4.8.1.2

12 May 2014

Dear James,

MOD’S APPROACH TOWARDS PRIVATE SECURITY COMPANIES

The Rt Hon James Arbuthnot MP wrote to the Secretary of State for Defence on 2 April regarding the MOD’s approach to Private Security Companies. He asked a number of questions on behalf of the Committee; responses are attached on behalf of the Secretary of State.

Paul Lynch
Military Assistant

James Rhys
Clerk
House of Commons Defence Committee
House of Commons
London
SW1A 0AA
HCDC's REQUEST FOR INFORMATION REGARDING THE MOD'S POLICY TOWARDS PRIVATE SECURITY COMPANIES

1. What contact and at what level, has the MOD had with the Security in Complex Environments Group (SCEG) and what plans has it for future contact?

SCEG is a Special Interest Group within ADS, the trade association which exists to advance the UK Aerospace, Defence, Security and Space industries. ADS has been closely consulted on the development of MOD’s policy on PSCs. It has been represented on the MOD working group responsible for writing Part III of Joint Service Protocol (JSP) 567, which is the MOD policy on Contractor Support to Operations. ADS has also been involved in the ongoing development of MOD’s standard contract condition on PSCs – DEFCON 697A – including through its membership of the joint MOD-Industry DEFCON Working Group. ADS nominates its own subject matter experts at the level it sees fit to represent its interests in these discussions. There has been no direct meeting with SCEG, as an entity, for the development of PSC policy.

In addition, SCEG (along with other representatives from the maritime industry, academics and other relevant stakeholders) were consulted by MOD and other Government departments during the development of the UK Government’s National Strategy for Maritime Security, which is currently in the later stages of drafting;

We plan to maintain our contacts with ADS as policy in this area develops.

2. What level of accreditation would the MOD expect PSCs to have before using their services? (for example the International Code of Conduct for Private Security Providers, PSC 1, or ISO 28007)

It is MOD policy to only approve the placement of contracts or subcontracts with PSCs which are signatories to the International Code of Conduct for Private Security Service Providers. DEFCON 697A (when published) will also require PSCs to observe and comply with the principles and practices set out in the 2008 Montreux Document.

3. What is the current policy of the MOD on the use of PSCs?

MOD policy on the use of PSCs is set out in relevant sections of JSP 567, namely:
- Contractor Support to Operations (CSO) Policy; Policy Overview;
- Contractor Support to Operations (CSO) Policy; Part III – Private Security Companies (PSC).

These sections are attached for your information.

4. In what areas does the MOD currently make use of PSCs?

The MOD has no current contracts with PSCs, although our Prime Contractors may, with MOD approval, have extant PSC subcontracts.

5. What does the MOD see as the potential advantages and challenges in the use of PSCs?

These are covered in the “Strategic Drivers for Use of CSO” section of the Policy Overview of JSP 567, attached for your information.
6. What areas do the MOD consider have the potential to be outsourced to PSCs and what areas are currently under active consideration for outsourcing?

The use of PSCs by the MOD is considered on a case-by-case basis. No specific or significant use of a PSC is currently under consideration by MOD.

7. What is the MOD’s guidance on the interaction of the Armed Forces with PSCs and how is this monitored?

This is outlined in JSP 567, Part III, Chapter 4, attached for your information.

8. What is the relationship between PSCs and the Defence Intelligence Services and what measures exist for collaboration and sharing of intelligence?

As Defence Intelligence is part of the Ministry of Defence, any information shared by it with commercial organisations – whether or not they are under contract to MOD – is undertaken in accordance with arrangements set out in Departmental security instructions and JSP 567.

9. What plans are in place to consult SCEG and PSCs more generally, in the development of the next SDSR?

Specific questions and issues relating to the next National Security Strategy (NSS) and Strategic Defence and Security Review (SDSR) will be a matter for the next government. We remain focused on implementing the 2010 SDSR.

The cross-government lead on the next NSS and SDSR sits with Cabinet Office. The MOD is engaged with them and other interested departments. MOD is in the very early stages of identifying those areas which may require further work or which we may wish to look at in 2015 as part of the Cabinet Office-led process.