOS** produced as exhibit GF/08; INQ007154 was **PIOS** to correct for this error. The original **PIOS** **PIOS** is provided as exhibit GF/09; INQ007155. The **PIOS** relating to the sighting at 03:36 UTC are produced as exhibit GF/10; INQ007156, and exhibit GF/11; INQ007157.

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28. With the above points in mind, with the limited detail we have in the feedback to our sightings, it is not possible to state whether or not vessel 'Charlie' was

observed by the crew onboard G-RAFL [PIOS] No

[PIOS] of the vessel 'Charlie' were captured once it was at sea, whether by [PIOS]
[PIOS] optical sensor.

29. RVL was not asked to assist with the search and rescue/recovery effort during 24 November 2021. The aircraft was available to the MCA for this purpose, such are the terms of our agreement with the MCA. Instead, during the daytime on 24 November 2021, G-RAFL was operated for a maritime patrol on behalf of the MCA, away from the Dover Strait in the South West Approaches.

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30. On 11 January 2022, I received a request from Nikki Bhamra (CCTC) to provide information about how our flights on the night of the 23/24 November 2021 related to the incident involving the vessel "Charlie." To provide the information, I analysed the aircraft track, [PIOS] I produced a Google Earth file showing this data, and this is available to the Inquiry. This file is provided to the Inquiry with the filename "GRAFL Tracks.kmz" (produced as exhibit GF/13; INQ007161).

PIOS

31. Also provided to the Inquiry is a file with the filename "Reveal Flight 2021 11 23 to 24.ppt". (Produced as exhibit GF/14; INQ007165).

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This

image clearly shows where the aircraft was being operated versus where its crew were surveying PIOS and specifically that the sea beneath the aircraft was not being observed.

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Furthermore, I

analysed the low-level weather reports for the area of operation during the time that G-RAFL was on-scene during the night of 23/24 November 2021. Whilst it was difficult to glean a comprehensive picture of the weather given the limited meteorological stations that were reporting data at that time, according to reports from Calais Marck airfield, there was overcast cloud at around 4,000ft. This was from 04:00 UTC which was the station's earliest report available. Southend was reporting broken cloud cover at around 4,000ft from 01:20 UTC onwards. Therefore, with cloud cover reported at either side of the Channel, and given the aircraft's altitude, even with an alternative tasking that called upon the crew to use the aircraft's optical sensors, there is no viable possibility that the crew could have observed a migrant vessel visually even if it were directly beneath the aircraft track.

Post Incident Developments

33. Following the completion of Project Reveal on 25 January 2022, RVL has had no further direct commercial or operational relationship with the Home Office.

RVL continues to provide airborne ISR services to the MCA, which has included frequent occasions when G-RAFL has been used with its optical sensors to fulfil consequence management/Op Eos flights in the Dover Strait to counter the small boats problem.

34. The conclusion of Project Reveal coincided with the involvement of the Royal Navy (RN) in the small boats issue.

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Statement of Truth

I believe the content of this statement to be true.

Signed:

Personal Data

Dated: 17th November 2024