

IN THE FIRST TIER TRIBUNAL  
(INFORMATION RIGHTS)

EA/2014/0261

BETWEEN:

RICHARD BROOKS

Appellant

-and-

THE INFORMATION COMMISSIONER

First Respondent

-and-

THE MINISTRY OF DEFENCE

Second Respondent

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OPEN WITNESS STATEMENT OF  
ALAN RICHARDSON

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I, Alan Richardson of the Ministry of Defence, Corsham, Wiltshire SN13 9NR, WILL SAY AS FOLLOWS:-

1. I am the Head of Commercial for Information Systems and Services at the Ministry of Defence ("MOD") and a Senior Civil Servant Grade (SCS Pay Band 1). I have worked for the MOD for 39 years and for the past 4 years I have been responsible, amongst other things, for commercial matters associated with the implementation of HMG's Government to Government agreement with the Kingdom of Saudi Arabia (KSA) related to the acquisition and support of a communications capability for the Saudi Arabian National Guard ("SANG") under the project title of "SANGCOM" (hereinafter referred to as "The Project"). I am authorised to make this witness statement in my capacity as Head of

OFFICIAL SENSITIVE

Commercial. I make this statement from my own knowledge and where matters are not within my own knowledge from information and documentation available to me from within the MOD.

### Project Background

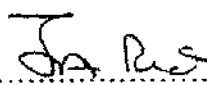
2. In order to explain why MOD relies on the exemptions in this case, it is first necessary to explain some of the background to the Project which commenced in 1978. Its first tasks were to acquire and deliver a modern, secure, nationwide system and build training facilities for SANG officers and soldiers. This role has remained unchanged: the Project supports the SANG in the acquisition, delivery and upkeep of modern communications systems and provides training to SANG personnel involved in operating the SANG's nationwide communications network. All costs associated with the HMG's involvement in the Project are paid by the KSA on a cost neutral/full cost recovery basis.
3. HMG supports the SANG by the provision of advice and assistance in the procurement, operation and maintenance of their communications and computer systems. Under current arrangements, fixed and mobile communications equipment and facilities are supplied to the SANG by GPT Special Project Management Ltd ("GPT"). GPT is also responsible for supporting the equipment and for enhancing and modernising the SANG communications network.
4. The SANG is a military land force established in 1955 separate from the Saudi Army, Air Defence, Navy or Air Force, and from the security related organisations in the Ministry of Interior such as the border guards and police. It was formed by the founder of Saudi Arabia, King Abdulaziz Al Saud and can be called upon to perform a range of conventional military roles. The SANG is similar in size to the British Army.
5. The MOD SANGCOM Team is part of the Information Systems and Services ("ISS") Organisation within MOD's Joint Forces Command. Its current establishment consists of some 78 posts. Most of the team live and work in Riyadh, with outposts in Jeddah and Dammam, both in Saudi Arabia, and two administrative posts based within ISS in the UK.

6. The project allows for the MOD SANGCOM Team to place the contracts with a prime contractor (GPT) for the delivery of goods and services. The agreements set out the broad list of requirements and their estimated costs, and agreements regarding MOD SANGCOM Team and the prime contractor costs.
7. GPT is a wholly owned subsidiary of Airbus Defence and Space (formerly EADS). It is a UK registered company that is also registered to operate in the KSA. With its headquarters based in Riyadh, I understand, GPT employs over 400 employees across the KSA. GPT's history goes back to 1988 when GEC and Plessey merged their telecommunications businesses to become GEC Plessey Telecommunication (known as GPT). When the original prime contractor, Cable and Wireless, left the SANGCOM project in 1995, GPT led a GEC Marconi bid for the work. In 2005, Ericsson purchased the bulk of GEC Marconi and operated the GPT business until selling it to EADS in March 2007. GPT has no other business beyond the SANGCOM contracts.
8. On 7 August 2012, the Director of the Serious Fraud Office ("SFO") decided to open a formal criminal investigation into allegations concerning GPT and aspects of the conduct of its business in the KSA. This is ongoing.

The Disputed Information

9. The documents sought under the FOIA request made by Mr Brooks on 22 January 2014 concern the commercial agreements and contracting between the Kingdom of Saudi Arabia, Her Majesty's Government and GPT and other related documents.
10. I believe, based on my experience during my time at MOD, that all of these documents are exempt from disclosure under section 27 of FOIA in that their disclosure would likely prejudice relations between the UK and Saudi Arabia, and the interests of the United Kingdom abroad.

The contents of this witness statement are true to the best of my knowledge and belief.



Alan Richardson

date: 26 February 2015

