

RESPONSE RECEIVED FROM THE HOME OFFICE TO RECOMMENDATIONS BY THE MARINE ACCIDENT INVESTIGATION BRANCH

The MAIB has produced this document to reproduce the response they received from the Home Office to the recommendations made in their report.

This document was produced by the MAIB on 16 September 2024 from the original correspondence received from the Home Office.

The Home Office notes recommendation 2023/111 for The Maritime and Coastguard Agency and UK Border Force to *'Develop procedures for achieving, as far as is practicable, an overview picture of migrant boat activity during periods when aerial surveillance is limited to rotary wing aircraft or is unavailable'*. There are limits to what I can say about Home Office surveillance capabilities, but I can give a broad overview of our operating model and the capability enhancements that have been introduced since this incident in November 2021.

However, before explaining what the Home Office has done to address this recommendation, I feel that we should remind ourselves of the background. These SAR events are comparatively unusual in that they involve 'vessels' that from the outset were not, and never have been, seaworthy. As the MAIB report notes, the Home Office supports what is a HM Coastguard-led response to SAR events in the Channel, providing substantial support with personnel and assets routinely deployed for tasking. This is an incredibly challenging operating environment for both agencies. The migrant boats are inherently difficult to detect, track, and identify, and the current area of operations is roughly the size of greater London. The vessels often arrive in the UK SAR zone in a very poor state, with the occupants suffering the effects of exposure. Unlike most other SAR incidents, these crossings can be challenging due to non-cooperation on the part of people, determined to get to the UK, who may refuse assistance from French SAR assets at an earlier stage in their journeys.

Two years have now passed since the tragedy in November 2021. At the time that the tragedy took place, the Home Office and H.M. Coastguard had already made substantial investments to rapidly enhance the provision of intelligence, surveillance, and reconnaissance (ISR) capabilities to improve the reliability and consistency of our shared domain awareness. While no ISR system can be completely infallible, our ultimate aim has been to increase the capacity and capabilities to provide greater assurance that we are able to detect and identify any small boats heading to UK territorial waters (TTWs) and deploy the most appropriate response.

Since the incident, we have procured additional capacity from our existing systems to ensure that our platforms are available for more hours on more days during periods of increased crossing activity. This has included additional aerial surveillance platforms and more flying hours to provide domain awareness over a greater geographic area over a greater period of time. The Home Office also procured a system that provides 24/7 coverage over a substantial part of our area of operations to reduce our reliance on aerial surveillance platforms.

Additional capabilities are in the process of being procured or configured that will enhance our capabilities even further, providing substantial additional domain awareness and resilience compared to the system that existed in November 2021.

We are confident that these improvements collectively enable an overview picture of migrant boat activity during periods when aerial surveillance is limited/unavailable.

I should add that in addition to the tangible assets that are now available there have also been substantial improvements in command and control (C2) of these assets since November 2021, increasing the overall effectiveness of the platforms available. Since December 2022, when I assumed command of the operation, there has been a substantial uplift in technology and personnel managing the deployment of assets and we have sustained a 100% detection and interception rate of all small boats in UK TTWs, which increases our confidence that we would be able to detect and locate any vessels in distress in our area of operations.

However, it is also important to note that no amount of ISR is ever going to completely guarantee the safety of those making these inherently dangerous journeys, which endanger life unnecessarily given that France is a safe country with a fully functioning asylum system. The rapid detection of small boats does not guarantee that French or UK rescue vessels will be able to reach them quickly enough to prevent loss of life, particularly where there are concurrent complex rescues, arrivals over a very large geographic area, or where rescue has been repeatedly refused from French assets. Regrettably, despite the substantial progress we have made, it is my assessment that we cannot rule out further loss of life. The only way to fully guarantee the safety of these vulnerable people is to prevent them from making the crossing in the first place and this remains a top priority for the Home Office.

Response dated: 8 December 2023