



Ministry
of Defence

Navy Command FOI Section
Navy Command Headquarters
MP 1-4, Leach Building
Whale Island
PORTSMOUTH
PO2 8BY

FOI 2018/04020

E-mail: [REDACTED]

[REDACTED]

18 April 2018

Dear [REDACTED]

Release of Information

Thank you for your email of 19 March 2018 in which you requested the following information:

'My understanding is the following wrecks that formed part of the German Fleet interned after WW1 and scuttled in Scapa Flow in 1919 were sold by the Admiralty to private companies / individuals / public organisations:

- Brummer
- Dresden
- Koln
- Kronprinz Wilhelm
- Markgraf
- Konig
- Karlsruhe

These wrecks still lie in Scapa Flow. Can you advise who the Admiralty sold these wrecks to and most importantly who currently has the liability for them?'

Your enquiry has been considered to be a request for information in accordance with the Freedom of information (FOI) Act 2000.

A search for information has now been completed within the Ministry of Defence (MOD) and I can confirm that some of the information in scope of your request is held. Information, concerning the first three vessels you have listed - the Brummer, Dresden and Koln, is held by the Department, and all the documentation found regarding the sale of those vessels, to the Orkneys Islands Council in 1986, is attached to this letter. As the copies documentation were used for internal methods of recording and were not intended for public distribution, these documents have been redacted to remove any personal information in accordance with section 40(2) Personal Data of the FOI Act.

Section 40(2) applies to personal data relating to third parties. The release of personal information relating to other individuals would contravene the principles of the Data Protection Act 1998, namely Principle 1 – personal data shall be processed fairly and lawfully and unless certain specified conditions are met – and Principle 2 – Personal data shall be obtained and processed only for the specified and lawful purposes and not further processed in a manner incompatible with the purposes.

I must inform you that the Department does not hold information concerning the Kronprinz Wilhelm, Markgraf, Konig and the Karlsruhe. In accordance with the Public Records Act, the MOD is required to transfer records considered to be of historical interest to The National Archives for opening to the general public at the 30 year point, except for records of particular sensitivity for national security or other reasons where the MOD is permitted to hold the records for a longer period. Consequently, if any documentation concerning these vessels has survived, it will be held at The National Archives at Kew, who can be contacted as follows:

Website: <http://www.nationalarchives.gov.uk>

Post: The National Archives, Kew, Richmond, Surrey, TW9 4DU.

Their catalogue is available on the web so you may be able to search for the information you are looking for, although you will not be able to view any documents on the web. Alternatively, you may prefer to telephone them for assistance on: 020 8876 3444.

If you decide to visit The National Archives, you will either need to take your Reader's Ticket or, if you do not possess one, you can obtain one at the front desk. For this you will require a valid form of identification, a passport, driving licence etc. The Archives do not charge for reader's tickets, they are free. Alternatively, you may consider employing a researcher to carry out the work for you. If you do decide to do this, then The National Archives will supply you with a list of independent researchers who will make a charge for their time. The National Archives do not carry out research on individual members of the public's behalf.

Additionally, you may also wish to contact Historic Environment Scotland (HES) to see whether they hold any information that may be of use to you. HES can be contacted at the following email address: FOI@hes.scot

Finally, with regard to your query on liability for these wrecks, The MOD has provided you with all the documents we hold that are relevant to the legal status of the wrecks. However, we do not consider that our obligations under the Freedom of Information Act 2000 require us to express a view on who has liability for the wrecks. To do so would be to provide legal advice, rather than to provide you with recorded information held by MOD as required by the 2000 Act.

If you have any queries regarding the content of this letter, please contact us 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). 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

Navy Command Secretariat – FOI Section

