



**Amanda Hart**

**Via: request-857668-666036e6@whatdotheyknow.com**

**24 August 2022**

Dear **Amanda Hart**

Cabinet Office Internal Review Reference: **IR2022/12852**  
(Original Case Reference: **FOI2022/07740**)

## REVIEW OF REQUEST UNDER THE FREEDOM OF INFORMATION ACT 2000

We refer to your email of 11 August in which you requested an Internal Review. Your request for an Internal Review was prompted by the Cabinet Office's response of 28 June to your request for information (reference FOI2022/07740) under the Freedom of Information Act 2000 ('the Act').

This letter constitutes the outcome of the Internal Review. My findings are below.

I apologise for the delay in responding to your internal review request. This is due to staff changes in the FOI team which have resulted in a small backlog of complaints casework, which we are currently working through.

### **The request**

On 28 April you submitted a request for information. You wrote:

*'We have been advised by the Ministry of Defence to send our Fol request to yourselves "The Advisory Military Sub Committee is part of the Cabinet Office. As such, you may wish to consider redirecting your request to them."*

*Fol request in brief:*

*Please kindly provide the scientific report produced on the risk to witnesses of the 24 nuclear weapons tests in 78 days on Christmas Island in 1962 .*

*Fol request in detail (after the MoD stated they required more information when we put this request to them):*

*Prior to Boris Johnson's recent involvement, we are interested in viewing the evidence that was viewed by 'The Advisory Military Sub Committee' which repeatedly led them to refuse to award honours to the witnesses of the 78 nuclear weapons tests at Christmas Island in 1962 on the basis 'they were not put at any risk' (their words). Their last refusal has only just*

*happened (PRIOR TO BORIS JOHNSON'S INVOLVEMENT). Naturally, if you find that they viewed no actual evidence then it would be reasonable to report to us that there is nothing to report as they viewed nothing.*

*Supporting text:*

*Establishment figures who refused a medal to Britain's nuclear test heroes have been showered with honours themselves - for overseeing Whitehall budgets, running sports events, and reintegrating the Taliban into Afghan society.*

*It comes after their secretive Whitehall medal committee denied the veterans' request for a medal for a third time, saying there was not enough "risk and rigour" for men who walked, flew, and sailed through radiation for Queen and country.*

*Many of the test vets since died, and their children report 10 times the normal rate of birth defects. At the end of last year, US President Joe Biden awarded a gong to his own atomic heroes, some of whom served alongside British personnel at the Cold War tests.*

*Colin Moir, a former Royal Engineer who was ordered to witness and repair damage from 5 nuclear weapons tests in 1958 in Operation Grapple, said: "They are demanding that our medals must be for risk and rigour, while their own seem to be for driving a desk. They are not independent of the Ministry of Defence, nor do they have any experience of the Cold War or nuclear weapons. They are holding us to a higher standard than they do themselves."*

*Alan Owen of support group Labrats said: "Our governments have spent 70 years refusing to recognise the risks ran by servicemen in providing the nation with a nuclear deterrent, and is blindly continuing the injustice.*

*"It beggars belief that the people on this committee say our fathers and grandfathers weren't in enough danger to get a medal, yet they get official thanks from the Queen for things which took place well out of harm's way."*

*Mr Owen, whose father died at 52 after witnessing 24 nuclear weapons tests in 78 days on Christmas Island in 1962, called for the committee to be scrapped, and replaced with historians, scientific experts and representatives of the wider veteran community, to restore trust.*

*Parliament has been told by ministers the Advisory Military Sub Committee is "independent", but a Mirror investigation can reveal most of its members have been reliant on the Ministry of Defence for their entire careers.*

*The committee refuses to publish its minutes, and only the chairman was appointed by a public process. Freedom of Information requests have found that between May 2019 when it was set up, and July last year, the AMSC held just seven meetings. Only one of them was attended by all six members. One member, David Hook, has since left the committee.*

*Despite considering the request for a nuclear service medal twice in that period, it sought no eyewitness evidence, did not comment on documents veterans said prove the risks they were exposed to, and then ruled service at the nuclear tests was in "an austere environment" but not dangerous enough for a medal.*

*Politicians from all sides of the political spectrum united to criticise the decision, and call on the Prime Minister to intervene. He has promised to meet test veterans to discuss the issue.*

*Around 22,000 UK servicemen, many on National Service, witnessed 45 nuclear weapons tests and 593 highly-toxic plutonium experiments in America, Australia, and the South Pacific between 1952 and 1991.*

*In the 1980s they began reporting sterility, cancers, blood disorders, miscarriages for their wives, and abnormalities in their children. In 2007 genetic research found their DNA had as much damage as a clean-up worker at Chernobyl, and in 2011 a MoD study found 83% had up to 9 chronic health problems.*

*The AMSC was formed in 2018 on the orders of then-Defence Secretary Gavin Williamson, as a result of the Mirror's campaign with veterans for a medal. He let it be known he favoured a medal, but it was refused in December 2020, last June, and a third time just before Christmas.*

*In the past two years the AMSC has also refused a star for members of Bomber Command, a clasp for the British Expeditionary Force who served in France in 1939, a medal for ground crew involved in the Berlin airlift, and a clasp for the handful of personnel who operated behind the Iron Curtain during the Cold War, known as BRIXMIS.*

*A government spokesman said: "The committee's decisions are independent of government, including the MoD. It is important that members of the committee advising on the award of military honours have relevant knowledge and experience. They were appointed because of their working knowledge of the armed forces, experience of public service and military decision-making. Several of the appointments were made in consultation with military charities."*

*Chairman Dr Charles Winstanley TD JP DL is an ex-Army medic who once sat alongside top*

*brass on the MoD's main board, deciding strategy and budget priorities. He was born in the same year that Britain detonated its first nuclear weapon.*

*He holds the Territorial Decoration, a medal for long service in the Territorial Army, and is Deputy Lieutenant of Greater London.*

*He served as a medic with army reconnaissance in Northern Ireland, West Germany and Cyprus in the 1970s. In the 1980s he joined the TA, commanding units in London and Belfast. A management consultant, he has been a long-term quangocrat, with non-executive roles at the MoD, Scottish Government, and Supreme Court. He has also sat on the boards of health trusts and panels of the GMC.*

*Rear Admiral James Macleod is the committee's official MoD representative, and a member of the Royal Household. Until this year he was Assistant Chief Defence Staff, with responsibility for personnel in the armed forces.*

*He was made a Companion of the Most Honourable Order of the Bath in the Queen's Birthday Honours in 2020 "for his work, including the management of D-Day 75 and the Invictus Games", according to the MoD.*

*Ex-Royal Marine Major General David Hook was given a CBE in 2009 after serving as deputy commander of Allied troops in southern Afghanistan. The citation reads: "He made a valuable contribution in a high tempo and complex operational environment, melding a disparate multinational team into a cohesive headquarters."*

*Two years later he got a second medal, a Queen's Commendation for Valuable Service, for working with the Afghan government to reintegrate the Taliban and other fighters into society.*

*After retiring from the forces, he became managing director of defence training at government contractor Capita, and on LinkedIn says he has a MoD role mentoring top brass. He is also an adviser to the government agency that runs the Sellafield nuclear waste facility, and for the past year has been managing director of Project Selborne, a £1bn project to outsource the Royal Navy's training. A member of the medal committee since its inception in 2019, he left in July 2021 and is no longer connected to it.*

*Trevor Woolley is a former MoD finance director, made a Companion of the Most Honourable Order of the Bath in the 2007 New Year Honours for his work in the civil service.*

*He has held roles at MoD, Treasury and Cabinet Office and served as assistant to Margaret Thatcher's Cabinet Secretary. Mr Woolley was in charge of MoD budgets for 6 years, and sat on several MoD boards in charge of strategy and procurement. In 2007 he was questioned by MPs over the*

*sell-off of government defence agency Qinetiq, which netted top civil servants multi-million pound windfalls. He admitted that, despite being finance director of the MoD which at the time had a budget of £32billion a year, he held no financial or accounting qualifications. Now retired from that job, he now has a role advising the National Archives at Kew.*

*Mary Moreland's husband John was a reservist in the volunteer Ulster Defence Regiment. He was murdered by the IRA in 1988. She said later: "The atmosphere at the time meant we knew John was at risk, as I had been when I was in the UDR." She was awarded a MBE in the 2020 Birthday Honours for her work at the War Widows' Association.*

*The final committee member, Bruce Pennell, is a retired lieutenant colonel with 23 years of service in the Gulf, Balkans, and Northern Ireland. The units he served in are unknown. He now works as a NATO scientist and was handpicked for a leadership course at the Defence Academy. According to his LinkedIn, he also sits on the body that awards war pensions to veterans. The MoD refused to reveal any medals he holds or further details of his service.*

*For more than 30 years the Mirror has campaigned for justice for the brave men who took part in Britain's nuclear weapons tests.*

*The Ministry of Defence has fought back every step of the way.*

*We have told countless heartbreaking stories of grieving mums, children with deformities, men aged before their time and widows struggling to hold their families together, all while campaigning for recognition.*

*Two years ago we launched an appeal for a medal for the 1,500 survivors.*

*For the first time we were able to prove some were unwittingly used in experiments.*

*Our appeal was backed by then-Defence Secretary Gavin Williamson but his review foundered after he lost his job.*

*It had only six meetings in two years. They never asked to meet veterans. They never questioned the evidence.*

*Instead they asked for information from the MoD, which has a track record of denying what its own paperwork later proves.*

*And as our medal campaign gathered steam, civil servants simultaneously withdrew public documents from the National Archives.*

*Would anyone working in Whitehall today stay there, if 3 megatons of plutonium exploded south*

*of the river?*

*The test veterans and their families will never stop fighting. The Mirror will never cease to demand they are heard.*

*Prime Minister, listen to them. Overturn this disgraceful decision.*

*Source:*

*<https://www.mirror.co.uk/news/uk-news/veterans-fury-mirror-reveals-truth-26207512>*

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### **The response**

The Cabinet Office responded to you on 28 June. It informed you that the information was not held by the department.

### **Request for an Internal Review**

On 11 August, you requested an Internal Review of your request for information. You wrote:  
*'Dear Cabinet Office,*

*Please pass this on to the person who conducts Freedom of Information reviews.*

*I am writing to request an internal review of Cabinet Office's handling of my FOI request 'Nuclear risk to witnesses'.*

*While it is true you may claim no information was found, we reject your claim that this is because we have only provided limited information. Our request specifically asked for a copy of "the scientific report produced on the risk to witnesses of the 24 nuclear weapons tests in 78 days on Christmas Island in 1962" to help 'The Advisory Military Sub Committee' come to the conclusion that 'they were not put at any risk' (their words) and thus were not worthy of receiving any awards. Our request was far from 'limited' and we believe you are more than capable of finding the report we asked for if it exists. Furthermore our information to you on this did not stop there as we went on to provide supporting information. We believe it is possible your response is worded this way in an attempt to cover up the fact that no report exists instead of your claim it was because we provided limited information to help you find it.*

*Thus please kindly go back and confirm whether the report we asked for exists as required by the FOI Act without claiming you were not given sufficient information to help you find it.*

*Here is a copy of our request again in full and we are certain the Information Commissioner will not describe it as 'limited' and prevent you from locating what we asked for:*

*{ "We have been advised by the Ministry of Defence to send our Fol request to yourselves "The Advisory Military Sub Committee is part of the Cabinet Office. As such, you may wish to consider redirecting your request to them. "*

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*Many of the test vets since died, and their children report 10 times the normal rate of birth defects. At the end of last year, US President Joe Biden awarded a gong to his own atomic heroes, some of whom served alongside British personnel at the Cold War tests.*

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Yours faithfully,

Amanda Hart  
for Stop UK lies and Corruption.}

*You are under no legal obligation to complete an internal review, but it is considered 'good practice' to do so. Should you inform us that you are not completing one, or claim there "is nothing to review", there is no further legal requirement for us to wait any longer. Be advised we would then pass the matter directly to the Information Commissioner. We shall now allow up to 40 working days for an internal review to be completed.*

A full history of my FOI request and all correspondence is available on the Internet at this address: [https://www.whatdotheyknow.com/request/nuclear\\_risk\\_to\\_witnesses](https://www.whatdotheyknow.com/request/nuclear_risk_to_witnesses)

Yours faithfully,

Amanda Hart

#### **Outcome of the Internal Review**

I have carefully reviewed the handling of your request and I consider that the information is not held, therefore I uphold our previous decision. As part of this review, further searches have been conducted across several teams. No information in scope of your request was identified. You may wish to contact The National Archives with regards to your request. Their contact details can be found via this link: <https://www.nationalarchives.gov.uk/about/freedom-of-information/>

If you are unhappy with the handling of your request for information you, have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF



Head of Freedom of Information

Cabinet Office