

With the counter-espionage market still unregulated by the SIA, **Dean La-Vey** examines the achievements of the industry's Technical Surveillance Countermeasures Institute which is driving standards and ethics to new heights

TSCM IN 2015 – PART 1 WATCHING THE

In 2003, the newly launched UK Security Industry Authority (SIA) began the process of regulating and licensing the private security industry. The aim of the SIA was to protect the public from rogue operators and raise the standards of recruitment and training for private security operators and managers. Indeed, the SIA's mission statement was specifically to "regulate the private security industry effectively; to reduce criminality, raise standards and recognise quality service". The SIA would also set out to establish an approved contractor scheme to further advance the professionalism of the industry, and gain greater confidence in the private security services. All of this is a direct result of the provisions afforded the SIA by the Private Security Industry Act 2001, which requires all individuals or companies providing security services in "designated sectors" be licensed. The plan was to regulate everything from door supervisors to CCTV installers – and eventually technical surveillance countermeasures (TSCM) within the UK.

Originally, the UK government set out specific "designated sectors" which it stated were in need of regulation and licensing. The initial sectors requiring a license to operate were door supervisors and wheel clampers, as these were deemed to be industries which contained a greater rogue operator element and had attracted much bad publicity and public concern. However other "designated sectors" were added to the SIA's list, and these include security guards, private investigators, key holders, security consultants and those supplying specialised security services including electronic countermeasures or TSCM.

A preliminary timetable to implement regulation and licensing was drafted with a view to have the "designated sectors" regulated by 2006. In addition, the SIA set up its voluntary Approved Contractor Scheme. During this time, many UK TSCM operators began thinking about what criteria the SIA would set out for the regulation and licensing for TSCM services in the

Tools of the trade: reputable TSCM operators must wield the latest detection equipment and know how to interpret the results



THE WATCHERS

UK; and specifically who exactly would be setting out that criteria. Who would qualify and who would not? This author and other TSCM professionals set out to have discussions with the SIA, and it became quite clear from the outset that no one at the SIA had any direction as to what to do – or more worrying, any real knowledge regarding TSCM. After all, TSCM is not akin to wheel clamping or supervising a door! In addition, as TSCM is predominantly a discreet and covert business, the question arose of how, once regulated, the SIA would police such operations – something easily done in other areas. Most top 500 companies would deny having TSCM carried out at all! It all became, in simplified terms, “a mess”. Of course, long after the 2006 SIA target (extended to 2008 for TSCM), there is no SIA license for TSCM.

The SIA license itself is based on consideration of whether the applicant is a “fit person” to be an employee or manager in the industry. The SIA would then issue licenses after consideration of the applicant’s full criminal record (exempt from the Rehabilitation Of Offenders Act 1974) from the UK Criminal Records Bureau. For managers and directors, consideration would also be given to any records on Companies House registers of undeclared bankruptcy and/or disqualified director status. A successful applicant candidate would be issued a physical license after paying the required fee – currently £220. It is a requirement to carry the license at all times when carrying out their work within the security industry.

Once licensed to operate, the individual or company is deemed to be credible in the eyes of the SIA and therefore should instill confidence to the companies or individual members of the public they are working for. How would this criteria remotely qualify an individual

or company to carry out TSCM services? Of course it doesn’t. As in many industries, some of the largest rogue traders have no criminal or bad business history. It was clear, therefore, that TSCM operators had to address this matter seriously before a civil servant at the SIA rubber stamped something that made things much worse than they were already. Many of the services carried out within TSCM are done outside of the UK and UK jurisdiction. In addition, there are non-UK TSCM companies operating in the UK on a covert and confidential basis. The SIA had no provision for foreign TSCM companies operating in the UK, however – in any event, that would be near-impossible to police. It became abundantly clear that the TSCM industry needed a different approach to regulation, and any qualification or criteria had to be addressed by the TSCM industry as a whole. It was simply not going to happen within the SIA criteria.

Technical countermeasure search is a highly skilled profession requiring experience and, more importantly, the right equipment; a ‘basic’ investment in equipment alone totals around £60,000. Professionals known to the author have invested four or five times as much. The job also needs experience and skill, not just in equipment operation but also in procedure and the interpretation of technical data. TSCM operators are engaged in a constant learning process, as sophisticated technology lends itself to ever-more complicated means of surveillance. Everything needs to be kept up to date. Let’s try and put things into perspective. This author was once a qualified private pilot with an instrument rating, but I stopped flying some years ago. As a result, I can’t just climb into an airplane tomorrow and take off with fee-paying passengers! I would have to study what is current and re-qualify. This is a compulsory obligation!

The truth is there are many (and I really do mean many)



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Finders sweepers: TSCMi membership is only offered to practitioners who can demonstrate technical, operational and ethical proficiency

companies and individuals advertising TSCM services where the only operator qualification requirement is to be able to turn on the "ON" button on a £350 hand-held detector! Ebay and other Internet sites are full to the brim with such equipment, and advertisements abound for "bug sweeps" for £500. Many claim to be "government-level" and carried out by ex-police or security service personnel. There are even TSCM home correspondence courses available, where a £1,650 fee buys you a rather cheap-looking "Qualified TSCM Operator Certificate". Yes, the "certificate" comes with the pack whether you do the course or not. The problem here is that a company or individual looking for TSCM services has a minefield to deal with while attempting to procure a credible company to carry out the work. There is, of course, the inconvenient fact that the predominant concern for clients is the cost of TSCM. Why pay £1,500 when someone else says they can do the job for £500? One may wonder how these guys can get away with it. Let's call it "smoke and mirrors". It's not difficult to look credible – rogue investment brokers and Ponzi scheme operators all look credible.

During 2003, the SIA did consult with certain professionals known in the field – and known to this author. But, as there was no clear plan, nothing really progressed until a number of TSCM professionals decided something had to be done in order that a qualified body could be set up to deal with TSCM regulation and to set high standards within the field. The resulting body was the Technical Surveillance Countermeasures Institute (or TSCMi). Formed in 2009, it has become the only TSCM practitioners' trade body in existence, and has among its members the majority of reputable TSCM practitioners within the UK. Although a UK body, it also boasts membership from

as far and wide as the EU, the United States, Mexico and Australia. Membership is for individuals and is not granted to companies. In addition, there are members from government bodies on-board. TSCMi awards full membership only to practitioners who satisfy technical, operational and ethical criteria, including having been a practicing TSCM operator for a minimum of five years. It has an elected and very active Board of Directors, holds regular meetings and has a well-attended annual conference. More importantly, what started out as a body to basically self-regulate has, in essence, become a centre of excellence for TSCM. There is no better knowledge base for technical security search than the TSCMi.

There are, of course, detractors. Some are personality based – but you can't get on with everybody all of the time. What is important to understand, however, is that TSCMi meetings have dealt with essential industry-related subjects, with presentations on asbestos awareness (very relevant in TSCM), fibre optics, GSM telephone network threats (including new 4G systems), expert witness courses, and DNA containment during TSCM searches, to name a few. TSCMi also has a student membership scheme and is currently involved with a leading university in the development of a specific TSCM qualification endorsed by TSCMi with course workshops carried out by TSCMi members.

TSCM is not a simple business to regulate. The Internet and Spy Shops sell hundreds of thousands of dollars' worth of so-called de-bugging equipment. One high profile and quite famous London retailer has a spy shop section where you can buy an abundance of hand held "bug detectors". One could say that, considering the net worth of the individuals shopping there, even more harm is being done. After all – doesn't James Bond have one of those?

Dean La-Vey is a Security Consultant specialising in electronic countermeasures, specialised products & techniques for both the government and private sectors on a worldwide basis. He is a Founder Member of the Technical Surveillance Countermeasures Institute (TSCMi) - a body of excellence within the TSCM industry.