



Ref : FOI2024-027

[REDACTED]

17<sup>th</sup> May 2024

Dear [REDACTED]

Further to our previous correspondence regarding your request for the following information:

*Please supply copies of email and internal reports which reference the ES files between 01/01/2018 and 31/07/18.*

Your request has been handled as a request for information under the Freedom of Information Act 2000 (the Act).

We can confirm that the Atomic Weapons Establishment (AWE) holds part of the information in scope of your request.

However, we are withholding the information, which is copies of emails under Sections 24(1) and 26(1) of the FOI Act.

Sections 24(1) and 26(1) are qualified exemptions subject to a Public Interest Test (PIT) which means that the information requested can only be withheld if the public interest in doing so outweighs the public interest in disclosure.

We will now set out arguments for and against disclosure in terms of the public interest, along with the reasons for our conclusion.

#### Section 24(1) – Safeguarding of National security.

Section 24(1) (Safeguarding National Security) of the Act states that information is exempt if it is required for the purpose of safeguarding national security. We consider that the information requested meets this exemption, on the basis that if the information were released could be pieced together by potential adversaries to cause harm to national security.

We appreciate this exemption is subject to the public interest test and the Act makes a presumption towards disclosure wherever possible to promote openness and transparency.

However, there is also a strong public interest in safeguarding national security and in withholding any information that might prejudice this. Providing the requested information would impinge on the national security of the United Kingdom (UK). The release of this information could give potential adversaries the information that could affect Nation security and the continuous at sea deterrent (CASD). The very nature of our deterrent requires information on its scope, scale, and potential vulnerability to be withheld so that it remains effective in its role as a strategic defensive weapon. AWE is also required to abide by the Government Classification guidance.



Taking these factors into consideration, the PIT finds that the benefit of furthering public understanding must be weighed against the threat to national security that such a release would pose. There is no wider public interest in making the nuclear deterrent more vulnerable and to that end, we consider that the public interest in withholding the information outweighs the interest in its disclosure.

#### Section 26 (1)- Defence

Section 26(1) states that information is exempt if its disclosure under the Act would or would be likely to prejudice (a) the defence of the British Islands or of any colony, or (b) the capability, effectiveness, or security of any relevant forces. Similarly, to the exemption engaged at Section 24(1) set out above, we consider that disclosing details relating to the security review of these files could risk the security of our operations and thus prejudice the defence of the British Islands.

Again, we appreciate that there is a public interest in the release of the information, as it would provide greater openness and transparency especially considering the age of the documents. However, the release of this information could damage the UK's interests in maintaining global security by aiding adversaries. Taking these factors into consideration, the balance of the public interest lies in favour of withholding information that has the capacity to prejudice the capability and effectiveness of the Armed Forces and the exemption at section 26(1)(a)(b) of the Act should be maintained.

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