

**MINUTES OF A MEETING HELD IN THE MINISTRY OF
DEFENCE AT 6PM ON THURSDAY 10 NOV 2022**

**THE DEFENCE AND SECURITY MEDIA ADVISORY
COMMITTEE**

D/DSMA/3/2/1

The following were present:

Mr Paul Wyatt (Chairman)
Ms Catrin Thomas (FCDO)
Mr Gareth Martin (MOD)
Mr Jonathan Sinclair (Home Office)

Mr John Battle (Vice-Chairman)
Ms Dawn Alford
Mr Peter Clifton
Mr Sebastian Cuttill
Mr David Dillon
Mr Joe Fay
Mr James Green
Mr Paul Kunert
Mr John McLellan
Ms Lisa Mitchell
Ms Sarah Whitehead
Ms Joy Yates

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

Apologies had been received from:

David Higgerson (News Media Association), Michael Jerney (D News, ITV), David Jordan (Dir Ed Policy, BBC), Charlie Redmayne (The Publishers' Association), Alice Reynolds (Dep Dir Int Policy (Cabinet Office)), Craig Tregurtha (News Media Association) and Robert Winnett (News Media Association).

1. The Chairman was pleased that the meeting was again able to be held in person, (and in Historic Room 13). He then welcomed Paul Kunert (editor of The Register) to his first meeting. The Chairman brought warm greetings from his predecessor (Dominic Wilson) who apologised that the press of business, combined with industrial action by the RMT union on 10 November (suspending most Tube services in London) prevented his attending the annual dinner at which it had been intended to dine him out.

2. The Vice Chairman welcomed the new Chairman to his first meeting in the role, noting that the extensive experience he brought of the work, would prove invaluable to the Committee as he took the helm.

Agenda Item 1 – Minutes of the Meeting held on Thu 12 May 2022

3. The minutes of the previous meeting had been circulated in advance and were approved.

Agenda Item 2 - Secretary's Report: 30 Apr – 27 Oct 22

4. The Secretary presented his six-monthly report, which had also been circulated in advance and because of time pressure caused by the Tube strike, he did not go through it in detail, but made the following observations: There were 47 requests for DSM advice over the 6-month reporting period. Seven requests were initiated by members of the media, 24 by members of the Government and 16 by members of the public. As usual, a one-page summary of the subject headings of the advice would be published on the website.

5. No supplementary DSMA notices were issued during this period.

6. The Deputy Secretaries briefed on examples of the system working in practice: the first involved the positioning of an air defence radar in a prominent position on a coastal path in support of a sensitive operation (Standing Notice 1); and the second involved the reporting of former UK Service Personnel training Chinese People's Liberation Army aviators Air Force (Standing Notices 3 and 5).

7. The Chairman welcomed the examples acknowledging that there was an understandable temptation for the official side to wish to reduce as much as possible any reporting of sensitive issues. The secretariat were not only able to challenge the official side from a position of understanding but were then uniquely placed to broker nuanced language agreeable to both sides which reduced risk to national security and to individuals and yet at same time allowed the maximum freedom of the press in its reporting.

Agenda Item 3 - Relationship with the Regulators

The First Deputy Secretary introduced this item.

8. The secretariat maintains an informal, arms-length relationship with IPSO (Independent Press Standards Organization, focus on mainstream media); but has no relationship with the other two regulators IMPRESS and OFCOM (for the broadcast media).

9. The secretariat recommended the Committee authorise the secretariat to reach out to both IMPRESS and OFCOM in order to establish a similar, arms-length, relationship with these organizations and their memberships.

10. A short paper had been produced and circulated amongst committee members. An interesting discussion during the Media Side pre-meeting explored both the merits and potential disadvantages of this suggestion, and the full meeting considered the summary of this thinking.

11. The Vice Chairman stressed that there was no desire to extend the Committee's scope. The Chairman agreed, noting that there was nevertheless no harm in ensuring that the DSM advice available was signposted to an increasingly variegated media.

12. Accordingly it was agreed that as a first step, the Secretary would reach out to IMPRESS with a view to establishing an arms-length relationship, similar in outline to the one currently held with IPSO.

13. The media-side pointed out that OFCOM was different, and tended not to engage as IPSO did, in sending out reminders in advance, but rather, regulated post broadcast. The Chairman acknowledged that there was no appetite to become mired in the uncomfortable intersection between regulation and advice, but that the Committee had long wrestled with the question of engaging effectively with 'new media'.

14. Because OFCOM may in the future have regulatory duties relating to the prominence and ranking of online content, an arms-length relationship with OFCOM might potentially offer the Committee the opportunity to influence the very largest digital platforms to ensure their algorithms do not *amplify* articles which may damage national security or increase the risk to people's lives.

15. The Secretary was directed to maintain a watching brief on the role of OFCOM in this space and raise the question again if this looked likely to develop.

Agenda Item 4 - The National Security Bill – Update from The Home Office

16. Jonathan Sinclair, Head of Homeland Security at the Home Office, updated the meeting about the progress of the National Security Bill (previously the Counter States Threats Act) - which had previously included reform of the Official Secrets Acts. He confirmed that the bill was to move to the next Parliamentary stage in the coming week. Reforms to the Official Secrets Acts had been paused, and the focus of the work had shifted to providing tools and powers to curtail threats from State Actors; in particular through the establishment of the Foreign Interest Registration Scheme (similar to measures already used in the USA).

17. He acknowledged that the Media side had legitimate concerns about the potential impact of this measure on legitimate journalism - not least because of likely tit for tat measures imposed by foreign nations on UK journalists. He explained that for this reason there were explicit exemptions for 'registered news publishers'.

18. The Chairman pointed out that the definition was sufficiently broad that it would not put a stop to malicious misinformation. Jonathan Sinclair stressed that it was also framed to include freelancers and individuals and because it was cast in terms of 'detriment to the UK'...'on behalf of a foreign power', the prosecutors' net was neither intended, and highly unlikely to, catch genuine whistleblowers who were highlighting wrongdoing in the public interest. He understood that the Home Office was planning to brief Security editors in greater detail in the near future.

19. The Secretary advised that in the past, London-based foreign press agencies had often requested copies of supplementary DSMA notices because they wished to abide by the customs of the host nation. The Home Office representative agreed to check whether any National Security Bill press briefing would cover the Foreign Press Association (FPA).

Afternote: The Home Office advised that it will plan to invite the FPA to all future National Security Press Briefings.

Agenda Item 5 - Cyber Security - Update

20. The secretariat has not offered advice nor issued any supplementary notices relating to cyber in the last two 6-month reporting periods. Thus, the cyber amendments incorporated into the notices 12 months ago have yet to be used. The Committee welcomed the fact but wondered if this reflected effectiveness or lack of visibility.

21. The Chairman expressed his view that there was merit in taking a more proactive approach in establishing greater openness around the topic in the light of increasing UK 'full spectrum operations'. The Secretary indicated his willingness to provide suitable briefings on this issue to interested parties.

Agenda Item 6 – Any Other Business

22. The following items were discussed:

- a. Summary. The Committee authorised the Secretary to publish a summary of the meeting including the 'Regulator' discussion on the website.
- b. Annual 2023 Reception. A note for members' diaries. Planning is underway to hold the DSMA Committee's annual reception in Admiralty House on 14 March 2023.
- c. Annual Dinner. The DSMA Committee held its Annual Dinner in the RAF Club, 128 Piccadilly directly after the meeting.
- d. Visits to Security Organisations. The Committee raised the possibility of resuming the practice of visits to relevant Defence and Security organisations which had previously been found to be valuable. They requested the Secretary investigate suitable opportunities. The chair suggested that the NCSC may be a good first visit next year.

Agenda Item 7 - Date of Next Meeting

23. The next DSMA Committee meeting is planned to take place at 1800 on Tuesday 25 April 2023 in MOD Main Building. This earlier date was chosen to be clear of Easter yet avoid any conflict with the planned Coronation on 6 May. It will be preceded immediately by the media-side pre-meeting, which will begin as usual at 1700. It was agreed that the question of the incorporation of Counter Terrorist

Policing into the Standing Notices discussed at the last meeting would be reviewed at this meeting.

Geoffrey Dodds
Brigadier, Secretary
Defence and Security Media Advisory Committee

23 November 2022

Distribution:
All DSMA Committee Members
The DSMA Website

Enclosure:

1. Summary of Secretary's Report April - October 2022.

**SUMMARY OF SECRETARY’S REPORT TO THE DSMA COMMITTEE
COVERING ACTIVITIES DURING THE PERIOD 30 APR - 27 OCT 22**

Defence and security media advice was sought on 47 occasions during this reporting period, a small decrease over the previous period (59) and below the recent Spring/Summer trend (74 over the last 3 years). Only 7 requests were initiated by the media, 24 by Government officials and 16 from members of the public.

The number of requests for advice on particular topics included:

UK Special Forces	10	Counter-Terrorism	1
Intelligence Agencies	11	Physical Property & Assets	0
Cyber	0	DSMA Notice System	9
Current & Recent Military Ops	4	Historical	9
Military Equipment	0	Miscellaneous	3
Nuclear Weapons	0		

The Secretary briefed the Committee that the recently incorporated cyber amendments to the DSMA standing notices had not been used in formulating advice nor in the issuance of supplementary notices over the last 12 months. The Chair requested the Secretary arrange a visit to NCSC to improve further the Committee’s understanding of this relatively new capability.

The Home Office member updated the Committee on the progress of the National Security Bill.

Relationship with Regulators. Following a lively discussion, the Committee agreed the secretariat should reach out to IMPRESS to establish an informal, arms-length relationship, similar in nature to the one currently held with IPSO. It further agreed that the secretariat should not establish a similar relationship with OFCOM at present. However, the Secretary was directed to maintain awareness of any future OFCOM role in regulating the online media in the defence and security space.

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- During this period, the Committee’s Secretary:
 - Attended the annual Scottish Newspaper Society reception in the House of Commons with the 1st Deputy Secretary on 10 May 22.

- Participated in the annual Society of Editors Conference with the Deputy Secretary (1) on 11 May 22.
- Attended a Maritime counter-terrorism exercise as an observer 6-7 Jul 22.
- Delivered an online DSMA system briefing to The Chartered Institute of Journalists (14 Oct 22).