



Ministry
of Defence

[REDACTED]

FOI2019/00002

E-mail: Navysec-foimailbox@mod.gov.uk

[REDACTED]

13 June 2019

Dear [REDACTED],

Release of Information

Further to our letter of 28 March 2019, I am now able to respond in full to your request for the following information:

1. 'Between the dates August 6th 2018 and January 1st 2019, did the Ministry of Defence have any contact with the Dutch Cultural Heritage Agency and/or Dutch Ministry of Education, Culture and Science regarding allegations that Sovereign Immune Royal Navy wrecks have been subjected to illicit salvage by divers and/or vessels and/or trawlers?
2. If such communications have taken place what was the result of the contacts?
3. Between the dates August 6th 2018 and January 1st 2019, please supply any records in any medium which mention, HM Submarines E3 and/or E5 and/or E26 and/or D2 and/or illicit salvage by Dutch divers and/or vessels and/or trawlers.'

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

As explained in our initial response of 21 January 2019, a search was completed within the Ministry of Defence (MOD) and it was confirmed that some information in scope of your request that is held may fall within the scope of the qualified exemption under Section 27(1)(a) (International Relations) of the FOI Act. Since then, it has been determined that Section 31(1)(a) (Law Enforcement) of the Act also applies to this information.

Under S27(1)(a), information is exempt if its disclosure under the Act would, or would be likely to, prejudice relations between the United Kingdom and any other State. Under s31(1)(a), information is exempt if its disclosure would, or would be likely to, prejudice the prevention or detection of crime. As these are both qualified exemptions, the decision to

withhold the requested information is subject to a Public Interest Test. These have been conducted and it may assist you to understand our decision if I outline the factors that were considered.

While it is recognised that there is a high level of interest in information associated with our underwater heritage, divulging some of the information in scope of your request could impact on the UK's relationship with another State and make this heritage site vulnerable to illegal salvage. Consequently, it has been concluded that public interest balance favours some information being withheld under these exemptions.

The MOD is permitted to withhold information where an exemption is considered justifiable. As some of the information you requested is already available to the public we have assessed your request falls under the absolute exemption at S21 – Information reasonably accessible to the applicant by other means – of the Act. Consequently, we are not obliged to provide you with the information.

Information in respect of a letter from the Minister of Education, Culture and Science and the Minister of Defence of the Netherlands to sports divers in their country concerning the diving activity that has taken place on these wrecks is available via the following link:

<http://www.noordzeemariem.nl/en/2018/08/10/letter-from-ministers-to-sport-diving-netherlands/>

The information that the MOD can provide relating to all parts of your request can be found attached to this letter. I should advise, however, that, as some of the information was designed for internal purposes only and not intended for public distribution, the enclosed documentation has been redacted to remove any personal information in accordance with Section 40(2) 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 2018.

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). 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

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

From: XXXXXXXXXXXXXXXX(NAVY SEC-1 CHARITIES HERITAGE)
Sent: 26 November 2018 15:39
To: XXXXXXXXXXXXXXXX(NAVY SEC-1 POLSEC 6A)
Cc: XXXXXXXXXXXXXXXX@mindef.nl;
 XXXXXXXXXXX@mindef.nl; XXXXXXXXXXXXXXXX@minbuza.nl);
 XXXXXXXXXXXX
Subject: 20181126-Designation of Submarines under the Protection of Military Remains Act
 1986

XXXXX

Apologies for the delay in getting back to you. After receiving and checking the positions of the D & E-Class submarines with our Hydrographic Office, we are unable to designate the wrecks under PMRA as ;

- E26, E5, E3 and D2 are within your territorial waters
- E16 is within German territorial waters.

We can only designate in International or within our own territorial waters.

I have noted that Mr xxxxxx has requested to nominate the wrecks as a Dutch National Monument. What protection would this give the wrecks? As I understand this would prevent disturbance of the wrecks and in general ensure better protection and prohibit carrying out excavations. Would divers require a license/permission to dive the wrecks and is it an offence to do so without a license?

We would not normally publicise the position of our protected military wrecks unless it were a controlled site.

Kind Regards

XXXXXXXXX

XXXXXXXXXXXXXXXXXXXXX NAVY SEC-1 Charities and Heritage XX
 XXX

From: XXXXXXXXXXXXXXXX [mailto:XXXXXXXXX@minocw.nl]
Sent: 26 October 2018 10:38
To: XXXXXXXXXXXXXXXX(NAVY SEC-1 POLSEC 6A) XX,NAVY SEC-1 CHARITIES HERITAGE)XXXXXXXXXXXXXXXXXXXXXXXXXXXXX
Cc: XXXXXXXXXXXXXXXX@minocw.nl>; XXXXXXXXXXXXXXXX@cultureelergoed.nl>;
 XXXXXXXXXXXXXXXX@mindef.nl' XXXXXXXXXXXXXXXX@mindef.nl>; XXXXXXXXXXX@mindef.nl; XXXXXXXXXXXXXXXX
 XXXXXXXXXXXXXXXX@minbuza.nl) XXXXXXXXXXXXXXXX@minbuza.nl>; XXXXXXXXXXXXXXXX
 XXXXXXXXXXXXXXXX@minocw.nl>
Subject: RE: 20180801-Designation of Submarines under the Protection of Military Remains Act 1986

Dear XXXXXXXX

One follow up question: would you like us to include the location of the wrecks in our nautical maps after the designation process is completed?

Best regards,

XXXXX

Van: XXXXXXXXXXXXXXXX(NAVY SEC-1 POLSEC 6A) [mailto:XXXXXXXXXXXXXXXX@mod.gov.uk]

Verzonden: xxxxxxxx 15 oktober 2018 15:38

Aan: XX(NAVY SEC-1 CHARITIES HERITAGE)

CC: XX.@mindef.nl'; xxxxxxxxx@mindef.nl; xxxxxx
XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX@minbuza.nl); XXXXXXXXXXXXXXX

Onderwerp: RE: 20180801-Designation of Submarines under the Protection of Military Remains Act 1986

Good afternoon XXXXXX

Thank you for your email below.

Can you please confirm the locations and coordinates of E3, E5 and E26? Do any of them lie within Dutch territorial waters? Our legal advice is that we cannot designate vessels that are outside of UK territorial waters or international waters under the Protection of Military Remains Act 1986.

While we are completing the designation process we would prefer to keep the exact locations as not publicly known.

Many thanks,

XXXXXXX

XXXXXXXXXXXXXXXXXX Navy Command Headquarters, Policy Secretariat.

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From: XXXXXXXXXXXXXXX [mailto:XXXXXXXXXX@minocw.nl]

Sent: 15 October 2018 12:20

To: XXXXXXXXXXXXXXXXXXXXXXXX(NAVY SEC-1 CHARITIES HERITAGE) <XXXXXXXXXXXXXXXXXXXXXXXXXXXX>

Cc: (XXXXXXXXXXXXXXXX (NAVY SEC-1 POLSEC 6A) XX
XXXXXXXXXXXXXXXX@minocw.nl); XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX@cultureelerfgoed.nl>;

'XXXXXXXXXXXXXXXXX@mindef.nl' <XXXXXXXXXXXXXXXXX@mindef.nl>; XXXXXXXXXXXX@mindef.nl; XXXXXXXXXXXXXXX
XXXXXXXXXXXXXXXXX@minbuza.nl) <XXXXXXXXXXXXXXXXX@minbuza.nl>; XXXXXXXXXXXXXXX

XXXXXXXXXXXXXXXXX@minocw.nl>

Subject: RE: 20180801-Designation of Submarines under the Protection of Military Remains Act 1986

Dear XXXXXX:

As mentioned below we discussed your request in our interdepartmental committee on shipwrecks. We concluded that there are no objections from our side to designate the wrecks under the Protection of Military Remains Act. Our colleagues from the hydrographic department however would still like to know if you would prefer them to include the wrecks on their charts or if you would prefer that the exact location is not publicly known.

Furthermore, I would like to inform you that a request has been put forward by mr. xxxxx to also nominate the wrecks as Dutch National Monument. According to the procedure in place, our national heritage organization (RCE) has to decide on this request within 2 months. I will ask them to also contact you.

Best regards,

.XXXXXXXXXXXXXXXX



XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

From: XXXXXXXXXXXXXXXXXXXXXXXXXXXX@fco.gov.uk<
Sent: 17 December 2018 15:53
To: XXXXXXXXXXXXXXXXXXXX (NAVY SEC-1 CHARITIES HERITAGE); XXXXXXXXXXXXXXXXXXXX;
XXXXXXXXXXXXXXXX@mcqa.gov.uk
Cc: XX -
Subject: FW: Re: In Response to: Dutch divers illegal activities in the North Sea Enquiry
Reference - ENQWU09462 CRM:01150316

Hi XXXXXXXXXXXXXXXXXXXX;~

I hope both of you are well!

See the FOI request below concerning Dutch divers illegal activities in the North Sea from XXXXXXXXXXXXXXXXXXXX
XXXXXXXX HMS E5. I think either of you is better situated to answer these questions. We are happy to assist from this
side of course should that be necessary.

Best,

XXXXXX

From: United Kingdom in the Netherlands
Sent: 17 December 2018 14:41
To: XXXXXXXXXXXXXXXXXXXXXXXXXXXX@fco.gov.uk<; XXXXXXXXXXXXXXXXXXXXXXXXXXXX@fco.gov.uk>
Cc: XXXXXXXXXXXXXXXXXXXXXXXXXXXX@fco.gov.uk

NOT IN SCOPE

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XXXXXXX:

From: Consular Replies
Sent: 17 December 2018 12:55
To: United Kingdom in the Netherlands <XXXXXXXX@fco.gov.uk>

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Consular Contact Centre

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SECTION 40(2)

Regards

Global Consular Contact Centre

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From: <XXXXXXXXXXXXXXXXXX>(NAVY SEC-1 CHARITIES HERITAGE)
Sent: 25 September 2018 15:24
To: XXXXXXXXXXXXXXXXXXXXXXXXXX@culture.gov.uk; XXXXXXXXX@culture.gov.uk
Cc: XXov.uk
Subject: RE: UK shipwrecks Northsea-update NLD

Dear XXXXXXX

We have been asked to consider the designation of the following submarines under our ~~Protection of Military Remains Act 1986 (PMRA)~~
http://www.legislation.gov.uk/ukxi/2017/147/pdfs/ukxi_20170147_en.pdf.

E5, E3, E16, E26 and D2

I have been liaising with XXXXXXXXXXXXXXXXXXXX in relation to this. While outside of our territorial waters we would have no jurisdiction if any illegal salvage took place (unless it were by a British National or a British flag vessel), however, if the vessels were designated under PMRA, it may provide some assurance to the general public that the UK Government takes the protection of our military remains seriously.

MOD Media have received a request from Mallinson-Sadler Productions in relation to filming *HMS Aboukir*, *HMS Cressy* and *HMS Hogue* and coincidentally I was just drafting a message XXXX to gauge his opinion before discussing this request with MOD Media.

The sites are designated under PMRA, however as they are not designated as controlled sites, they do not require permission to film, however a diver or other sea user, is prohibited from:

- a. Tampering with, damaging, moving, removing or unearthing the remains
- b. Entering any hatch or other opening in the remains
- c. Causing or permitting another to do any of these things.

We would not permit the filming of any human remains, or personal possessions (including clothing).

Kind Regards

XXXXXXXXXX

XXXXXXXXXXXXXXXXXX NAVY SEC-1 Charities and Heritage .XX
XX

From:XXXXXXXXXXXXXXXXXX [mailto:XXXXXXXXXXXXXXXXXX@minbuza.nl]
Sent: 25 September 2018 14:46
To:XXXXXXXXXX@culture.gov.uk; XXXXXXXXX@culture.gov.uk
Cc: XXXXXXXXXXXXXXXXXXXXXXXXX@minbuza.nl; XXXXXXXXXXXXXXXXXXX (NAVY SEC-1 CHARITIES HERITAGE)
XXXXXXXXXXXXXXXXXX@mod.gov.uk; XXXXXXXXXXXXXXXXXXXXX@minbuza.nl
Subject: UK shipwrecks Northsea-update NLD

Dear .XXXXXXXXXX

Hope you are doing both well.

It has already been almost a year since we met at DCMS and discussed maritime heritage and the conservation of shipwrecks. We are aware that the UK government has designated three English wrecks of warships near Noordwijk as protected and designated sites.

Furthermore we know that the UK might want to designate some Royal Navy submarine wrecks (WW1 e/o WW2) in the North Sea as protected sites as well. Could you please inform me on the latest status.

Finally I would like to inform you that National Geographic has contacted our ministries in The Netherlands for support regarding a television program "Drain The Oceans". NG would like to use sonar multibeam pictures of wrecks in their series. Could you tell me if you are aware of this and if the UK is also supporting NG.

Looking forward to hearing from you.

Kind regards,

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
Defence and Naval Attaché

Embassy of the Kingdom of the Netherlands
38 Hyde Park Gate | London | SW7 5DP | United Kingdom

T +44 (0) 20 7590 3225 | M +44 (0) 77 6424 6359
Lon-defat@minbuza.nl | xxx:xxxxxxxxx | www.dutchembassyuk.org

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**Ministry
of Defence**

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Ref 2018/11543

E-mail: navysecrefmail@mod.gov.uk

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27 September 2018

Dear XXXXXXXX

Release of Information

Thank you for your correspondence dated 6 September 2018 which has been considered to be a request for information in accordance with the Freedom of Information Act 2000. You requested the following information:

1. *Have you been informed and/or did you give permission to visit the wreck of HM Submarine E36 by Dutch divers on March 24th 2018?*
2. *Have you been informed and/or did you give permission to visit the wreck of HM Submarine E36 by Dutch divers on March 31st 2018?*
3. *Have you been informed and/or did you give permission to visit the wreck of HM Submarine E36 by Dutch divers on April 20th 2018?*
4. *Have you been informed and/or did you give permission to visit the wreck of HM Submarine E3 by Dutch divers on April 28th 2018?*
5. *Have you been informed and/or did you give permission to visit the wreck of SMS U31 by Dutch divers on May 13th 2018?*
6. *Have you been informed and/or did you give permission to visit the wreck of a British E class submarine and/or the French submarine Doris by Dutch divers on May 26th 2018?*
7. *Have you been informed and/or did you give permission to visit the wreck of SMS U31 by Dutch divers on June 2nd 2018?*
8. *Have you been informed and/or did you give permission to visit the wreck of SMS U31 by Dutch divers on June 14th or 15th 2018?*
9. *Have you been informed and/or did you give permission to visit the wreck of HM Submarine E36 by Dutch divers on July 7th 2018?*
10. *Have you been informed and/or did you give permission to visit the wreck of HMS Cressy by Dutch divers on July 8th 2018?*
11. *Have you been informed and/or did you give permission to visit the wreck of HM Submarine E3 by Dutch divers on July 14th 2018?*
12. *Have you been informed and/or did you give permission to visit the wreck of HMS Cressy by Dutch divers on August 31st 2018?*
13. *If you have been informed and/or gave permission to visit the mentioned wrecks in the above questions, please supply all the communications.*

I am writing to advise that, following an extensive search of our records, I have established that the Ministry of Defence holds no information in relation to your request.

Under section 16 (Advice and Assistance) you may wish to be aware of the document "Protection and Management of Historic Military Wrecks outside UK Territorial Waters" which can be located via the following link:

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/307961/Protection and Management of Historic Military Wrecks outside UK Territorial Waters April 2014.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/307961/Protection_and_Management_of_Historic_Military_Wrecks_outside_UK_Territorial_Waters_April_2014.pdf)

In particular, I would draw your attention to paragraph 2 on page 4 under "Policy & Legislation" in which it states:

It is UK Government policy to ensure our historic military wrecks are offered appropriate protection and management. If a military wreck is discovered it should remain undisturbed and a 'look but don't touch approach' respected until options on future protection or management have been determined by the Ministry of Defence (MoD). In no circumstances should any artefacts be recovered without the written permission of the MoD.

If you are not satisfied with this response or you wish to complain about any aspect of the handling of your request, then you should contact me in the first instance. If informal resolution is not possible and you are still dissatisfied then you may apply for an independent internal review by contacting the Information Rights Compliance Team, Ground Floor, Zone D, MOD Main Building, Whitehall, SW1A 2HB (e-mail CIO-FOI-IR@mod.gov.uk). Please note that any request for an internal review must be made within 40 working days of the date on which the attempt to reach informal resolution has come to an end.

If you remain dissatisfied following an internal review, you may take your complaint to the Information Commissioner under the provisions of Section 50 of the Freedom of Information Act. Please note that the Information Commissioner will not investigate your case until the MOD internal review process has been completed. Further details of the role and powers of the Information Commissioner can be found on the Commissioner's website, <http://www.ico.org.uk>.

Yours sincerely

Navy Command Secretariat – FOI Section



Navy Command HQ

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10 August 2018

Thank you for your letter of 17 July 2018, I have noted your concerns.

I can advise that E3, E5, E16 and D2 are included within a list of a number vessels under consideration for protection under the Protection of Military Remains Act 1986 (PMRA). Navy Command officials are responsible, in the first instance, in gathering the evidence to ensure that vessels meet the appropriate criteria; we are grateful for your input. The Ministry of Defence (MOD) does not publish a list of vessels to be included within the Statutory Instrument as this, in itself, may encourage illegal salvage prior to their designation.

As previously explained, the designation of vessels under PMRA does not automatically protect those vessels outside of our territorial waters as any prohibited act or operation that occurs in international waters is not considered an offence unless the act is committed either from a British controlled ship or essentially by a British citizen unless it is supported by local legislation. MOD engages with the local and regional authorities to ensure that our position is made clear on the desecration of our military remains to ensure appropriate action is taken.

Officials from the Ministry of Defence, the Foreign and Commonwealth Office, together with the UK Receiver of Wreck met with Dutch officials to discuss a number of issues of mutual interest, this included the submarine wrecks in the North Sea. They are fully aware that the Ministry of Defence strongly condemns any desecration of any site of military remains.

If Crown-owned items from any wreck are returned to the United Kingdom, officials will liaise with heritage experts to ensure that they are properly preserved and if appropriate, exhibited as a lasting memorial to those who gave their lives.

If a wreck of a vessel is discovered, MOD would, where possible, release information about the find, but would not contact the living relatives. Our stance, whether the vessel is protected by PMRA or by the principle of Sovereign Immunity, is to leave the vessel untouched. If the remains of our servicemen are found on land or if, in the extremely unlikely circumstance, human remains were removed from a vessel, MOD would work with other organisations to investigate, using genealogy and DNA, to locate the living relatives and ensure the body is given an appropriate burial. MOD would only attempt DNA if, following extensive research, the potential matches were approximately one to eight persons.

You must appreciate that I cannot comment on behalf of the Dutch authorities in relation to their policies or actions that you have mentioned within your letter. I understand that you have submitted Freedom of Information requests to both the Ministry of Defence and the Dutch authorities, this is the appropriate regime for accessing information from public authorities.

I hope this explains the situation.

Yours sincerely,

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From: XXXXXXXXXXXXXXXXXXXX (NAVY SEC-1 CHARITIES HERITAGE)
Sent: 27 July 2018 15:53
To: XXXXXXXXXXXXXXXXXXXX
Subject: 20180727-List of Vessels under consideration for inclusion- 7th Tranche of PMRA 86-OS
Attachments: PMRA 86 Seventh Tranche-List of Wrecks for Consideration-OS.docx

.XXXXXX:

As discussed this morning PSA.

Kind Regards

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XXXXXXXXXXXXXXXXXXXX) NAVY SEC-1 Charities and Heritage (XXX
XXXXXXXXXXXXXXXXXXXXX.XXX

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**LIST OF CANDIDATES FOR CONSIDERATION FOR DESIGNATION UNDER THE
PROTECTION OF MILITARY REMAINS ACT (PMRA) 1986 – SEVENTH
TRANCHE**

There are two levels of designation under PMRA:

- Protected Site: it is an offence to interfere with a protected place, to disturb the site or to remove anything from the site. The site can be dived, 'look but don't touch'.
- Controlled Site: it is illegal to conduct any operations (including diving or excavation) within the controlled site that might disturb the remains unless licensed to do so by MOD.

Please see a list of vessels that Navy Command officials are considering for inclusion within the ministerial submission to Secretary of State prior to the next Statutory Instrument (SI) being laid, this will be finalised later this year.

Please note that we do not publicise the vessels that are being designated before the SI is laid before parliament as this could prompt dive activity at a site before it is protected.

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HM Submarine E6

Location – North Sea off Harwich

E6 had a short career in World War I, she was commissioned on 17 Oct 1913. On 26th Dec 1915, E6 went to carry out an anti-submarine patrol in the North Sea. A trawler had been sunk by a mine in the same position shortly before and a British torpedo boat signalled E6 to avoid the minefield. E6 ignored the warning and she hit a mine with a loss of 31 men.

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E-Class Submarines

E3

Location- North Sea

XXXXXXXXXXXXXXXXXXXX

XXXXXXXXXXXXXXXXXXXX

She was sunk in the first ever successful attack on one submarine by another, when she was torpedoed on 18 Oct 14 by U-27 with a loss of 31 men.

E5

Location- North Sea

E5 was sunk, probably by striking a mine, on 7 Mar 16 with a loss of 31 men.

E26

Location- North Sea

Sank with a loss of 31 men around 3 Jul 16

Navy Command are not aware of the exact locations of submarines E3, E5 and E26 but it is assumed they are within the territorial waters of the Netherlands. Navy Command are liaising with Dutch officials to determine their location and if they meet the criteria for designation.

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XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

From: XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
Sent: 13 August 2018 19:17
To: XXXXXXXXXXXX
Subject: Netherlands Ministers' letter
Attachments: Netherlands Ministers letter 3 July 2018.pdf;XXXXXXXX130518.docx

Dear JNAPC Members and Observers

I attach a very helpful letter from the Minister of Education, Culture and Science and the Minister of Defence of the Netherlands to sports divers in their country. This arises from the unwelcome diving activity that has taken place over the last few years on British and German WW1 and WW2 wrecks particularly submarines E5, E3 and E26. You may remember that JNAPC wrote to officials in the Ministry of Culture in early May this year on the subject, letter attached.

The link is <https://www.noordzeemarietm.nl/en/2018/08/10/letter-from-ministers-to-sport-diving-netherlands/> where the letter has been translated by XXXXXXXXXXXX whose has been responsible for writing about this subject.

We should thank XXXXXXXXXXXXXXXXXXXXXXXX and XXXXXXXX who held meetings in Holland on 5th June with officials from both Ministries, for encouraging and facilitating this important development.

It is interesting to note that they have extended their domestic legislation of the Heritage Act (2016) to include not just their territorial sea but also their contiguous zone out to 24 nm.

Something to think about perhaps?

Best wishes

XXXX

XX

From: XXXXXXXX (NAVY POL-NS NHB XXXXXXXXXXXX)
 Sent: 31 August 2018 14:06
 To: XXXXXXXXXXXXXXXXXXXX (NAVY SEC-1 CHARITIES HERITAGE)
 Subject: RE: 20180817-PMRA-7th Tranche of Vessels for Consideration-OS
 Attachments: PMRA 86 Seventh Tranche-List of Wrecks for Consideration-MARKED-OS.docx

DearXXXXXXXX

Please find, attached, some suggested amendments to the document you circulated detailing the latest PMRA candidates. The comments, below, provide some background to the suggestions made in the mark-up:

NOT IN SCOPE

- E6
- 10. Without a full and official narrative of the events we would avoid stating that the signal was "ignored".
- 11. The CWGC website suggests 30 service personnel lost their lives when E6 sank.

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E3

20. The CWGC website identifies 28 service personnel who lost their lives in the sinking of E3.

E5

21. The CWGC website identifies 28 service personnel who lost their lives in the sinking of E5.

E26

22. The date we have for the sinking of E26 is 6 Jul 1916.

23. The CWGC website identifies 26 service personnel who lost their lives in the sinking of E6.

If you have any questions on the above or attached please let me know (however, I am out of the office next week so my response might not be as rapid as I would normally like!).

Kind regards,

(XXXX

XXXXXXXX: |XXXXXResearcher | Naval Historical Branch | XX
:XXXXXXXXXXXXXXXXXXXX
XX

From: XXXXXXXXXXXXXXXXXXXX (NAVY SEC-1 CHARITIES HERITAGE)

Sent: 17 August 2018 09:12

To: XXXXXXXXXXXXX@mcga.gov.uk; XXXXXXXXXXXXX@HistoricEngland.org.uk; XXXXXXXXXXXXXXXXXXXX(NAVY POL-NS NHB AL) <XXXXXXXXXXXXXXXXXX@mod.gov.uk>; XXXXXXXXXXXXX@UKHO.gov.uk; XXXXXXXXXXXXXXXXXXXX(DES SANMO-WRKRES-SO2).XXXXXXXXXXXXXXXXXX@mod.gov.uk>; XXXXXXXXXXXXXXXX(DES DSA-MST2A1)XXXXXXXXXXXXXXXXXX@mod.gov.uk>

Cc: XXXXXXXXXXXXXXXX (NAVY SEC-1 POLSEC 6A) <XXXXXXXXXXXXXXXXXX@mod.gov.uk>; NAVY SEC-3RD SECTOR MAILBOX (MULTIUSER) <NAVYSEC-3RDSECTORMAILBOX@mod.gov.uk>

Subject: 20180817-PMRA-7th Tranche of Vessels for Consideration-OS

Dear all,

Please see the attached. This is the current batch of wrecks that are being put forward to be designated under the Protection of Military Remains Act 1986. XXXXXXXX did forward some of these late last year, but we have had requests to consider some others.

From my understanding the lists for previous tranches have been sent to your office to confirm:

UK Hydrographic Office: Locations/ confirmation that they are in inside/outside territorial waters.

DESA/SALMO: If any of the wrecks listed have been sold in the past, and any salvage/diving rights?

Receiver of Wreck: For evidence of disturbance or looting of listed wrecks.

Historic England: For Comments.

Naval Historical Branch: Any additional information or comments.

I would be grateful if you could provide us your comments by 31 Aug. A nil return is required.

Also, if there are any other vessels that we should be considering for the seventh tranche, please let me know.

Happy to discuss.

Kind Regards

XXXXXXXXXX

XXXXXXXXXXXXXXXXXX NAVY SEC-1 Charities and Heritage XXX
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From: XXXXXXXXXXXXXXX(DDC-PR-NewsXXXNavy)
Sent: 01 November 2018 09:24
To: XXXXXXXXXXXXXXX(NAVY SEC-1 CHARITIES HERITAGE); XXXXXXXXXXXXXXX
(DDC-PR-NewsPolPers XXX)
Cc: XXXXXXXXXXXXXXX(NAVY MEDIACOMMS-NEWSXXXNAVY SEC- PQS .XXXXXXXX
XXXXXXXX)
Subject: RE: Request for response to looting of British Great War subs wrecked in Dutch
waters - from Mail On Sunday

Good morning XXXXX

I think the short answer is no! We cobbled together something, but would be really useful to understand the latest
position.

Eg. earlier in the year we said we were talking to the Dutch as a matter of urgency, but no one knows what has
happened since!

Thanks

XXXX

XXXXXXXXXX | XXXXXXXXXXXXXXXXXXXX | XXX News Navy | Directorate of Defence Communications | XXXXXXXX
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From: (XXXXXXXXXXXXXXXXXXXX/NAVY SEC-1 CHARITIES HERITAGE)
Sent: 01 November 2018 09:18
To: XXXXXXXXXXXXXXX(DDC-PR-News .XXXNavy) XXX DDC-PR-
NewsPolPers CO1)XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
Cc: XXXXXXXXXXXXXXX (NAVY MEDIACOMMS-NEWS(XXX XXXXXXXXXXXXXXXXXXXXXXX); NAVY SEC- PQS (XXXXXXXX
XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX)
Subject: RE: Request for response to looting of British Great War subs wrecked in Dutch waters - from Mail On
Sunday

XXXXXX

Was this sorted out in my absence? Do you need anything more from me?

Kind Regards

XXXXXXXXXX

XXXXXXXXXXXXXXXXXXXX NAVY SEC-1 Charities and Heritage XXX
XX

From: XXXXXXXXXXXXXX (DDC-PR-News (XX) Navy)

Sent: 26 October 2018 11:55

To: (XXXXXXXXXXXXXXXX (DDC-PR-NewsPolPers (XXX)) XXX
(NAVY MEDIACOMMS-NEWS (XX) XXXXXXXXXXXXXXXXXXXXXXXXXXXX od.gov

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-XX (NAVY SEC-1 CHARITIES HERITAGE)
XX (NAVY MEDIACOMMS-NEWS (XXX)
XXXXXXXXXXXXXXXXXXXXXXXXXXXX)

Subject: RE: Request for response to looting of British Great War subs wrecked in Dutch waters - from Mail On Sunday

Sorry - (XXXXX) is out - bringing in the PolSec mailbox.

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From: XXXXXXXXXXXXXXX (DDC-PR-News (XX) Navy)

Sent: 26 October 2018 11:39

To: XXXXXXXXXXXXXXX (DDC-PR-NewsPolPers (XXX)) XXX
(NAVY MEDIACOMMS-NEWS (XX) XXX (NAVY
MEDIACOMMS-NEWS (XX) XXX (NAVY MEDIACOMMS-
NEWS (XX) XXX (NAVY MEDIACOMMS-
NEWS (XX) XXX (NAVY MEDIACOMMS-NEWS (XXX)
XXXXXXXXXXXX od.gov)

Subject: RE: Request for response to looting of British Great War subs wrecked in Dutch waters - from Mail On Sunday

Bringing in XXXXXXXXXXXXXXX to the chain.

XXXXXX - we did some work on 'wrecks' last month, so suggest we use that as a starting point. You will recall that
XXXXXX got involved with the Prince of Wales and repulse wrecks.

Gavin Williamson, the Defence Secretary, said: "We will never tolerate anyone vandalising or desecrating our graves sites on land and we will not tolerate this at sea. Every wreck is the final resting place of the brave sailors who fought for freedom and against oppression. If there is any commercial activity around their graves this dishonours their memory. I have therefore ordered this survey ship to undertake further investigations."

XXXXXX

Hi xxxxxxx. thanks for looking at this.

As discussed it's a commissioned story for the Mail On Sunday (page deadline is 7pm today). I'm working on it with my colleague xxxxxxxxxxxx (copied in). You can contact me on xxxxxxxxxxxx or this email address.

We're running a story on the looting of artefacts by Dutch divers from three Royal Navy submarines lost in the Great War – E3, E5 and E26. According to FoI documents obtained by a Dutch maritime archaeologist, MoD and FCO were made aware of this on February 5th this year.

Yet even though the location of dozens of items – which include an escape helmet – are well known (some have actually been registered with the Dutch Cultural Heritage Agency) we understand that none have so far been repatriated to the UK. This is in contrast to Germany's position. Last month the German government obtained a court order and sent in bailiffs to recover items stolen from their naval war graves by Dutch divers.

As you know, in August the Defence Secretary demanded an immediate investigation into the looting of war wrecks and condemned those who did it, saying: 'Those who lost their lives on board should be allowed to rest in peace.'

But campaigners and relatives of these dead British submariners are asking: Why can't the British government do the same as the Germans? Why does it seem to be relying only on diplomatic discussions and a 'warning letter' to Dutch dive clubs?

Can you say if there are any plans to obtain court orders to recover items known to have been stolen from British naval war graves in Dutch waters?

Also, what is the current position generally regarding future protection of these submarines and the repatriation of looted items.

Many thanks,

xxxxxxxxxxxxx
For Mail On Sunday

xx

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From: <XXXXXXXXXXXX> (DDC-PR-NewsPolPers XXX)

Sent: 26 October 2018 11:33

To: XXXXXXXXXXXXXXX (NAVY MEDIACOMMS-NEWS XXX
 XXXXXXXXXXXXXXX (NAVY MEDIACOMMS-NEWS XXX
 MEDIACOMMS-NEWS XXXXXXXXXXXXXXX (NAVY MEDIACOMMS-NEWS XXXXXXXXXXXXXXX
 XXXXXXXXXXXXXXX
 C: XXX

Subject: FW: Request for response to looting of British Great War subs wrecked in Dutch waters - from Mail On Sunday

Hi all,

Are you able to have a look at the below request and see if we have anything on those subs – even any background info we have would be useful.

Kind regards,

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 XXXXXXXXXXXXXXX
 XXXXXXXXXXXXXXX
 XXXXXXXXXXXXXXX

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MOD on Twitter
Defence in the Media blog

From: XXXXXXXXXXXXXXX <mailto:XXXXXXXXXXXXXXXXXXXXXXXXXXXX>

Sent: 26 October 2018 11:19

To: XXXXXXXXXXXXXXX (DDC-News OpsCap XXX XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX)

Cc: XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

Subject: Request for response to looting of British Great War subs wrecked in Dutch waters - from Mail On Sunday

West Coast News Ltd

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