

30th September 2021

Mr Tim Suter
Solicitor to the Inquiry

BY EMAIL ONLY – tim.suter@fieldfisher.com

Dear Mr Suter,

SIA's Interim Update on its work on Monitored Recommendations 7 and 8

I am writing, as asked by your letters of 23rd June 2021 and 27th September 2021, sent on behalf of the Chairman to the Manchester Arena Inquiry, Sir John Saunders, to me as Acting Chief Executive of the Security Industry Authority ("SIA").

In responding I, and all at the SIA, recognise that the findings and recommendations in the Volume One Report, and prompt action on them, are of great importance for the victims, their families, and of course, for public protection and the public's confidence in their safety.

In your letters you asked me to provide an interim update and assurance that the two recommendations in the Volume One Report were being reviewed and progressed. These are the two recommendations that were addressed to both the SIA and Home Office.

The SIA, the Home Office and Devolved Authorities

The Home Office separately (but alongside the SIA) has responsibility for considering and responding to these recommendations. They will be providing their own response on MR7 and MR8 alongside their response to their other monitored recommendations.

I thought it would be helpful to start by explaining how we have been working with the Home Office on these recommendations.

The Home Office is the HM Government's policy lead over counter-terrorism, crime and public security matters, as well as public protection matters more widely. The latter policy area includes private security, the SIA, the Private Security Industry Act 2001 and associated regulatory regime.

The SIA's role regulating private security is to implement the legislative regime that the Home Office and Parliament requires of it. This means that, whilst the SIA can make recommendations and proposals to improve standards in security and keeps under review the operation of the legislation, the ultimate decisions on changes to

the regime are for, and taken by Home Office, and for legislation changes, Parliament. The SIA has been working in liaison with officials in the Home Office across these policy areas.

We also thought it would be helpful to highlight to the Inquiry that whilst counter-terrorism is a reserved matter in the UK, the regulation of private security is a devolved matter. The SIA delivers regulation in Scotland and Northern Ireland on behalf of the Governments in those nations. The SIA works with both authorities bilaterally and through the Home Office's policy team.

We wanted to assure you that we have been very conscious of ensuring the SIA keeps the Scottish and Northern Ireland Governments informed as we develop our views and proposals relating to MR7 and MR8.

This is particularly important as whilst the SIA can put its views and proposals to the Home Office, and the Devolved Governments in Scotland and Northern Ireland, it will ultimately be for them to make decisions on the future of private security regulation and any legislative change.

Progress on the Two Recommendations

The two recommendations are matters relating to the regulatory regime the SIA supervises:

Monitored Recommendation 7 (MR7): "The requirement that only those monitoring CCTV under a contract for services need to hold an SIA licence should be reviewed."

Monitored Recommendation 8 (MR8): "Consideration should be given to whether contractors who carried out security services should be required to be licenced."

In summary, in reviewing and considering the recommendations the SIA's progress is as follows.

MR7: CCTV Licensing

The SIA has reviewed the requirement and agrees in principle with the recommendation that the requirement that only those monitoring CCTV under a contract for services need to hold an SIA licence should change. It has informed the Home Office of this. This would require legislative change.

The SIA is working with the Home Office through a Joint Working Group on more detailed proposals and its implications. In order to progress consideration of this recommendation further, there will need to be an assessment of the regulatory impact of any such change. It will also be necessary to identify and assess from a public policy perspective any other unintended consequences such a change may have and whether any exceptions should be made. We are working with the Home Office on commissioning some research into an evidence base to support with this.

Stakeholder engagement on this will also be critical particularly over the next few months, not just with potential employers who would be affected but with public bodies that have a role in regulating and/or using CCTV.

MR8: Licensing contractors that carry out security services

The SIA understands and supports the underlying drive and assurance on public safety that the recommendation is seeking to address. The SIA and Home Office have been working through how this recommendation would work in practice, its consequences, and how it might be affected by the Protect Duty being developed and finalised by the Home Office.

There is more work to do in understanding how a proposal in relation to this recommendation may sit with the proposed Protect Duty. In the SIA's view, it is necessary to have further certainty and clarity on what the emerging Protect Duty will include and expect of security. However, the SIA is, and will continue, working with the Home Office in exploring the consequences of introducing business licensing in the way proposed and developing options for the Home Office to consider.

Projected timeline

The SIA has identified three broad phases to its consideration of MR7 and MR8 -

Phase One – June to September 2021 – This involves a critical analysis of the SIA's work (historically and recently) in relation to the monitored recommendations and other aspects of the Volume One report that deal with the SIA. This has included initial research and identification of the main issues, the establishment of arrangements for consideration of the Inquiry's recommendations and findings (as set out above), and scoping and planning for future phases. This has concluded.

Phase Two – October to December 2021 – This phase involves joint evidence gathering and research with the Home Office. It also involves engagement with key parties in the private security industry, professional and industry associations, and public bodies in order to improve the evidence base. With MR8 the issues identified in the annex need to be further worked through.

Phase Three – December 2021 onwards – The further development of detailed options, including modelling and potential timelines for any reforms. Potential further engagement with stakeholders on different options and/or examining specific issues in more detail. Consideration of options, and the putting of proposals to and consideration by the Home Office (and Devolved Governments).

Other Updates

I want to reassure you that I, together with the SIA's new Chair, Heather Baily QPM, the other Non-Executive Board Members and the SIA's executive leadership, are committed to working with Government, private security industry, law enforcement

and other partners in a robust way to make sure all the learning from the Inquiry's findings are taken forward.

We take very seriously that whilst many things have changed since 2017, there is always more that can be learned, and more improvements that can be made to support public safety. We have therefore taken the opportunity to update you on a number of matters in the inquiry report beyond MR7 and MR8.

As the SIA goes forward under the strategic direction of our current Board and executive leadership, our collective intent is for the SIA to be more visible and proactive in our regulation. The SIA has been developing new supervision and enforcement strategies, and intends to increase its inspection, enforcement and other work to improve standards in security over the coming years to improve public protection.

We have included, to assist the Inquiry, further detail in the attached annex on some of the issues relating to MR7 and MR8, as well as updates on other actions we have taken on other Volume One Report findings, including on training matters, the Approved Contractor Scheme and our approach to enforcement.

The annex also contains information on how we have approached consideration of the recommendations and what we have done to progress them, and work with the Home Office.

Publication

Finally, as you may know, SIA officials have been in contact with the Inquiry to enquire about publishing and sharing the SIA's response more widely. The reason for this is we believe sharing our position and progress would, as we are a public body, be in the interests of transparency and accountability. It would assist and enable us to have meaningful engagement with key stakeholders as consideration of the recommendations and proposals move forward.

This would help the SIA begin more in depth conversations about potential reform with the private security industry and other stakeholders, and ensure we are fully able to hear and understand views and experiences of those who are likely to be affected by any possible changes in the regulation of private security activities if the recommendations are implemented. This, in turn, will help the SIA and Home Office ensure proposals developed are targeted and proportionate, do not have unintended consequences, which will lead to effective reform.

However, we are of course sensitive to the Inquiry, other parties' and affected families' views and perspectives, and of course that we are involved in only two of the monitored recommendations. Should the Chairman be content for the SIA to make public its response, then the SIA will of course give the Chairman ample prior warning of the date of such publication to ensure Core Participants are provided with advance notice.

The SIA looks forward to receiving further guidance from you on this.

If anything is not clear in our update or of concern, please do let us know; we are more than happy to discuss this further with your officials or provide further information or clarity.

Yours sincerely,

[Signature]

Michelle Russell
Acting Chief Executive
Security Industry Authority