

# ***NFLA Policy Briefing No. 244***



**Date: 4 August 2022**

**Subject: Government response to NFLA representations over treatment of Britain's atomic and nuclear test veterans**

## **1. Introduction:**

On 5 July, the Chair of the Nuclear Free Local Authorities, Councillor David Blackburn, wrote a letter to the Prime Minister Boris Johnson and Veterans Minister Leo Doherty to protest the historic treatment of Britain's atomic and nuclear test veterans and to seek redress in this 70th anniversary year of the first UK atom bomb test on 3 October 1952. The letter sent by Cllr Blackburn, and then subsequently also forwarded to incoming Veterans Minister, Johnny Mercer MP appears below, alongside the media release issued by the NFLA at that time. Replies reproduced in this brief have been received from the Cabinet Office dated 1 August and from Freddie at the Ministry of Defence dated 2 August.

## **2. The letter sent to the Prime Minister and Veterans Minister 5 July:**

NB Johnny Mercer MP replaced Leo Doherty in the ministerial reshuffle that followed almost immediately and Mr Mercer was then sent the letter.

The Rt. Hon. Boris Johnson MP,  
Prime Minister  
[publiccorrespondence@cabinetoffice.gov.uk](mailto:publiccorrespondence@cabinetoffice.gov.uk)

The Hon. Leo Doherty MP,  
Parliamentary Under Secretary of State,  
(Minister for Defence People and Veterans)  
[Leo.docherty.mp@parliament.uk](mailto:Leo.docherty.mp@parliament.uk)

5 July 2022

### Recognition and Compensation for Britain's atomic and nuclear test veterans

Dear Prime Minister and Minister,

On 3 October 2022, we commemorate the 70<sup>th</sup> anniversary of the first atomic bomb test conducted by the United Kingdom in the Montebello Islands in North-West Australia.

From 1952 until 1991, the United Kingdom conducted 45 atomic and nuclear weapons tests in Australia, in the Pacific and in the United States; the last test being conducted in Nevada as late as 26 November 1991.

From 1952 until 1956, testing was of various atomic bombs, but from 1957 the UK acquired the much more powerful thermonuclear hydrogen bomb.

Most of the tests occurred between 1952 and 1965, when the atmospheric test ban treaty entered into force.

During this time, over 22,000 British personnel from the armed services and the merchant navy, as well as civilian scientists and technicians, took part both in preparing for the blasts but also in the subsequent clean-up operations. The participation of some was involuntary.

Many of these participants were exposed to radiation. This exposure has impacted their lives, and those of their partners and family members, with many suffering an early death or serious ill-health, or having seen their children born with physical deformities or appalling congenital conditions.

Only around 3,000 veterans remain alive and the majority are now aged over 80.

After the passage of almost seven decades, these veterans and their families still await recognition for their service and compensation for their suffering, marginalisation, and neglect, and this recognition and compensation is now long overdue.

In other nuclear weapon armed states, recognition and compensation has been awarded for such veterans, for example, in the United States.

Prime Minister and Minister, I commend you for acceding to a request from Rebecca Long-Bailey MP to meet recently with veterans and for allowing veterans' representatives to meet with officials from the Veterans Affairs Department.

The time for action to right this criminal wrong against the veterans who faithfully served this country and faced an 'invisible radioactive enemy' is long past.

As Chair of the Nuclear Free Local Authorities, a coalition of local authorities that has amongst its concerns the welfare of our atomic and nuclear test veterans and their dependents, I would urge you to waste not a single further moment before immediately awarding these veterans a bespoke service medal and a belated financial compensation package for their suffering.

I would also urge you to ensure that the needs of this overlooked group when met by local authorities are fully funded by central government and that local councils are encouraged to revisit their Armed Forces Covenants to ensure atomic and nuclear test veterans are recognised.

If such provision is right for the atomic and nuclear veterans of the United States, it is only right for our British veterans too.

Thank you for considering this letter and our appeal. Please direct any replies to the NFLA Secretary, Richard Outram, by email to [richard.outram@manchester.gov.uk](mailto:richard.outram@manchester.gov.uk).

Yours sincerely,

Councillor David Blackburn,  
Chair of the NFLA Steering Committee

The wording of Article VI, Part 1 of the UN Treaty on the Prohibition of Nuclear Weapons

*Article 6 - Victim assistance and environmental remediation -1. Each State Party shall, with respect to individuals under its jurisdiction who are affected by the use or testing of nuclear weapons, in accordance with applicable international humanitarian and human rights law, adequately provide age- and gender-sensitive assistance, without discrimination, including medical care, rehabilitation and psychological support, as well as provide for their social and economic inclusion.*

### 3. The NFLA's media release issued on 6 July 2022:

#### **Seventy years after first UK atom bomb, time to right this 'criminal wrong', says NFLA**

As the international community and civil society marks the fifth anniversary of the adoption of the UN Treaty on the Prohibition of Nuclear Weapons tomorrow (7 July), the Nuclear Free Local Authorities have written to the Prime Minister and Minister for Veterans Affairs calling for urgent recognition and compensation for Britain's atom and nuclear bomb test veterans.

On 3 October 1952, Britain tested its first atom bomb at the Montebello Islands, North West Australia. From 1952 to 1991, 45 UK atomic and nuclear bomb tests were carried out in Australia, in the Pacific, and latterly in Nevada. Over 22,000 British armed services personnel, merchant navy sailors and scientists participated in these tests, some involuntarily.

From 1952 until 1965, tests were atmospheric, exposing thousands of these participants to radiation. Subsequently, many veterans have had lowered life expectancy or suffered chronic ill-health, whilst children fathered by veterans have sadly been born with physical deformities or appalling congenital conditions.

For seven decades, veterans, their partners and families have been denied recognition of their service and compensation for their suffering. Now finally, in recent weeks, representatives from the nuclear test veteran community have met with both ministers following a request from Labour MP Rebecca Long-Bailey, and the NFLA has written to the government seeking urgent action.

The Chair of the NFLA, Councillor David Blackburn said:

*'The NFLA believe the time for action to right this criminal injustice against Britain's test veterans who faithfully served this country and faced an 'invisible radioactive enemy' is long past for the average age of veterans is now well over 80.*

*'In my letter, I have urged the Prime Minister and Minister for Veteran Affairs not to waste a single further moment before immediately awarding these veterans a bespoke service medal and a belated financial compensation package for their suffering. We also wish to see local government properly funded so can proper support local veterans and their families.'*

The UN Treaty on the Prohibition of Nuclear Weapons, which entered international law in January 2021, includes Article VI which commits signatory states to provide 'victim assistance' to nuclear bomb test veterans. Although 66 nation states, including those which were the involuntary locations for previous bomb tests, have become signatories to the treaty, the NFLA regrets that the UK and other nuclear weapon testing nations have so far failed to engage with it.

#### 4. The response from the Cabinet Office received 1 August:



**Public Correspondence**  
70 Whitehall  
London  
SW1A 2AS

Richard Outram  
[Richard.Outram@manchester.gov.uk](mailto:Richard.Outram@manchester.gov.uk)

Our reference: TO2022/11480

1 August 2022

Dear Cllr Blackburn,

Thank you for your email of 5 July addressed to the Prime Minister and the former Minister for Defence People and Veterans, regarding Nuclear Test Veterans. This email has been passed to officials from the Office for Veterans' Affairs (OVA) for response; I am responding on their behalf.

The OVA recognises the significant contributions of veterans involved in developing our nuclear deterrent. Our Armed Forces played a significant role in enabling the development of a nuclear deterrent that has kept us safe for decades and continues to do so.

The Prime Minister met with representatives of the Nuclear Test Veteran community, along with Rebecca Long-Bailey MP and Sir John Hayes MP on 8 June. The Prime Minister agreed to consider how best to mark the dedication of those involved in developing our nuclear deterrent. Officials are exploring a range of options and continue to actively engage with representatives of the nuclear test veterans community.

You will be aware that the MOD commissioned a longitudinal epidemiological study into mortality and cancer incidence among nuclear test participants, conducted by the independent National Radiological Protection Board (NRPB). Four analyses were carried out, of which the latest report published in 2022. Overall levels of mortality and cancer incidence in nuclear test veterans have continued to be similar to those in a matched Service control group, and lower than in the general population.

Nuclear Test Veterans who believe they have suffered ill health due to service have the right to apply for no-fault compensation under the War Pensions Scheme. There are no time limits for applications. More information on applications relating to exposure to ionising radiation can be found here:

<https://www.gov.uk/government/news/new-guidance-for-british-nuclear-test-veterans>.

MoD compensation policy is strictly evidence-based and, guided by the advice of the Independent Medical Expert Group, the OVA awaits the findings of their sixth report.

Thank you for taking the time to write to us and for the work you do in support of veterans.

5. The response from the Ministry of Defence received 2 August:



Ministry of Defence  
Main Building (06/N/00)  
Whitehall  
London SW1A 2HB  
United Kingdom

Telephone: +44 (0)20 7218 9000  
Email: [People-Sec-ParliMailbox@mod.gov.uk](mailto:People-Sec-ParliMailbox@mod.gov.uk)

Ref: TO2022/08186

Councillor David Blackburn  
Nuclear Free Local Authorities  
UK and Ireland NFLA Secretariat  
c/o [Richard.outram@Manchester.gov.uk](mailto:Richard.outram@Manchester.gov.uk)

2 August 2022

Dear Councillor Blackburn,

Thank you for your letter of 5 July 2022 to the Prime Minister, the Rt Hon Boris Johnson MP, and to the Minister for Defence People, the Rt Hon Leo Doherty MP, regarding nuclear test veterans (NTVs). As you will appreciate, the Prime Minister and the Minister receive many letters and emails and are unable to answer them all personally. Therefore, your email has been passed to the Defence People Secretariat within the Ministry of Defence (MOD), and I have been asked to reply.

The Government continues to recognise and be grateful to all Servicemen who participated in the British Nuclear testing programme. They contributed to keeping our nation secure during the Cold War and since, by ensuring that the UK was equipped with an appropriate nuclear capability.

It is important to acknowledge that the UK atmospheric nuclear test programme experimented on weapons, not Service personnel. The protection, health, and welfare of those involved in the operations was a vital consideration, as shown by the detailed documented safety measures and radiobiological monitoring that took place during the operations. The fourth and final phase of a longitudinal study, looking into the health effects on veterans of the nuclear tests, was published in February 2022 and can be found in the peer-reviewed Journal of Radiological Protection: <https://iopscience.iop.org/article/10.1088/1361-6498/ac52b4>

The findings of the report show that overall mortality, and cancer mortality, of the test veterans and military controls remain lower than that of the general population over the whole period. The study did include some evidence of a difference in overall mortality of 2%, and cancer mortality of 3% between the participants and the controls. Given the long duration of the follow-up, small numbers of the individual cancer types, and size of the differences in mortality, it is entirely possible that differences in the background characteristics (e.g. smoking habits, diet), between participants and the control group that could not be accounted for in the analysis, could be responsible.

The MOD is keen to understand these findings further, so that where necessary, policy reflects the latest available evidence. This work is currently being undertaken by the Independent Medical Expert Group (IMEG) who validated the current War Pensions Ionising Radiation Policy statement. IMEG provides independent evidence-based medical and scientific advice to the Minister for Defence People on the military no fault compensation schemes and related matters, so that policy and individual decision making reflects contemporary medical understanding on causation and progress of disorders.

Regarding compensation, I can advise that it is already available. NTVs who believe they have suffered ill health due to service have the right to apply for no-fault compensation under the War Pensions Scheme. War Pensions are payable in respect of illness or injury as a result of service in the Armed Forces before 6 April 2005, with the benefit of reasonable doubt always given to the claimant. Decisions are medically certified and follow consideration of available service and medical evidence and carry full rights of appeal to an independent Tribunal.

Regarding medals, in 2020 the independent Advisory Military Sub-Committee (AMSC), which offers advice to the Committee on the Grant of Honours Decorations and Medals (the HD Committee), recommended that a separate medal for NTVs should not be issued, and this was accepted by the HD committee. It is acknowledged that other countries, such as the United States of America, have chosen to award a medal to their NTVs, and that is entirely their prerogative. However, it is important to note that the USA and other countries have historically had their own approach to medals, and what they recognise, and it does not necessarily follow that the United Kingdom must adopt their approach.

I hope this explains the position. Thank you for taking the time to write.

Yours sincerely,

Defence People Secretariat

Richard Outram, NFLA Secretary Email: [Richard.outram@manchester.gov.uk](mailto:Richard.outram@manchester.gov.uk)  
4-8-22