

Ref: FOI2024- 041

[REDACTED]

21 August 2024

Dear [REDACTED],

Further to your previous request FOI2024 – 037 dated 25 June 2024 in which you asked for the following information from AWE regarding Archive A38.1 you have requested the following information:

- 1. The security classification of 'ARCHIVE A38.1'*
- 2. Can you confirm whether i) all of 'ARCHIVE A38.1' is within the Merlin database; ii) parts of it are within the Merlin database iii) none of it is within the Merlin database, and iv) what format the database exists in (digital or paper)*
- 3. Can you confirm whether the parts of 'ARCHIVE A38.1' which you have identified as holding bundles of documents disclosed to i) the Australian Royal Commission ii) the European Court of Human Rights hold any references to blood or urine testing of service personnel who took part in the nuclear weapons testing programme*
- 4. Who has access to 'ARCHIVE A38.1', how many times it has been accessed (if known) and for what reason (if known) since 2007*
- 5. A copy of the 'regulations and orders for each operation' which you have identified in the previous request.*

*As most of the above should be the result of simple searches, I hope you would be able to provide the answers without exceeding the cost limit. If it does go over the limit, please provide the answers to questions 1-4.*

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

Thorough searches have been carried out to locate the information you requested and we can confirm that AWE cannot locate the relevant information in relation to questions 1 , 2 and 4.

We would like to try to provide some advice and guidance as required by Section 16 of the Act. In relation to question 1, archive A38.1 itself does not hold a security classification, the documentation held in the archive hold a variety of different classifications ranging from unclassified to top secret.

Question 5 would exceed the costs limit and be refused under Section 12 of the FOIA. In accordance with the guidance provided by the Information Commissioner's Office, when Section 12 applies to any part of a request, we typically refuse the entire request due to cost limitations. As you have specified that only questions 1-4 should be addressed if question 5 exceeds the cost limit, we have complied with this request.

Question 3 would be exempt under section 21 as it is already reasonably accessible at:

[European Court of Human Rights \(21825/93, 23414/94\) - Commission \(Plenary\) - Report \(31\) - McGINLEY AND EGA... - Strada lex Europe](#)

[Items listing \(naa.gov.au\)](#)

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