

## **Team mercenary GB**

### **Part 2 – This is the modern world**

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#### **The 21st century UK PMC**

**I**n my first article on the British influence on the world of Private Military Contractors (PMCs),<sup>1</sup> I covered the period from the 1960s to the beginning of the new millennium. I showed that there was a distinct market (either genuine or created) for ex-servicemen to fight proxy wars for the government of the United Kingdom. That there was money to be made in this environment is clear from the fact that, in the 1990s, Executive Outcomes (the PMC established by the infamous Simon Mann) was paid \$40 million per year to defeat the UNITA rebels in Angola.<sup>2</sup>

Such sums are, however, relatively small fry compared to the truly huge sums that are being spent on PMCs that provide services related to the 'Global War on Terror' and the effective civil war that followed the second invasion of Iraq in 2003. This is the focus of what follows.

In 2006 American author Charlie Cray stated that 'Industry analysts expect it [the PMC industry] will be a \$200 billion-a-year global business by 2010.'<sup>3</sup> Indeed, in 2015 Olive Group, which had been founded in 2001 by an ex-Coldstream Guards and Parachute Regiment officer,<sup>4</sup> merged with U.S. Operation Constellis Group to 'create a combined entity with

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1 <<http://www.lobster-magazine.co.uk/free/lobster72/lob72-team-mercenary.pdf>>

2 <<http://www.lobster-magazine.co.uk/free/lobster72/lob72-team-mercenary.pdf>>, footnote 45

3 <<http://www.multinationalmonitor.org/mm2006/112006/cray.html>>

4 <<http://www.olivegroup.com/executiveteampr.php>>

revenues in the range of \$1bn'.<sup>5</sup> Contributing to that impressive turnover was the contract of aviation security for all four international Airports in Afghanistan, signed between the Deputy Director General of the Afghanistan Civil Aviation Authority and Guy Johnston of Olive Group.<sup>6</sup> The ex-Commanding Officer of the 22nd SAS, Lt. General Cedric Delves DSO<sup>7</sup> was a director of Olive. <sup>8</sup>

On the topic of government spending on PMCs, earlier this year, writing in the *Guardian*, Richard Norton-Taylor, reported that, 'Foreign Office spending on contracts with private UK security companies rose from £12.6m in 2003 to £48.9m in 2012, according to official figures.'<sup>9</sup> One of the memorable jokes from the 1980s BBC comedy 'Yes Minister' is along the lines of, 'If those are the official figures, then you can imagine just how much it really is!'

## **British dominance**

**A** reflection of the British dominance of the PMC industry is that the website for the United States Embassy in Baghdad provides a list of ten security companies working in country, half of which are UK-based or were established by UK persons.<sup>10</sup> At the top of the list is the caveat that 'The U.S.

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5 <<http://www.telegraph.co.uk/finance/newsbysector/industry/defence/11589413/British-security-firm-Olive-plansexpansion-after-US-merger.html>>

6 See <<http://acaa.gov.af/en/news/aviation-security-contract-for-afghanistans-international-airports-signed-betweenafghanistan-civil-aviation-authority-and-olive-group-company>>.

7 Cedric Delves had been Commanding Officer of 22nd SAS in 1988 when three IRA terrorists were shot dead in Gibraltar (Operation Flavius). See <<http://www.telegraph.co.uk/news/uknews/1448946/News-in-brief.html>>.

8 See p. 30 of The UK Government's 'Advisory Committee on Business Appointments, Eighth Report 2005–2006' at <[http://webarchive.nationalarchives.gov.uk/20140404084345/http://acoba.independent.gov.uk/media/acoba/assets/acobaeighthreport2005\\_06.pdf](http://webarchive.nationalarchives.gov.uk/20140404084345/http://acoba.independent.gov.uk/media/acoba/assets/acobaeighthreport2005_06.pdf)>.

9 <<https://www.theguardian.com/business/2016/feb/03/britain-g4s-at-centre-of-global-mercenary-industry-says-charity>>

10 <[https://iraq.usembassy.gov/consular/us/security\\_companies.html](https://iraq.usembassy.gov/consular/us/security_companies.html)> There are actually many more than the ten listed currently active in Iraq; presumably the list can be treated as a 'top ten'.

government assumes no responsibility for the professional ability or integrity of the persons or firms whose names appear on the list.' One can safely assume, though, that there is tacit if not legally binding approval for the firms named.

Keeping track of PMCs can be challenging, as there are regular mergers and acquisitions. In 2008, for instance, the behemoth that is Group 4 Security (a.k.a. G4S) acquired ArmorGroup,<sup>11</sup> which still functions in its own right and is included on the US Baghdad embassy roster.

## **Ex-UK Special Forces (SF) personnel**

As will be shown in the remainder of this article, many of the UK based PMCs have connections to, or directly employ, ex-UK Special Forces (SF) personnel. In the case of ArmorGroup, employees also included former senior MI6 officer Andrew Fulton,<sup>12</sup> who has also been Chair of the Scottish Conservative Party. The listed contact for ArmorGroup in Iraq is 'Country Manager' John Farr MBE, who is ex-Parachute Regiment and possibly UK SF. He received his MBE as part of the Queen's birthday honours in 1991<sup>13</sup> and retired with the rank of Major on 19 February 1998.<sup>14</sup>

Even before it was taken over by G4S, ArmorGroup had itself previously taken over Defence Systems Limited (DSL) in 1997.<sup>15</sup> The background of DSL is particularly interesting as it was originally founded by ex-SAS officers Major Alastair

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11 See Stanley Pignal, 'G4S beefs up security side with ArmorGroup purchase', *Financial Times*, 22 March 2008, at <<http://www.ft.com/cms/s/0/4f65b020-f7b3-11dc-ac40-000077b07658.html>>.

12 See Saeed Shah, 'Former MI6 spy joins Armor Group to hunt down new business', *The Independent*, 20 August 2006 at <<http://www.independent.co.uk/news/business/news/former-mi6-spy-joins-armor-group-to-hunt-down-newbusiness-412794.html>>.

13 <<https://www.thegazette.co.uk/London/issue/52382/supplement/6/data.pdf>>

14 <<https://www.thegazette.co.uk/London/issue/55051/supplement/2161/data.pdf>>

15 See 'Memorandum from ArmorGroup Services Limited', presented to the Parliamentary Select Committee on Foreign Affairs, June 2002, at <<http://www.publications.parliament.uk/pa/cm200102/cmselect/cmfaaff/922/2061318.htm>>.

Morrison OBE, MC<sup>16</sup> (who will be a recurring figure in this article) and Major Richard Bethell MBE. Morrison was one of the two SAS men who were briefly seconded to the German GSG9 antiterrorist unit at Mogadishu airport in 1977.<sup>17</sup> Major Bethell's time in the 22nd SAS Regiment was in the 1980s. His post Army career within the PMC world was well established before he became 6th Baron Westbury upon the death of his father in 2001.

The G4S/ArmorGroup/Defence Systems Limited conglomerate had other links to the Conservative Party and the upper reaches of the Civil Service. When Malcolm Rifkind was Secretary of State for Defence he tasked the then recently retired General Sir David Ramsbotham GCB, CBE with 'writing a paper on improving the UK contribution to UN Peacekeeping Operations'. Following the publication of his various reports, General Ramsbotham was approached by 'Defence Systems Limited and asked to become Director of International Affairs'.<sup>18</sup> Sir Malcolm Rifkind later became chair of the board at ArmorGroup when it was sold to G4S.<sup>19</sup>

There was another, separate yet very similar acquisition in 2008 when Rocam International, a PMC run by Richard Mitchelson who is ex-New Zealand Special Air Service,<sup>20</sup> acquired AKE Group (the AKE standing for Andrew Kain Enterprises). Once again, the AKE group of companies continue to trade under their own names and AKE Limited is

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16 See Thomas Catan, 'Lunch and Conversation with Alastair Morrison', *Financial Times*, 25 March 2005, archived at <<http://www.corpwatch.org/article.php?id=12002>>.

17 His contact with GSG9 would have no doubt been helpful when, following his retirement from the Army, he worked for a short time at German arms manufacturer Heckler & Koch. I understand that he played an important part in the development of the MP5K shortened sub-machine gun, providing input relevant to the design brief of a concealable weapon for bodyguarding duties.

18 See 'Memorandum from General Sir David Ramsbotham GCB CBE', as presented to the Select Committee on Foreign Affairs in May 2002 at <<http://www.publications.parliament.uk/pa/cm200102/cmselect/cmfaff/922/2061313.htm>>.

19 See Helen Power, 'Troubled ArmorGroup secures sale to G4S', *Daily Telegraph*, 21 March 2008 at <<http://www.telegraph.co.uk/finance/markets/2786738/Troubled-ArmorGroup-secures-sale-to-G4S.html>>.

20 See <<http://www.rocaminternational.com/about/directors>>.

another of the PMCs on the US Baghdad embassy list. Ex-Staff Sergeant Andrew Kain served in 2nd Battalion Parachute Regiment from 1972-78, then with the Special Air Service from 1978-90.<sup>21</sup> He was a member of the British special forces team, under the command of Captain Gavin Hamilton MC, that carried out the raid on Pebble Island during the Falkland campaign (where 11 aircraft and a radar installation were destroyed).<sup>22</sup>

There are a number of companies under the Andrew Kain umbrella, one of which is Andrew Kain Enterprises Limited (AKE). Previous directors of AKE have included former SAS NCOs Ken Connor BEM.<sup>23</sup> and Steven Mitchell DCM, MM (a.k.a. Andy McNab).<sup>24</sup> Oddly, Andrew Kain himself has resigned his directorship of this specific company. Richard Filon (who has written under the pen name Duncan Falconer<sup>25</sup>) is the ex-SBS Marine who now runs the Kidnap and Ransom division of AKE Group,<sup>26</sup> and (as of June 2016) is also a director of the newly formed A. Kain & Partners LLP.

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21 His LinkedIn profile is at <<https://uk.linkedin.com/in/andrew-kain-00a38418>>.

22 The success of the Pebble island raid led Peter de la Billiere (the then Director of SF) to propose Operations Plum Duff and Mikado but '... ideas to land a Hercules at the Argentine base were quite frankly suicidal....' See Michael Smith, 'SAS "suicide mission" to wipe out Exocets', *Daily Telegraph*, 8 March 2002 at <<http://www.telegraph.co.uk/news/worldnews/southamerica/argentina/1387091/SAS-suicide-mission-to-wipe-out-Exocets.html>>.

23 Connor had long-term active service in the SAS, and later the Brixmis Mission. On which see p. 10 and footnote 24 of my piece 'The Western Union Clandestine Committee: Britain and the "Gladio" networks' at <<http://www.lobster-magazine.co.uk/free/lobster72/lob72-western-union.pdf>>. Both Connor and another significant SAS veteran, Fijian Jim Vakatalai MM, also work for a security company, Total Care Security Ltd, in an advisory capacity. See <<http://www.totalcaresecurity.com/security-committee/>>.

24 See <<http://www.specialforcesroh.com/showthread.php?41362-Mitchell-Steven-Billy>>

25 The list of his directorships, including for Duncan Falconer Limited, can be seen at <<https://beta.companieshouse.gov.uk/officers/j7wX1opgIQi9yua5hJHofrBKe2M/appointments>>.

26 See Derek Kravitz and Colm O'Molloy, 'The murky world of hostage negotiations: is the price ever right?', the *Guardian*, 25 August 2014 at <<https://www.theguardian.com/world/2014/aug/25/murky-world-hostage-negotiations-price-ever-right-insurance>>.

A third UK PMC on the US Baghdad embassy list is Erinys Iraq Limited. Founded in 2002 by Jonathan Garratt (ex-Royal Regiment of Fusiliers), Erinys and its financial backer/parent company Nour USA Ltd 'has received contracts worth up to a total of \$400 million'.<sup>27</sup> Previous to establishing Erinys, Jonathan Garratt left the British army in 1992 and then worked at DSL – the firm where Alastair Morrison worked – for nine years.<sup>28</sup> In between working at DSL and industry leader Kroll, Morrison transferred to Erinys to continue his business relationship with Garratt. Sitting on the Erinys board of directors is Major-General John Holmes, the former director of UKSF and head of the SAS.

Some of Erinys' employees in Iraq have carried out highly questionable actions. In 2004 a male Iraqi teenager, who had been accused of stealing some cabling, was held by Erinys contractors in cruel circumstances. Photographs emerged of the petrified youngster having been placed in an improvised restraint of half a dozen car tyres. There were conflicting accounts of what exactly happened, with the family of the child stating that he had been seriously mistreated over a very long period of time. Erinys, by contrast, insisted that it had only been for a couple of minutes. Disregarding whether or not just 'a couple of minutes' was even allowable, if the Erinys statement is true I am inclined to ask how there was sufficient time to take any photographs.<sup>29</sup>

Additionally, Erinys was tangentially involved with ex-KGB/FSB officer Alexander Litvinenko, who was poisoned with polonium in November 2006. Litvinenko was producing 'business intelligence' reports into high profile Russian figures for Titon International, which was a subsidiary of Erinys.<sup>30</sup>

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<sup>27</sup> See footnote 3.

<sup>28</sup> See <<http://www.erinys.net/#/board-of-directors/4577428102>>.

<sup>29</sup> For the details of Major-General Holmes directorship at Erinys and the Iraqi teenage prisoner controversy, see Antony Barnett and Patrick Smith, 'British guard firm "abused scared Iraqi shepherd boy"', the *Guardian*, 14 November 2004 at <<https://www.theguardian.com/world/2004/nov/14/iraq>>.

<sup>30</sup> See Martin Sixsmith, *The Litvinenko File* (London: Macmillan, 2007) p. 22. N.B. that Titon International should not be confused with the American intelligence firm Titan. (Anyhow, Titon is now known as Quintel Intelligence Limited.)

The witness statements of both Erinys and Titon staff to the Litvinenko Inquiry make interesting reading.<sup>31</sup>

The fourth of the five PMCs from the US Baghdad embassy list is named as Global Risk Strategies. Following the mercurial nature of these businesses, this is actually now known as Global Strategies Group (GSG)<sup>32</sup> and it was originally founded in 1998 by Damian Perl (ex-Royal Marines) and Charlie Andrews, a former Scots Guards officer.<sup>33</sup> In a March 2004 article, *The Economist* profiled several PMCs and had this comment regarding (the still known as) Global Risk Strategies:

'Global Risk Strategies was a two-man team until the invasion of Afghanistan. Now it has over 1,000 guards in Iraq — more than many of the countries taking part in the occupation — manning the barricades of the Coalition Provisional Authority (CPA). Last year it also won a \$27m contract to distribute Iraq's new dinar.'<sup>34</sup>

GSG has taken part in its own interesting share of acquisitions. In 2007 they purchased a company that went by the name of SFA Inc. In doing so they also obtained a subsidiary company called The Analysis Corporation. Current CIA Director John Brennan, a long-term CIA veteran, was actually undertaking a stint in the private sector and working

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31 Statements from Tim Reilly of Erinys  
<<https://www.litvinenkoinquiry.org/files/2015/04/INQ002972wb.pdf>>  
and <<https://www.litvinenkoinquiry.org/files/2015/04/INQ002980wb.pdf>>.

Statements from Dean Attew of Titon  
<<https://www.litvinenkoinquiry.org/files/2015/04/INQ005970wb.pdf>>  
and <<https://www.litvinenkoinquiry.org/files/2015/04/INQ005973wb.pdf>>

32 N.B. that there is a current company registered at Companies House with the name Global Risk Strategies Ltd that has classed itself under 'Private security activities', but this firm was only set up in June of 2012.

33 See Louise Armitstead, 'Royal Marine Damian Perl to float US security firm for £100m', *Daily Telegraph*, 14 November 2009 at <<http://www.telegraph.co.uk/finance/newsbysector/supportservices/6570633/Royal-Marine-Damian-Perl-tofloat-US-security-firm-for-100m.html>>.

34 'The Baghdad boom', *The Economist*, 25 March 2004 at <<http://www.economist.com/node/2539816>>.

for The Analysis Corporation at the time. A former GSG employee, who was interviewed by CNBC in 2013, clearly stated that the acquisition had taken place solely to get hold of The Analysis Corporation and that 'The Analysis Corporation was the crown jewel of SFA'.<sup>35</sup> GSG's highly lucrative contracts have included those to 'guard convoys exchanging currencies in Iraq' and to 'defend part of the perimeter of Baghdad airport'.

GSG relies heavily on Fijians and Gurkhas and that helps the profit margin. A typical going rate for British or US ex-SF soldiers can be over £300 per day but Global pays about £35 per day to its Fijians and Nepalese.<sup>36</sup>

The last of the UK PMCs on that US Baghdad embassy list is Control Risks Group. I will not go into detail regarding the history of Control Risks here but simply refer the reader to the extensive detail on pages 6 and following of my previous article on PMCs.<sup>37</sup> Further to that, in 2006 the ex-editor of the *Daily Telegraph*, Max Hastings, mentioned Control Risks in an article that was very much a rallying cry for the PMC world. Hastings stated that '... Control Risks, saw its turnover soar fifteen fold after 2003 amid the huge demand for bodyguards.'<sup>38</sup>

Not being on the US Baghdad embassy list of PMCs is hardly a sign of an unsuccessful company. In 2005 a significant PMC merger occurred when Aegis Defence acquired Rubicon

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35 See Eamon Javers, 'In Brennan's Private Sector Stint, a Chinese Connection', CNBC, Wednesday, 6 February 2013 at <<http://www.cnbc.com/id/100440555>>.

36 See 'Don't call us mercenaries, says British company with lucrative contracts and cheap labour', the *Guardian*, 17 May 2004 at <<https://www.theguardian.com/uk/2004/may/17/military.iraq>>. Justification for this is that the £35 rate is very good compared to the potential home country rates of pay. Considering that the Fijians and Gurkhas are taking exactly the same risk as any Westerner, I don't call that a justification, I call that racism.

37 <<http://www.lobster-magazine.co.uk/free/lobster72/lob72-team-mercenary.pdf>>

38 See Max Hastings, 'We must fight our instinctive distaste for mercenaries' (surprisingly?) published by the *Guardian*, 2 August 2006 at <<https://www.theguardian.com/commentisfree/2006/aug/02/comment.politics>>.

International<sup>39</sup> – both Aegis and Rubicon having connections to Britain’s SF. Aegis Defence was run by Colonel Tim Spicer – the Sandline and Sierra Leone ‘adventurer’ – who had served in the Territorial 21st SAS at the start of his army career in the mid-70s. Rubicon’s owner and managing director was John Davidson, who is also an ex-SAS officer. Despite having being involved at the end of the 1990s with the troublesome Sandline International mercenary firm, by 2006 Spicer was ‘in charge of the second largest military force in Iraq: the estimated 20,000 private security personnel who outnumber the British army by almost three to one.’<sup>40</sup> This was because Aegis, with strong input from Spicer, had won a contract in Iraq worth \$293 million from the Pentagon, ‘... to co-ordinate security for reconstruction projects, as well as support for other private military companies, in Iraq.’<sup>41</sup> By pure coincidence, at the time that the contract was given, Anthony Hunter-Choat (ex-Commanding Officer of the Territorial 23rd SAS) was head of security for the Iraqi Coalition Provisional Authority’s Program Management Office and he had known Spicer for many years. The American PMC Dyncorp had submitted a bid that was \$80 million less than the one from Aegis and they were – justifiably – very upset.<sup>42</sup> Dyncorp had been around for decades, whereas Aegis had only been founded two years before the contract was awarded. The advantage that Aegis had, presumably, was that Lord Inge (Chief of the Defence Staff between 1994 and 1997) was non-executive chairman<sup>43</sup> and Nicholas Soames (former Tory

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39 See James Boxell, ‘Aegis Defence adds Rubicon to its portfolio’, *Financial Times* 4 November 2005 at <<http://www.ft.com/cms/s/0/dbc8bc44-4cd7-11da-89df-0000779e2340.html>>.

40 See Stephen Armstrong, ‘The enforcer’, the *Guardian*, 20 May 2006 at <<https://www.theguardian.com/commentisfree/2006/may/20/comment.military>>.

41 See Robert Baer, ‘Iraq’s Mercenary King’, *Vanity Fair*, 6 March 2007 at <<http://www.vanityfair.com/news/2007/04/spicer200704>>.

42 Spicer, Aegis and the Iraq contract are mentioned in the *Daily Telegraph* obituary for Brigadier Hunter-Choat, who died in 2012. See <<http://www.telegraph.co.uk/news/obituaries/9221907/Brigadier-Tony-Hunter-Choat.html>>.

43 See <<http://www.parliament.uk/biographies/lords/lord-inge/2025/register-of-interests>>.

Armed Forces minister) was a nonexecutive director.<sup>44</sup>

The accounts that UK PMCs register at Companies House reveal how well they have benefited from the post-2003 'War on Terror'. The turnover for one of the smaller UK PMCs, Janusian Security Risk Management (which was briefly mentioned in my previous article<sup>45</sup>), rose by more than 750% between 2003 and 2004.<sup>46</sup> The bonanza lasted a relatively short four years for Janusian, with turnover back to previous levels from 2008, and two years later the business was swallowed up by The Risk Advisory Group.<sup>47</sup>

### **The recruitment imperative**

Many of the PMCs that I have already mentioned, which were winning huge contracts in Iraq (and elsewhere), faced a pressing need to recruit hundreds of staff. They had the connections to win the contracts but did not have the necessary number of employees to meet their new commitments. In a rush of recruitment, some PMCs were extremely lax in their pre-employment vetting and later in-country oversight of contractors. Problems began to surface very quickly. As early as 2004 it was obvious to the seasoned professional ex-SF soldiers who were already on the ground in Iraq, that the dozens of new contractors who were being flown into the country were anything but the seasoned operators that they pretended to be. Reporting for the *Spectator* from Iraq, journalist Sam Kiley (who had previously been 'captured by Baathists bent on revenge') recounted how his own personal protection team were highly dismissive of 'the "outsourcing" of security work' that was 'adding to the

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44 Sir Nicholas is now the current Chairman, see <http://www.aegisworld.com/staff/nicholas-soames/>.

45 See footnote 17 at <http://www.lobster-magazine.co.uk/free/lobster72/lob72-team-mercenary.pdf>.

46 Janusian's declared turnover for 2003 was £1,484,000; for 2004 it was £11,296,000.

47 See the Companies House details for Janusian at <https://beta.companieshouse.gov.uk/company/03503529>.

chaos in the country'.<sup>48</sup> After detailing the equipment-laden look that had become *de rigueur* amongst the newcomers, Kiley reported that "'Rob", a genuine former sergeant major from the SAS, is unarmed and looks like an off-the-peg BBC reporter, blue shirt, chinos'. This 'Rob' says of the freshmen that, by wearing so much kit ostentatiously, 'They might as well wear a fucking sign saying shoot me!'

I use the term 'freshmen' with little sense of irony. Reports emerged in 2009 that staff working for a division of ArmorGroup (known as ArmorGroup North America) had indulged in antisocial 'fratboy-style antics'. Following these revelations, the US State Department immediately sent a team to Kabul to undertake a management audit. The outcome of this was that, 'Alcohol has been banned at Camp Sullivan – the compound where the guards live – and diplomatic security officers have been assigned to keep an eye on the guards.'<sup>49</sup>

Even worse was to come when a Scottish ex-paratrooper, Danny Fitzsimons, was taken on by G4S. In spite of having previous criminal convictions for possessing ammunition without a licence, and for robbery, he was sent to Iraq in August of 2009. He had already completed four tours with another company but was fired after he had punched the client he was supposed to be protecting. According to an investigation by BBC Scotland, another contractor had emailed an explicit warning about Danny Fitzsimons to G4S,<sup>50</sup> but they still employed him. Less than two days after his arrival in Baghdad, he murdered fellow G4S contractors Paul McGuigan and Darren Hoare. Fitzsimons was convicted of the crimes, even though he had been willing to plead guilty to the lesser

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48 See the two articles by Sam Kiley, 'I let go of life', *Spectator*, 24 May 2003 <<http://www.spectator.co.uk/2003/05/i-let-go-of-life/>> and 'The hogs of war', *Spectator*, 17 April 2004 <<http://www.spectator.co.uk/2004/04/the-hogs-of-war/>>.

49 See the two articles by Nathan Hodge, 'MerCs Gone Wild at U.S. Embassy Kabul', *Wired*, 2 September 2009 at <<https://www.wired.com/2009/09/mercs-gone-wild-at-us-embassy-kabul/>> and 'Party Ends for Kabul Embassy's Booze-Soaked Guard Force', *Wired*, 3 September 2009 at <<https://www.wired.com/2009/09/party-ends-for-kabul-embassys-booze-soaked-guard-force/>>.

50 See 'Scotland Investigates: Britain's Private War', available online at <<http://www.dailymotion.com/video/x2z1gsa>>.

charge of 'manslaughter on the grounds of diminished responsibility'. In his testimony before the Iraqi court, Fitzsimons claimed that his service with the Parachute Regiment in Kosovo had caused him to suffer Post Traumatic Stress Disorder (PTSD). The coroner's court in Stockport, that held the inquiry into the death of Paul McGuigan, rejected the claim of PTSD although evidence of some of Fitzsimons' highly psychotic diary writings was also presented.<sup>51</sup>

G4S were one of the PMCs that was also involved in a spat with the Afghan government of President Hamid Karzai. According to a *Washington Post* report, 'An Afghan government probe of private security companies has accused 16 firms of violations that include employing too many guards, failing to pay taxes for up to two years, and keeping unregistered weapons and armored vehicles.' Another PMC that was named in the report was the British founded (but now U.S. owned) Blue Hackle. It was alleged that this PMC had 'kept 385 unregistered weapons and "would not reveal the location" of its armory'.<sup>52</sup> The current board of directors at Blue Hackle includes two former British army officers (Lachlan Monro, who opaquely describes himself as having 'specialist skills in key point security, risk analysis and management', and the former Deputy Supreme Allied Commander of NATO forces in Europe, General Sir Jeremy MacKenzie, plus a former Special Branch member whose police career included 'responsibilities in counter-terrorism, counter-espionage, counter-subversion and counter-proliferation'.<sup>53</sup>

## **Attempts at industry regulation**

**I**n 2001, then Prime Minister Tony Blair's government

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<sup>51</sup> See Chris Slater, 'Danny Fitzsimons: Iraq security guard "claimed he was the Anti-Christ before shooting two colleagues dead"', *Daily Mirror*, 9 February 2015 at <<http://www.mirror.co.uk/news/uk-news/danny-fitzsimons-iraq-security-guard-5134526>>

<sup>52</sup> See Joshua Partlow, 'Afghan government accuses 16 security firms of violations', *Washington Post*, 9 February 2011 at <<http://www.washingtonpost.com/wp-dyn/content/article/2011/02/08/AR2011020805457.html>>.

<sup>53</sup> For more extensive biographies, see <<http://www.bluehackle.com/our-people/leadership/>>.

introduced the Private Security Industry Act and, thus, established the Security Industry Authority.<sup>54</sup> While this act was drafted mostly to deal with the growing problem of 'cowboy' wheel clampers and gangster firms of bouncers at clubs and bars, it does also cover the provision of 'close protection' – i.e. bodyguarding – which is a service provided by subdivisions of the same firms that I have been profiling here. However, the act only applies to activities within the UK and does not have any authority over the staff of UK firms who are employed overseas.

Even prior to this the UK Parliament had acknowledged that there was a problem with UK based, yet overseas operating, PMCs. In 1999 the Foreign Affairs Select Committee had asked the government to produce a Green Paper, '... outlining legislative options for the control of private military companies which operate out of the United Kingdom, its dependencies and British Islands.'<sup>55</sup> This had been mainly prompted by the 'Sandline Affair', which had involved Colonel Tim Spicer and his firm (Sandline International) breaking the arms embargo in place against Sierra Leone. The requested Green Paper was published in February 2002,<sup>56</sup> with the Foreign Affairs Select Committee Ninth Report (covering their own scrutiny of the Green Paper) being released in July of that same year.<sup>57</sup> Both the Green Paper and the Ninth Report are in agreement that there was an effectively unworkable system of international regulation. Although in December 1989 the United Nations had introduced an 'International Convention against the Recruitment, Use, Financing and Training of

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54 For the legislation, see <<http://www.legislation.gov.uk/ukpga/2001/12/contents>>; for the regulator, see <<http://www.sia.homeoffice.gov.uk/Pages/home.aspx>>.

55 See the Parliamentary Select Committee on Foreign Affairs Second Report, February 1999 at <<http://www.publications.parliament.uk/pa/cm199899/cmselect/cmfa/116/11602.htm>>.

56 The Green Paper was published with the title 'Private Military Companies: Options for Regulation' at <[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/228598/0577.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/228598/0577.pdf)>.

57 See the Parliamentary Select Committee on Foreign Affairs Ninth Report, July 2002 at <<http://www.publications.parliament.uk/pa/cm200102/cmselect/cmfa/922/92202.htm>>.

Mercenaries',<sup>58</sup> they had defined a mercenary as someone who 'is neither a national of a party to the conflict nor a resident of territory controlled by a party to the conflict'. As the seemingly ever expanding Global War on Terror effectively makes all countries 'a party to the conflict', the much needed regulation of PMCs cannot come via the UN Convention.

The International Code of Conduct for Private Security Service Providers (ICOC),<sup>59</sup> which is a Swiss non-profit association, was established in 2010. As noted by The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mark Simmonds) on 17 December 2012, the ICOC provides 'a set of principles to guide companies. The ICOC has now been signed by over 500 PSCs [i.e. PMCs], around a third of them British.'<sup>60</sup> Notably, there is only a single figure number from Iraq and none from Afghanistan. Additionally to the ICOC, there is ASIS International,<sup>61</sup> 'a global community of security practitioners'. Their PSC.1, the 'Management System for Quality of Private Security Company Operations – Requirements with Guidance' were published in 2012.<sup>62</sup> The first UK based PMC to become formally associated with these standards was Olive Group,<sup>63</sup> in a move that was trumpeted as a Key Milestone for the Company and the Industry.<sup>64</sup> That this did not happen until 2014 suggests that no one was in any particular rush to get on board.

In his foreword to the previously mentioned 2002 Green

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58 72nd plenary meeting of the UN General Assembly, 4 December 1989 at <<http://www.un.org/documents/ga/res/44/a44r034.htm>>.

59 <<https://icoca.ch/en/icoc-association>>

60 <<https://hansard.parliament.uk/Commons/2012-12-17/debates/121217100016/PrivateSecurityCompanies>>

61 <<https://www.asisonline.org/>>

62 <[https://www.asisonline.org/Standards-Guidelines/Standards/published/Pages/Management-System-for-Quality-of-Private-Security-Company-Operations-Requirements-with-Guidance-\(Download\).aspx?cart=c84fa53fd1fa4af29df9aebaa5d7f237](https://www.asisonline.org/Standards-Guidelines/Standards/published/Pages/Management-System-for-Quality-of-Private-Security-Company-Operations-Requirements-with-Guidance-(Download).aspx?cart=c84fa53fd1fa4af29df9aebaa5d7f237)>

63 See paragraph 2 above.

64 <<http://www.prnewswire.co.uk/news-releases/olive-group-is-first-private-security-company-to-be-awarded-accredited-certification-to-the-private-security-standard-psc1-a-key-milestone-for-the-company-and-the-industry-250586991.html>>

Paper,<sup>65</sup> the then Foreign Secretary Jack Straw argued that, 'Today's world is a far cry from the 1960s when private military activity usually meant mercenaries of the rather unsavoury kind involved in post-colonial and neo-colonial conflicts.'<sup>66</sup>

I wonder if Mr Straw would stand by this quote today. Could he seriously claim that today's PMCs are entirely clean, when compared to the 'old-style' mercenary companies; what is the 'War on Terror' but a post-colonial and/or neo-colonial conflict?

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a particular interest in Special Forces.*

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65 See footnote 49.

66 See page 9 of the Green Paper at <[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/228598/0577.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/228598/0577.pdf)>.