

OFFICIAL

MINISTRY OF DEFENCE POLICE (MDP)

NEWS BRIEF

ISSUE: Body Armour Disposal – criminal court case

DATE: 27 April 2015 [Updated 30 April 2015]

SOURCE: [REDACTED]

MDP PRESS OFFICER: [REDACTED]

Background (NOT for release to the media)

MOD Police investigated a former MOD sub-contractor [REDACTED] for allegedly selling surplus military body armour and helmets instead of destroying or otherwise disposing of the equipment, as they were contractually obliged to do.

[REDACTED]

On 15th May 2013, the general manager at [REDACTED] was arrested, together with a business associate of his. They were both interviewed and bailed to report back on 9th August 2013. On that date they were re-bailed until 24 October 2013, and again until 18 December. However, the business associate was released from his bail and no file was sent to the CPS.

The other, Sidney Nicholls, the general manager of [REDACTED] was charged on 1st May 2014 with fraud, theft and offences under the Proceeds of Crime Act and bailed to 29th May 2014 to Kidderminster magistrates court.

The case was remitted to Worcester Crown Court, where a plea & case management (PCMH) hearing took place on 15 September 2014. Trial was fixed for 5th May 2015.

[REDACTED]

Lines to Take:

- Can confirm that on 15th May 2013, a former MOD sub-contractor was arrested on suspicion of fraud and theft from the MOD. A business associate of his was also arrested. They were interviewed and bailed.
- They were re-bailed until December 2013, but the business associate was then released from his bail and no file was sent to the CPS.
- Sidney Nicholls (the general manager of the former subcontractor) was charged on 1st May 2014 with fraud, theft and offences under the Proceeds of Crime Act, and bailed to 29th May 2014 to Kidderminster magistrates court.
- The case was remitted to Worcester Crown Court, where a plea & case management (PCMH) hearing took place on 15 September 2014. Trial was fixed for 5th May 2015, later delayed until 11 May.
- On 6 May Nicholls pleaded guilty and was sentenced on 19 May to three years (discounted by a year for guilty plea and previous good character).

Q&A (may be released if needed)

What was the nature of the fraud/theft?

It is alleged that Nicholls while general manager of the former MOD sub-contractor [REDACTED], failed to dispose appropriately of a quantity of body armour and helmets which MOD had sent for disposal as surplus to requirements, and instead sold the equipment abroad.

What is body armour?

Body armour is issued as part of the personal protection system issued to all service personnel prior to deployment on operations. It is at the forefront of fragmentation and ballistic technology; there is no more capable body armour in service anywhere in the world.

Is there a shortage of body armour and helmets?

All personnel deployed on operations are routinely issued with a personal protection system (including body armour and helmets). There is no shortage of in-service equipment. The equipment which was the subject of the MOD Police investigation was originally declared surplus to defence requirements and sent for disposal.

What does the DSA do to ensure contractors comply with regulations?

The DSA is mandated to provide a legally compliant, value for money disposal solution for all MOD surplus materiel and equipment. This is primarily achieved through a series of competitively awarded marketing agreements with specialist contractors. This process ensures that contracts are awarded to prime contractors who hold proper accreditation (ISO9001) and licenses to dispose of MOD equipment. The DSA regularly audits its prime contractors to ensure compliance with the terms of the

contracts. In addition, prime contractors are expected to regularly audit their sub-contractors.

If the allegations against Nicholls are true, how much could this body armour be sold for?

The equipment recovered from the cargo was valued at £160k.