



# Ministry of Defence

Ministry of Defence  
Main Building  
Whitehall  
London  
SW1A 2HB

Our Reference: FOI2017/13165

Email: [REDACTED]

19 February 2018

Dear [REDACTED]

Thank you for your emails dated 13 December 2017 and 19 January 2018 in which you requested the following information:

[REDACTED] working on a story about Christmas Island, and was recently asked by [REDACTED] when the MOD threw out claims for compensation. When was the last decision made and how many have there been?

I am treating your correspondence as a request for information under the Freedom of Information Act 2000 (FOI Act). I apologise for the delay in responding.

I can advise you that following a search of our records, I have established that the Ministry of Defence (MOD) does hold some information within the scope of your request. However, I have to advise you that we would be unable to answer your questions without exceeding the appropriate limit.

Section 12 of the FOI Act makes provision for public authorities to refuse requests for information where the cost of dealing with them would exceed the appropriate limit, which for central government is set at £600. This represents the estimated cost of one person spending 3.5 working days in determining whether the department holds the information, locating it, retrieving it and extracting it.

To fully answer your questions would require locating, manually calling and interrogating in excess of 100,00 files. At the rate of £25 per hour, this work would amount to significantly more than £600.

In regard to the number of Nuclear Test Veterans (NTV's) who are in receipt of a War Disablement Pension, the tests took place between 1952 and 1968 (the Christmas Island tests took place between 1957 and 1958). Consequently, claims would have been made and awards notified over a considerable period of time, including pre-dating computer information collection. As a result, data in relation to awards is not collected for NTVs as a group. To undertake such a data collection exercise would take considerable time and the data set would be incomplete as a result of paper records not being retained over the sixty-year period to which the data would relate.

Under Section 16 (Advice and Assistance) you may wish to note the MOD considers all claims that are submitted for compensation by those that have served in the Armed Forces. Any veteran who believes they have suffered ill health due to service has the right to apply for no-fault compensation under the War Pensions Scheme (WPS). War pensions are payable in respect of illness or injury as a result of Service in HM Armed Forces before 6 April 2005; an award of a war pension will be considered in any case where there is reliable evidence of service related ionising radiation exposure and there is a recognised causal link between the claimed condition and such exposure. Decisions are medically certified and follow consideration of available service and medical evidence and carry full rights of appeal to an independent tribunal. The process is on-going, with claims under the WPS received and processed continually.

Where an illness is deemed to have been attributable to service, war pensions have been awarded to veterans. We recognise certain cancers in nuclear test veterans for the purposes of the War Pension Scheme. All war pensions cases are considered on their individual merits.

If you have any queries regarding the content of this letter, please contact this office in the first instance

If you wish to complain about the handling of your request, or the content of this response, you can request an independent internal review by contacting the Information Rights Compliance team, Ground Floor, MOD Main Building, Whitehall, SW1A 2HB (e-mail [CIO-FOI-IR@mod.uk](mailto:CIO-FOI-IR@mod.uk)). Please note that any request for an internal review should be made within 40 working days of the date of this response.

If you remain dissatisfied following an internal review, you may raise your complaint directly to the Information Commissioner under the provisions of Section 50 of the Freedom of Information Act. Please note that the Information Commissioner will not normally investigate your case until the MOD internal review process has been completed. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. Further details of the role and powers of the Information Commissioner can be found on the Commissioner's website at <https://ico.org.uk/>.

Yours sincerely,

(Original Signed)  
Defence People Secretariat