

Building 5
Porton Down
Salisbury
Wiltshire
SP4 OJQ

T 01980 61 3121
F 01980 65 8400

Dstl is part of the
Ministry of Defence

dstlfoi@dstl.gov.uk
www.dstl.gov.uk



Our ref: FOI 2014/02616
Your ref:

06 August 2014

Dear [REDACTED]

I refer to your Freedom of Information request dated 19 June 2014. You will recall we wrote to you on the 16 July 2014 explaining that we were in the process of reviewing some of the information requested under the Public Interest Test and might withhold information under Section 26 (Defence) of the Freedom of Information Act.

The Public Interest Test has now been completed and the outcome of that review is that no information has been withheld under Section 26 (Defence).

For ease of clarity and reference to your questions, we have paraphrased your original questions and numbered our responses to correspond with these.

1. Phase 2 funding of the Cyber Situational Awareness program.

- 1.1 The original CDE Call notice released 25 September 2012 stated that Dstl did not commit to fund any follow-on work as a result of any contracts placed via the CDE call.
- 1.2 Where there was a defence benefit in doing so, Dstl reserved the right to consider follow-on work funded through the main Cyber Situational Awareness research project. Dstl continues to pursue this line of development utilising a collaborative approach in order to meet evolving customer requirements.
- 1.3 "Cyber Situational Awareness (Cyber SA) CDE Phase 2" is a misnomer; it was made clear by Dstl in the original CDE Call and at the Cyber SA CDE Industry Day (25 September 2012), there was no guarantee of follow-on work. Any follow-on work would be funded through the ongoing main Cyber Situational Awareness research project.
- 1.4 Dstl continues to pursue the integration of the concepts demonstrated through the Cyber SA CDE Call into the main Cyber SA project in line with the collaborative

approach described in the original CDE Call. Collaboration is the preferred approach as there are a number of technical challenges that need to be met in order to support the development of Cyber SA capabilities for MOD and no single technology or company is in a position to address all of these challenges.

- 1.5 When considering the potential for any follow-on work, other contractors (including [REDACTED] were considered to join the group as Dstl had identified synergies between Cyber SA and work that these parties had previously demonstrated under separate contracts.
- 1.6 [REDACTED] was not excluded from this decision process and participated in the workshop held on 26 September 2013 but declared on more than one occasion that they were not prepared to collaborate.
- 1.7 The Cyber SA project team has made the decision to prioritise funding to those concepts demonstrated through the Cyber SA CDE Call that can be integrated into existing technology to most effectively meet the customer requirements.

2. [REDACTED] proposal for work to the Cyber Situational Awareness Team.

- 2.1 No record of any such proposal has been identified by the Cyber SA project team.

3. Response of the emails on the Phase 2 funding processes on 19 March 2014 and 22 April 2014 within Dstl.

- 3.1 Please accept our apologies for not responding to these emails; however, on several occasions, [REDACTED] made attempts to contact you by telephone to discuss the situation and left messages.

4. An email from [REDACTED] 25 April 2014 requesting clarification regarding how their IPR had been used by Dstl.

- 4.1 IPR has been used strictly in accordance with the terms of the original contract [REDACTED] which was subject to DEFCON 705 (Intellectual Property Rights – Research and Technology).
- 4.2 You emailed the relevant Dstl Commercial Officer on Thursday 25 April 2014 requesting clarification.
- 4.3 This clarification was provided by email on Monday 28 April 2014 @ 14:42.
- 4.4 You subsequently replied @ 15:56.
- 4.5 As you were an addressee to these emails, copies are not provided here.

5. Email complaint to the CDE on 1 May 2014.

- 5.1 Please see response to question 6 below.
- 5.2 Your email was actually sent 30 April 2014 @ 14:09.
- 5.3 Two separate responses were issued by email dated 16 May 2014 – one from Dstl @ 14:16 and the other from CDE @ 14:38.
- 5.4 As you were an addressee to these emails, copies are not provided here.

6. Internal Dstl meeting between 1 May 2014 and 16 May 2014 discussing our complaint, specifically including the minutes of the meeting and any reasoned judgement from any party.

6.1 There are no minutes for this meeting; the email response referred to in relation to question 5 above was issued by Dstl as the outcome of this meeting.

7. CDE innovation Network Event on 27 November 2013 statement regarding Phase 2 funding.

7.1 There is no record in the slides for this event that any such comment/commitment regarding "Phase 2" funding was made. These slides are available on the CDE website.

8. Any information relating to Phase 2 and why excluded from the program.

8.1 Follow-on funding for successful CDE projects as part of the core Cyber SA project is being conducted in line with the military customer requirements and priorities. No companies have been excluded from this consideration and, where possible, industrial and academic partners across the Cyber Programme have been encouraged to work collaboratively. There is no overarching Statement of Requirement for provision of Cyber SA beyond that released for the original CDE Call.

8.2 The Cyber SA project team has prioritised resources to those concepts demonstrated through the Cyber SA CDE call that most effectively meet the customer requirements. These concepts are being taken forward by integration into existing technology using a collaborative approach. ██████████ has not been identified to offer the most effective options to meet customer requirements.

9. Any transfer of their IPR to third parties.

9.1 No such transfer of IPR has taken place.

If you are not satisfied with this response or you wish to complain about any aspect of the handling of your request, then you should contact me in the first instance. If informal resolution is not possible and you are still dissatisfied then you may apply for an independent internal review by contacting the Information Rights Compliance team, 1st Floor, MOD Main Building, Whitehall, SW1A 2HB (e-mail CIO-FOI-IR@mod.uk). Please note that any request for an internal review must be made within 40 working days of the date on which the attempt to reach informal resolution has come to an end.

If you remain dissatisfied following an internal review, you may take your complaint to the Information Commissioner under the provisions of Section 50 of the Freedom of Information Act. Please note that the Information Commissioner will not investigate your case until the MOD internal review process has been completed. Further details of the role and powers of the Information Commissioner can be found on the Commissioner's website, <http://www.ico.gov.uk>.

Yours sincerely,

