

**MINUTES OF A MEETING HELD IN THE MINISTRY OF
DEFENCE AT 6PM ON THURSDAY 12 MAY 2022**

**THE DEFENCE AND SECURITY MEDIA ADVISORY
COMMITTEE**

D/DSMA/3/2/1

The following were present:

Mr Dominic Wilson (Chairman)	Mr John Battle (Vice-Chairman)
Ms Catrin Thomas (FCDO)	Ms Dawn Alford
Mr Paul Wyatt (MOD)	Mr Peter Clifton
Mr Jonathan Sinclair (Home Office)	Mr Sebastian Cuttill
	Mr Joe Fay
	Mr James Green
	Mr Michael Jermey
	Mr David Jordan
	Mr John McLellan
	Ms Sarah Whitehead

Brigadier Geoffrey Dodds	Secretary
Captain Jon Perkins RN (Retired)	First Deputy Secretary
Lt Cdr Stephen Dudley RN (Retired)	Second Deputy Secretary

In Attendance:

Deputy Assistant Commissioner Dean Haydon, Senior National Coordinator for CTP.

Dan Walpole, Head of Communications, HQ CTP.

Detective Chief Inspector Will Lexton-Jones, co-author of proposal.

Apologies had been received from:

Matthew Collins, Chris Rampling, Charles Redmayne, David Higgerson, Craig Tregurtha, David Dillon, Rob Winnert, Lisa Mitchell, Joy Yates

1. The Chairman was pleased that the meeting was again able to be held in person, but the venue remained the Main Conference Room (in order that the precaution of social distancing could be maintained). The Chairman welcomed the CTP team and Catrin Thomas (representing Chris Rampling).

Agenda Item 1 – Minutes of the Meeting held on Thu 2 Nov 2021

2. The minutes of the previous meeting of 2 Nov 21 were approved.

Agenda Item 2 – Matters arising from the previous meeting

3. There were three substantive ongoing matters from the last meeting, each addressed in its own agenda item below.

a. Para 15. Incorporating Counter-Terrorist Policing (CTP) into the DSMA Notice System. Following the Metropolitan Police Service (MPS) commissioned RUSI study (2020) to 'examine reporting on terrorism in the UK', the Committee had agreed for the merits of such a move to be investigated. It had commissioned a joint paper, written in a collaboration of senior Counter Terrorism Policing (CTP) Staff and the Secretariat, and a senior CTP team were attending this meeting to discuss the issue. This would be dealt with at item 4.

b. Para 25. Increasing Diversity within the DSMA Committee. On the back of the progress recently made, the Chairman acknowledged that the question merited further work and considered it sufficiently important to be retained as an agenda item for the next meeting. This will be dealt with in the form of a verbal brief at item 6.

c. Para 27. Media-Government Relations in Australia. In reviewing ways in which it could improve media-Government relations, members from both the Australian media and Government had expressed a wish to seek the Committee's support in future discussions and workshops. They sought involvement from UK media, security, secretariat and Committee members. The Secretary would coordinate engagement with the emerging Australian Committee and inform members of the requirement when clear. This will be dealt with in the form of a verbal brief at item 7.

Agenda Item 3 - Secretary's Report

4. The Secretary presented his six-monthly report. It should be noted for the historical record that after months of denial and building up troop numbers on exercise, Russia invaded Ukraine on 24 Feb. The meeting was held against the background of this ongoing conflict. During the 6-month period (noting varying COVID restrictions), the DSMA secretariat received 59 (28 Apr) inquiries and requests for DSMA Notice advice, a decrease over the previous period (78), but

similar to the same period last year. The request rate remains below the 10-year historical average (86). 26 requests were initiated by members of the UK media, 19 by Government officials and 14 by members of the public. One supplementary DSMA notice was issued during this period – dealing with claims that UK service personnel were deployed in Ukraine (noting that the government had previously stated that UK personnel were withdrawn before the onset of hostilities apart from a small number required for the protection of the ambassador).

5. These inquiries were broken down as follows:

- a. Current Operations (17). Ukraine (16) (including one supplementary DSMA notice to all editors). CSG 21 (1).
- b. SF (11). One RFA on a magazine article, 5 RFAs on books and 5 SPI inquiries (including one that has initiated a review of the secretariat's relationships with the 3 regulators). Intelligence (8).
- c. SPI (8). Three RFAs on IA SPI matters (including one matter that was referred to the courts for a decision) and further 3 in connection with senior DI personnel. One RFA in connection with FCDO data loss/theft and one IPSO RFA concerning persons detained in Afghanistan.
- d. Cyber (0). Following the incorporation of cyber into the DSMA standing notices, the Secretary confirmed that the amendments had not been used either directly or indirectly during this reporting period.

6. As time was pressing, the Secretary did not cover the usual three examples, but the Chairman expressed surprise that it had even been necessary to issue the one supplementary DSMA notice at all. He concluded that a local reporter may not have been familiar with the DSMA notice system. The Secretary did, however, raise an instance of advice being taken with reference to planned Russian naval exercises in international waters off the coast of Ireland, potentially providing cover for interference with undersea communications cables. In the end, the article did not identify the precise location of the cables, as requested. In addition, the exercise area was changed at the request of the Irish authorities away from the (fishing grounds of) the continental shelf.

7. The Chairman raised the issue of Russia's unprovoked war with Ukraine and its use of misinformation/propaganda and highlighted that the adversary's approach was at the same time both sophisticated and blatant. He acknowledged that information warfare did not fall within the strict scope of the Committee's remit but said he could not think of better forum where it might be meaningfully discussed.

8. The Vice Chairman acknowledged this challenge, highlighting that editors were already making difficult choices on a daily basis where their commitment to the truth was often in conflict with the need to report both sides of the story, that contextual comment was often essential to highlight the inconsistency, and that a clear distinction was being drawn between verifiable facts and all manner of claims (made by both sides).

9. The unscrupulous, and even shameless use of untruths harked back to the Cold War, and the best counter was often candour.

10. It was acknowledged that since the DSMA system was based on protecting the inadvertent disclosure of facts which might damage national security or endanger lives, it neither could, nor should, deal with blatant and shameless misinformation from an opponent. Nevertheless it was concluded that there might be scope for a better method allowing for government and media sides to collaborate in advance in order to prick the bubble of ostensible lies told with malicious intent.

11. The Chairman suggested that this important question might merit further examination at the next meeting.

12. During this current reporting period the Secretary conducted formal DSMA presentations to both undergraduate and postgraduate students of Journalism at the University of Salford, the University of the West of England, the University of Lincoln, Bournemouth University, London Metropolitan University and Queen Mary University, London. Briefings were given to staff at the MOD, Janes and HQ Counter-Terrorism Policing.

Agenda Item 4 – Incorporating Counter Terrorism Policing (CTP) in the DSMA Notice System

13. Following the 2021 RUSI academic paper and subsequent discussions at the last meeting, a paper jointly written by the Secretariat and CTP outlining the proposal was circulated to members ahead of the meeting. The paper highlighted the current inconsistencies whereby military and Intelligence Agency personnel on counter-terrorism operations, including their techniques and equipment, were embraced by the standing notices, but CTP colleagues and their entirely similar tactics and equipment were not. A senior team from CTP had been invited to both brief the pre-meeting (and most unusually) attend the full meeting.

14. Detailed discussions and a Q and A were the main focus of the media side pre-meeting. The issue was both complex and nuanced. Whilst many personnel were either seconded from, or worked alongside conventional police colleagues, CTP remained responsible for a distinct set of functions enabled by a command and control network separate from, and with command structures overlaying, the 43 National Constabularies. Despite having an investigative function within their strict bailiwick, their role was unlike that of their conventional police colleagues. CTP conducted specific duties in the National Security space which were usually carried out overseas by entirely separate paramilitary organisations.

15. It was highlighted that there was absolutely no question of routine policing creeping into scope, but there were clear National Security scenarios, including kidnap, siege, manhunt, and possible multiple co-ordinated attacks which would certainly reach the high bar currently set for military operations where disclosure might harm National Security or endanger life.

16. The Committee acknowledged the logic of the case and the potentially limited change required to bring CTP personnel, tactics and equipment into parity with that already afforded their SF and IA counterparts (with whom they often worked as a joint team).

17. The Committee was clear that it did not wish to make a decision now, but members were committed to keeping an open mind. It considered that there was currently insufficient evidence of the advantage such a move might bring, (noting that there were already well established and effective safeguards in place to balance public interest with the hazards of undermining investigations or prosecutions).

18. Commending the work undertaken so far, the committee directed that the secretariat should liaise closely with the CTP communications team over the next 12 months. This collaboration would allow the analysis of synergy between the media and CTP during any future incident. Such an evidence-based approach should then prove categorically one way or the other if the proposed changes were now necessary and allow an informed decision to be made.

Agenda Item 4 – Protection of Official Data Update

19. Jonathan Sinclair, Head of Homeland Security at the Home Office, updated the meeting about the progress of the Counter States Threats Act (which had previously included reform of the Official Secrets Acts). The Government plan to carry out reform in this area had led to a recast and accelerated National Security Bill being laid before Parliament during the week.

20. Reform of the OSA 89 was among those issues not included at this stage. The matter was extremely complex, and considering the conclusions of the Law Commissioner and the helpful representations of stakeholders (including Committee members), it was felt that more detailed work remained necessary. It was considered that a proper balance still needed to be struck between protecting secrets and the legitimate need in a democracy to bring wrongdoing to light.

21. The media side acknowledged the complexity of the work, and noted that the status quo offered good protections to responsible reporting in the twin tests of damage and public interest, and relied on trust in editorial judgment - as with the majority of the standing notices. They stood ready to engage again with the work as it developed.

Agenda Item 4 – Increasing Diversity within the DSMA Committee

22. The Second Deputy Secretary updated the meeting. He noted that the diversity of the group depended almost entirely on those nominated by sponsoring organisations.

23. Rear Admiral Jude Terry, the RN's first female Flag Officer had recently spoken on BBC *Woman's Hour* and had highlighted that organisations which only promoted from within require time to 'grow' more diverse seniors, but instead of complaining

about glass ceilings, they had a responsibility to call out inappropriate behaviour at the time and mentor others.

24. It was agreed that whilst official side representation was strictly bounded, there was potentially unlimited scope to increase media side membership if the Committee agreed it. The Financial Times had a 'future leaders' programme specifically aimed at enabling more diverse people to be seconded to their board, and this might be a route for the Committee.

25. It was agreed that:

- a. Regular updates about Diversity should remain on the agenda, but on an annual basis.
- b. In the same way that work was checked for grammatical, stylistic, and comprehension challenges, it should also undergo a check for inclusive language.
- c. Members should identify 'future leaders' who might be invited to join.

Agenda Item 6 – Any Other Business

26. Summary of Secretary's Report. The Secretary had produced the now established one page digest of his six-monthly report. This additional publication was important as it increased transparency by providing statistics about the types of enquiries, but maintained confidentiality for those involved. The Committee approved this for publication on the website but requested amendment to the draft paragraph on the Committee's decision on the incorporation of CTP into the DSMA notice system. The Committee also requested the Secretary include more detail on the supplementary DSMA notice issued during this reporting period.

27. Media Government Relations in Australia. It would appear that relations between the Australian media and their government were not at the appropriate stage on which to base a move towards the adoption of an Australian-styled DSMA notice system. Nevertheless, the Secretary would maintain contact with the programme through the High Commission and media contacts in Australia.

28. Relationship with Regulators. Routine work had highlighted that whilst the secretariat had a useful arms-length relationship with IPSO (which already signposted journalists to the DSMA website), there was no dialogue with other regulators such as Impress or OFCOM. It was agreed that the Committee's aim to influence policy where national security overlapped with reporting depended on having open channels with significant players within the media industry. It was agreed that the Secretariat should produce a short paper highlighting how engagement could be pursued with regulators whilst maintaining independence. The First Deputy Secretary would lead on this issue.

29. New Member. Paul Kunert, editor of *The Register*, and a staunch supporter of the freedoms protected by the DSMA system, was approved for membership by a majority of Media and Official side members.

30. Annual Reception – Wed 29 June. The aim of this event was to enable wide discussions on relevant defence and security matters by bringing together editors, more junior journalists, and officials together with the Committee members. This function had not been held for over three years, so attendance numbers were expected to be high this year. Members would receive invitations by email and were each requested to nominate junior colleagues to accompany them to the Reception; an event that has previously been a most useful, professionally relevant and enjoyable function.

Agenda Item 6 – Date of Next Meeting

31. It was planned that the next meeting would be held at 1800 on 10 Nov 2022 in MOD Main Building. It will be preceded immediately by the media-side pre-meeting, which will begin as usual at 1700. The annual photograph would also be taken at this meeting. Following the meeting there would a dinner at the RAF Club.

Geoffrey Dodds
Brigadier
Secretary
Defence and Security Media Advisory Committee

25 May 2022

Distribution:
All DSMA Committee Members
The DSMA Website

SUMMARY OF SECRETARY'S REPORT
TO THE DSMA COMMITTEE COVERING ACTIVITIES
DURING THE
PERIOD 25 OCT 21 – 29 APR 22

- One formal, supplementary DSMA notice was issued to all editors during this period in connection with the alleged deployment of UK troops.
- Defence and security media advice was sought on 59 occasions during this reporting period, a 25% decrease over the previous period (78) and below the historical average of 88 over a 6-month period. 26 requests were initiated by the media, 19 by Government officials and 14 from members of the public.
- The number of requests for advice on particular topics included:

UK Special Forces	11	Counter-Terrorism	2
Intelligence Agencies	8	Physical Property & Assets	1
Cyber	0	DSMA Notice System	11
Current & Recent Military Ops	17	Historical	7
Military Equipment	0	Miscellaneous	2
Nuclear Weapons	0		

In reviewing the proposal to incorporate counter-terrorism policing into the DSMA notice system, the Committee acknowledged the logic and the potentially limited change required. However, the Committee did not wish to make a decision at this stage because it judged there was insufficient evidence of the advantages such a change might bring; noting that there were already well-established and effective safeguards. However, the Committee agreed to keep the matter under review and requested further briefing when more evidence of the advantages of the proposal became available.

In addition, the following updates were presented to the Committee:

- The Protection of Official Data, an update from the Home Office.

- Diversity and Inclusivity within the Committee and its work.

During this period, the Committee's Secretary delivered formal DSMA system presentations to Universities: Salford, UWE (Bristol), Lincoln, Bournemouth, London Metropolitan and Queen Mary London. In addition, briefings were delivered to the MOD, Janes, IPSO and HQ CTP.