



Ref: FOI2023-035

[REDACTED]

9<sup>th</sup> November 2023

Dear [REDACTED]

Further to our email of 24<sup>th</sup> October 2023 regarding your request for the following information:

*I'd like to refine the request to just the first file requested, from 1997. Does that fall under the cost limit.*

Your request has been handled as a request for information under the Freedom of Information Act 2000 (the Act), and we can advise that the Atomic Weapons Establishment (AWE) holds some information in scope of your request.

We can confirm that AWE does hold a file named 'Nuclear Test Veterans 1997'. However, we must advise you that we are applying Section 14(1) of the Act, as compliance would impose a disproportionate burden on the public authority and would divert resources from essential Defence business activities.

Under Section 16(1) of the Act public authorities have a duty to provide advice and assistance, so far as it is reasonable to expect the authority to do so. Therefore, it may be helpful if we explain the reasons why this request will impose a disproportionate burden on the public authority.

The Ministry of Defence (MOD) are currently undertaking a review of nuclear information held in records that were released to The National Archives (TNA). As part of the review process, a collection of records (including many relating to the early development of military and civil nuclear technology) has been temporarily withdrawn from general access to mitigate any potential national security risk. AWE are providing the specialist Subject Matter Expert (SME) knowledge required to conduct the review.

The information you have requested is contained within files that have been previously reviewed for release in accordance with the Public Records Act 1958 (PRA) and found to contain sensitive material. As such, these documents have been withheld from public release and are retained by the MOD under the Lord Chancellor's Instrument 118, which allows for the retention of records relating to the defence applications of atomic and nuclear energy. A rolling review is undertaken of these files by the AWE, and all have been consistently withheld in their entirety under this instrument.

Whilst a redacted version of the the file in scope of this request was released to the TNA and therefore only part has been withdrawn from public access as part of the ongoing security review, it is very closely related to those documents under review. Consequently, as the effort to fully assess the contents of the files falls to the same small cadre of suitably qualified and experienced people it is our belief that this request will impose a disproportionate burden on the public authority.



Aldermaston ■ Reading  
Berkshire ■ RG7 4PR

[www.awe.co.uk](http://www.awe.co.uk)

Therefore based on the rationale for the security review currently underway, and the fact that previous PRA reviews have found that the files contain sensitive information, we can be satisfied that any potentially exempt information is spread throughout the documentation, and not easily isolated. To comply with this request under the terms of the Act would require AWE to divert resource from other tasks, specifically those SMEs working on the wider security review, to conduct a line-by-line assessment to identify any potential harm from disclosure before release can be authorised. In the circumstances of this case, such action would have a significant impact on the current schedule and effectiveness of the review process and the ability of the SMEs to work on other tasks associated with the nuclear programme.

The work required to process this request is disproportionate when balanced against the public interest in ensuring that the security review of the files, including those which have been withdrawn from public view at TNA, is completed at its earliest opportunity, enabling as many records as possible to be opened to the public again. Adjustments to the schedule and diversion of resources to consider requests made through the Act would undoubtedly place a significant burden on the Authority and disrupt the wider security review.

You may find it helpful to note that the MOD has released a number of updates on the ongoing security review and the current assessment process, which can be found

at: <https://www.gov.uk/government/publications/review-of-nuclear-archive-records>.

Please remember to quote the reference number above in any future communications. If you have any queries regarding the content of this letter, please contact this office in the first instance.

If you are unhappy with the way your request has been handled you have a right to request an internal review within 40 days of receiving this letter, by writing to [information.requests@awe.co.uk](mailto:information.requests@awe.co.uk) or our postal address: Information Requests Team, AWE Aldermaston, Reading, RG7 4PR. If you are still unhappy after an internal review has been completed, under the provisions of Section 50 of the Freedom of Information Act 2000 you have the right to take your complaint to the Information Commissioner's Office. Please note the Commissioner will generally not consider a complaint until you have exhausted AWE's internal complaints process.

Yours sincerely,

AWE Information Requests Team