



Ministry
of Defence

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Our Ref: FOI2019/08358

Via email: [REDACTED]

12 September 2019

Dear [REDACTED],

Thank you for your email received on 18 July 2019 requesting the following information:

“How the handwritten sealed letters written by the new Prime Minister are transferred to the nuclear submarine which is at sea at the time that a new PM takes office.”

We have treated your correspondence as a request for information under the Freedom of Information Act 2000 (‘the Act’).

A search for the information has been conducted within the Ministry of Defence (MOD) and we can confirm that MOD holds information relevant to your request. However, the information falls within the scope of the qualified exemptions provided for at sections 24 (National Security) and 26 (Defence) of the Act and has been withheld.

Sections 24 and 26 are qualified exemptions and are subject to public interest testing which means that the information requested can only be withheld if the public interest in doing so outweighs the public interest in disclosure.

Section 24(1) of the Act provides that information is exempt from disclosure if exemption is required for the purposes of safeguarding national security. Section 26(1)(a) of the Act provides that information is exempt if its disclosure would or would be likely to prejudice the defence of the British Isles or any colony, and Section 26(1)(b) provides that information is exempt if its disclosure would or would be likely to prejudice the capability, effectiveness or security of the Armed Forces. We can confirm that a public interest test has been conducted for each of these three exemptions. The arguments in favour of release and in favour of withholding the information are very similar for each. Release of the information would demonstrate the Department’s commitment to openness and transparency on nuclear matters and the public has a genuine interest in the effectiveness of the measures which are in place to protect the UK, its citizens and vital interests. However, information relating to the operation of the nuclear deterrent, including how orders are transferred to the deterrent submarines, is of interest to potential adversaries and needs to be protected to ensure that we can continue to achieve the desired deterrence effect. The balance of public interest was found in favour of withholding the information for the purposes of safeguarding national security and as disclosure would prejudice the defence of the UK and the capability and effectiveness of the Armed Forces.

Under Section 16(1) of the Act, whereby public authorities have a duty to provide advice and assistance to requestors, you may find it helpful to note the following:

While it is UK policy not to comment on the details of our submarine operations for the purposes of safeguarding national security and defence, and while the information you requested has been withheld, some information on the letters written by the Prime Minister to the commanders of our nuclear-armed submarines has already been released into the public domain and is available at the following link:

<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Commons/2015-11-13/16251/>

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

If you wish to complain about any aspect of 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.gov.uk). Please note that any request for an internal review must 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 Act. Please note that the Information Commissioner will not normally investigate your case until the MOD internal review process has been completed. They 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 their website at <http://www.ico.org.uk/>.

Yours sincerely,

Defence Nuclear Organisation Secretariat