

**IN THE MATTER OF AN APPEAL TO THE FIRST-TIER TRIBUNAL  
(INFORMATION RIGHTS) UNDER SECTION 57 OF THE FREEDOM OF  
INFORMATION ACT 2000**

**BETWEEN**

**(1) MINISTRY OF DEFENCE (EA/2019/0038)**

**(2) PETER BURT (EA/2019/0041)**

**Appellants**

**-and-**

**(1) THE INFORMATION COMMISSIONER (both appeals)**

**(2) PETER BURT (EA/2019/0038)**

**(3) MINISTRY OF DEFENCE (EA/2019/0041)**

**Respondents**

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**WITNESS STATEMENT 5**

**PETER BURT**

Appellant

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1. This witness statement explains how inaccurate and malicious narratives broadcast on social media and in the conventional media can harm national security interests, and how documents such as the DNSR annual assurance report act as source documents to corroborate government statements; demonstrate that the government is being open and transparent; and engender public trust and confidence in how the government is handling sensitive matters such as nuclear safety.
2. In the modern security environment, there is a need for accurate information to counter malicious narratives relating to UK military operations. UK armed forces have been the target of attempts to discredit them organised by other states. For example, Russian disinformation was used earlier this year against a British Army exercise in Croatia, with fictitious stories distributed online and through social media about unprofessional behaviour from soldiers in 16

Air Assault Brigade.<sup>1</sup>

3. The DNSR annual assurance report represents an authoritative source of information on the safety of the UK's military nuclear programme a programme which is seen by MoD as crucial for national security. There is therefore a need for reliable and accurate information about such matters to counter malicious narratives on the UK's nuclear safety standards.
4. The nuclear industry has a history of secrecy, and for security reasons this has particularly been the case for military nuclear programmes. Partly for this reason, it has been subject to mistrust among the public. Information about nuclear programmes can be easily misrepresented through conspiracy theories and for malicious purposes.
5. In the current age people are becoming increasingly sceptical of information from government sources, which may often be seen as furthering a political agenda. Evidence from independent sources such as arms-length regulators is important in ensuring trust in nuclear programmes.
6. Even before disinformation on social media became a major issue, trust of those in the political sphere had sunk to very low levels. In his book 'Trust: A History', historian Geoffrey Hosking points to a 2013 MORI poll in which only 18% of the British citizens surveyed said they trusted politicians to tell the truth.<sup>2</sup>
7. 'Fake news' is now used routinely by malicious actors of all political persuasions, including unscrupulous governments and politicians, non-state groups, and radical activist groups, to distort and confuse public opinion with the aim of misinforming and manipulating the public.

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1 Dominic Nicholls: 'British Army to engage in social media warfare as new cyber division unveiled'. Daily Telegraph. 1 August 2019. <https://www.telegraph.co.uk/news/2019/07/31/british-army-engage-social-media-warfare-senior-soldier-announces/>

2 Geoffrey Hosking: 'Trust: A History'. Oxford University Press 2014. Pp1-2.

Fake news of this type can have a global reach and be highly corrosive to democratic processes.

8. This is acknowledged by the Government. The 2018 National Security Capability review states:

"Traditional channels have been largely discarded in favour of digital and social media platforms. This is combined with a decline of trust in traditional sources of information and the era of so-called 'fake news'. In parallel, the rules of the game have changed.

The democratisation of information, and the means to exploit it, has allowed hostile actors to exert disproportionate influence in competition with the public interest."<sup>3</sup>

9. Information warfare of this type is a technique used within 'grey warfare', which aims to destabilise and divide opponents so as to achieve political goals in a manner short of using armed force. It is enabled by the opportunities provided by the widespread use of social media and rapidly evolving computer technology.

10. Russia is currently engaging in activities that it describes in its military doctrine as information warfare. Russian doctrine refers to a concept of information war which is used to accomplish two primary aims: to achieve political objectives without the use of military force, and to shape a favourable international response to the deployment of its military forces, or military forces with which Moscow is allied<sup>4</sup>. To accomplish these goals, Russia appears to be using media tools to spread a mix of propaganda, misinformation, and deliberately misleading or corrupted disinformation. Well documented, high profile, examples of such interventions by Russia include:

- Social media disinformation campaigns denying involvement in the Salisbury chemical weapon incident.

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<sup>3</sup> Cabinet Office: 'National Security Capability Review'. March 2018. Paragraph 4, p34.  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/705347/6.4391\\_CO\\_National-Security-Review\\_web.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/705347/6.4391_CO_National-Security-Review_web.pdf)

<sup>4</sup> Catherine A. Theohary: 'Information Warfare: Issues for Congress'. Congressional Research Service, 5 March 2018. Page 9. <https://crsreports.congress.gov/product/pdf/R/R45142/5>

- Attempts to manipulate the 2016 US presidential elections using social media techniques.
- Conspiracy theories and information offensives aimed at denying Russian involvement in the shooting down of the MH17 passenger aircraft over Ukraine in 2014.
- Disinformation campaigns targeted on Russia's neighbours, Estonia, Georgia, and Ukraine, from 2007 onwards.
- Use of fake accounts and Facebook advertisements to heighten tensions and foment discord among racial, religious, and political groups.

11. Among the weapons used by Russia in its information warfare campaigning are the state-run news agencies RT and Sputnik. RT (formerly Russia Today) is the Russian government's flagship international television channel, which also has a strong online presence<sup>5</sup>. RT is fully funded by the Russian government, which also has a strong influence on editorial policy. RT was described by former Foreign Secretary Jeremy Hunt as a “weapon of disinformation”. Hunt accused Russia of “manipulating the media” and “spreading fake news” and claimed that RT is a key part of that effort.<sup>6</sup> Sputnik News is a news agency, website, and radio station established by the Russian government-owned news agency Rossiya Segodnya. The President of France, Emmanuel Macron, described Sputnik and RT as “agencies of influence and propaganda, lying propaganda – no more, no less”.<sup>7</sup>

12. Over the last five years both RT and Sputnik News have shown considerable interest in safety concerns relating to the MoD's nuclear programmes. Both agencies have covered a wide range of stories relating to the safety of UK nuclear weapons, submarines, and manufacturing facilities using both online and broadcast media (see Appendix). These stories tend to be highly

5 Stephen Hutchings, Vera Tolz and Precious N Chatterje-Doody: 'The RT Challenge: How to respond to Russia's international broadcaster'. University of Manchester, July 2019. <https://reframingrussia.files.wordpress.com/2019/07/reframing-russia-policy-brief-july-2019-.pdf>

6 Patrick Wintour and Jim Waterson: 'Jeremy Hunt: Russian TV station a 'weapon of disinformation''. Guardian, 1 May 2019. <https://www.theguardian.com/media/2019/may/01/jeremy-hunt-russian-tv-station-a-weapon-of-disinformation>

7 'Video: Macron slams RT, Sputnik news as 'lying propaganda' at Putin press conference'. France24, 30 May 2017. <https://www.france24.com/en/20170530-macron-rt-sputnik-lying-propaganda-putin-versailles-russia-france-election>

sensationalist in nature, often poking fun at the competence of MoD and its personnel in their headlines, and give a slanted view of events. Several news stories covering the same issue from slightly different angles are commonly published over a short space of time, giving the impression that the story has developed a higher profile that may actually be the case. A regular theme of stories is that MoD has attempted to cover up accidents and mistakes, playing to conspiracy theorists. Although the influence RT and Sputnik have in the UK is probably limited, other more mainstream news sources have sometimes adopted a similar style of reporting, contributing to the same impacts.<sup>8</sup>

13. The interest of RT and Sputnik in the safety record of the UK's military nuclear programmes is evidence that this topic is a fertile area for a Russian government misinformation campaign aimed at undermining public support for the UK's nuclear weapons and nuclear submarine propulsion programmes on the grounds that they are not properly managed and pose a danger to the public. It is therefore in the UK's security interests to take precautions to resist such a campaign.
  
14. An obvious way of countering malicious narratives is to provide objective information from sources which are reliable, respected, and as far as possible independent. In terms of the UK's military nuclear programme, DNSR is just such a source. It combines the authority of a government source with the credibility of an arms length regulator. In the perception of key commentators and opinion-formers, such as journalists, academics, and Parliamentarians, DNSR represents a trusted source of reliable information on the safety status of the MoD's

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<sup>8</sup> See for example:

Carly Read: 'Nuclear base threat: 500 safety incidents recorded at Trident including NEAR MISSES'. Daily Express, 19 November 2018. <https://www.express.co.uk/news/uk/1047308/trident-nuclear-base-scotland-Stuart-Andrew-labour-snp>

Mark Nicol: 'Three sailors are caught doing cocaine on Royal Navy submarine that carries 16 nukes'. Mail on Sunday, 2 June 2019. <https://www.dailymail.co.uk/news/article-7094815/Three-sailors-board-Royal-Navy-submarine-carrying-16-nukes-caught-taking-cocaine.html>

Carri-Ann Taylor: 'NUCLEAR ERROR Trident fiasco as Brit sub 'fired dummy missile at the United States' in first nuke test for four years'. The Sun, 22 January 2017. <https://www.thesun.co.uk/news/2675087/trident-fiasco-as-brit-sub-fired-dummy-missile-at-the-united-states-in-first-nuke-test-for-four-years/>

nuclear programmes.

15. A study on trust in government information conducted by the MORI Social Research Institute in November 2005 underlined the need for government bodies to provide comprehensive information from trusted back-up sources if they are to be believed.<sup>9</sup> The study aimed to identify remedies to a loss of trust in information from government sources and the manipulation of information by politicians. It provided evidence that members of the public were concerned that statistics could be 'cherry picked' and that people wanted to know more about their source, presenting a common viewpoint as being “Don’t just give me one number and expect me to believe it. Corroborate it, back it up, support your argument.”<sup>10</sup>
16. The study concluded that “Many respondents suggested that even if they do not always read it, the fact that comprehensive information is provided gives an important impression of openness and honesty that does help improve believability.”<sup>11</sup> A key action needed to recover trust is to increase perceptions of independence and objectivity to “ensure that information is seen to be beyond government influence, and that its use is regulated and audited”.<sup>12</sup>
17. The 'Countering Hybrid Warfare' campaign is a multinational project to help understand the nature and character of modern hybrid threats. The UK government participates in this project and its reports are published on the Ministry of Defence website.<sup>13</sup> As a part of a response to counter hybrid warfare techniques and information warfare techniques the project states that “Misinformation and disinformation can be countered through education and exposed through

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9 Bob Duffy, Suzanne Hall and Matt Williams: 'Who Do You Believe? Trust in government information'. MORI Social Research Institute, November 2005. [https://www.ipsos.com/sites/default/files/publication/1970-01/sri\\_who\\_do\\_you\\_believe\\_112005.pdf](https://www.ipsos.com/sites/default/files/publication/1970-01/sri_who_do_you_believe_112005.pdf)

10 Page 34, Bob Duffy, Suzanne Hall and Matt Williams, op cit.

11 Page 33, Bob Duffy, Suzanne Hall and Matt Williams, op cit.

12 Page 5, Bob Duffy, Suzanne Hall and Matt Williams, op cit.

13 'Countering hybrid warfare project'. <https://www.gov.uk/government/publications/countering-hybrid-warfare-project-understanding-hybrid-warfare>

transparency”.<sup>14</sup>

18. Information from engineering and technical specialists in arms-length regulators such as DNSR helps reduce the risk of putting out false or misleading information and gives the public access to the considered assessment of safety professionals, something that is of increasing value in an era of populist government. Disclosure of DNSR's annual assurance report will help to give an accurate picture of the safety status of the UK's defence nuclear programme, and play a role in countering biased narratives which serve political and / or potentially malicious aims.

### ***Conclusion***

19. In a climate where misinformation and propaganda are used as weapons in a 'grey war', it is in the interests of national security, and in MoD's own interests, to provide comprehensive back up information on sensitive topics such as nuclear safety as evidence to corroborate government statements and demonstrate that the government is being open and transparent.

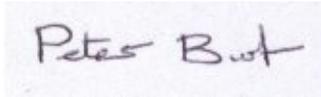
20. There is a credible threat to the reputation of the MoD's nuclear programme, serving to undermine its support among the public, from misinformation about safety standards within the programme. DNSR is a source of information on such matters which is relatively unbiased and untainted by political influence, and thus relatively trustworthy.

21. The Tribunal should consider this factor as part of a public interest test when balancing national security interests relating to release of the DNSR annual assurance report, weighing in favour of release of the report.

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14 'Countering Hybrid Warfare'. MCDC Countering Hybrid Warfare Project. Multinational Capability Development Campaign, March 2019. Page 58.  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/647776/dar\\_mcdc\\_hybrid\\_warfare.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/647776/dar_mcdc_hybrid_warfare.pdf)

Signed:

A rectangular box containing a handwritten signature in black ink that reads "Peter Burt".

Peter Burt

Date: 30 September 2019

## Appendix

The following list shows examples of online news stories and Youtube clips of broadcast news reports by RT and Sputnik News which relate to the safety of the Ministry of Defence's nuclear weapons and nuclear submarine propulsion programmes posted over the period May 2015 – August 2019.

### *RT online news stories*

‘Nuclear disaster waiting to happen’: Royal Navy probes Trident whistleblower's claims  
<https://www.rt.com/uk/259481-trident-submarine-safety-whistleblower/>  
18 May 2015

Ex-Royal Navy sailor to RT: Trident whistleblower's security allegations true  
<https://www.rt.com/uk/260381-trident-security-royal-navy/>  
20 May 2015

Trident nuke safety questioned by Salmond after Navy whistleblower leak  
<https://www.rt.com/uk/262797-trident-whistleblower-salmond-parliament/>  
28 May 2015

UK media ignored, failed to investigate Trident leaks – WikiLeaks spokesman  
<https://www.rt.com/news/262997-trident-uk-security-wikileaks/>  
29 May 2015

Workers sealed inside submarine ballast tank  
<https://www.rt.com/uk/310478-workers-sealed-submarine-tank/>  
22 June 2015

Police guarding Trident nukes ‘overstretched,’ working ‘excessive overtime’  
<https://www.rt.com/uk/331399-trident-security-police-overstretched/>  
5 February 2016

Budgeting for Trident nukes robs the vulnerable of welfare – CND  
<https://www.rt.com/uk/335831-cnd-trident-osborne-budget/>  
16 March 2016

‘Method for massacre’: Hiroshima survivor warns MPs against Trident nukes renewal  
<https://www.rt.com/uk/342671-hiroshima-survivor-trident-nukes/>  
11 May 2016

EXCLUSIVE: Trident renewal ‘assures Scottish independence,’ says navy whistleblower William McNeilly  
<https://www.rt.com/uk/351814-trident-renewal-william-mcneilly/>  
18 July 2016

Whitehall covered up 1st-time failure of Trident ballistic missile test near US coast – report  
<https://www.rt.com/uk/374703-british-trident-test-failure/>  
22 January 2017

Fallon dodges questions on whether Britain fired a Trident nuke missile towards US  
<https://www.rt.com/uk/374776-labour-snp-trident-malfunction/>  
23 January 2017

Trident whistleblower tells RT he ‘witnessed 4 unreported missile test failures’  
<https://www.rt.com/uk/374948-trident-missile-test-mcneilly/>  
24 January 2017

Trident nuclear missiles have history of failure, US documents show  
<https://www.rt.com/uk/375587-trident-uke-missile-failure/>  
30 January 2017

‘Become a suicide bomber!’: Trident whistleblower says artist’s spoof Navy ads are accurate  
<https://www.rt.com/uk/376202-trident-suicide-bomber-posters/>  
3 February 2017

Trident whistleblower calls out MoD’s ‘lame attempt’ to excuse nuke malfunctions  
<https://www.rt.com/uk/376463-trident-whistleblower-failed-tests/>  
6 February 2017

Security of nuclear weapons threatened by UK military cuts – police chairman  
<https://www.rt.com/uk/392442-nuclear-submarine-security-cuts/>  
15 June 2017

Scotland ‘wholly unprepared’ for nuclear weapons accident on its roads – report  
<https://www.rt.com/uk/400508-scotland-nuclear-weapons-accident/>  
22 August 2017

Trident whistleblower: ‘Only a matter of time before Britain’s insecure military bases are attacked’  
<https://www.rt.com/uk/409973-isis-weapon-security-military/>  
15 November 2017

Trident subs suffer same faults as missing Argentine vessel, warns Royal Navy whistleblower  
<https://www.rt.com/uk/411349-trident-submarine-missing-whistleblower/>  
29 November 2017

Nuclear submarine commander who ‘took eye off the ball’ sentenced over collision  
<https://www.rt.com/uk/418929-nuclear-submarine-collision-andreas/>  
15 February 2018

Britain’s £31 billion next-gen nuclear missiles at risk of delay due to faulty US welding  
<https://www.rt.com/uk/435441-nuclear-missiles-welding-defect/>  
8 August 2018

UK shipyard evacuated amid reports of a bomb on a nuclear submarine - operator  
<https://www.rt.com/uk/456122-bomb-report-nuclear-submarine/>  
10 April 2019

## RT broadcasts on Youtube

Trident nukes whistleblower: Weapons access easier than 'most nightclubs'

[https://www.youtube.com/watch?v=kPoK1wau0\\_4](https://www.youtube.com/watch?v=kPoK1wau0_4)

18 May 2015

'UK media failed to investigate Trident case thoroughly'

<https://www.youtube.com/watch?v=2ODuj2Be34s>

28 May 2015

Missile mayhem: UK govt accused of Trident malfunction 'cover up'

<https://www.youtube.com/watch?v=IZWJN4mnclY>

23 January 2017

High pressure? US allegedly forces UK to keep failed nuke Trident test secret

<https://www.youtube.com/watch?v=flxQpZQlms>

24 January 2017

### ***Sputnik News online news stories***

Britain's Defense Ministry Red Faced Over Submarine Collision

<https://sputniknews.com/military/201509081026743955-UK-MoD-submarine-collision/>

8 September 2015

Reports on Dire State of UK Subs 'Looks Like Campaign to Get More Funding'

<https://sputniknews.com/military/201702111050573823-uk-submarines-defense-spending/>

11 February 2017

Convoy of Death: Nuclear Weapon Transport Accidents Hit Record Highs in the UK

<https://sputniknews.com/military/201805211064650638-uk-nuclear-convoy-accidents/>

21 May 2018

UK's Next-Gen Nuclear Deterrent Risks Delays Over Faulty Welding in US - Reports

<https://sputniknews.com/military/201808081067039286-uk-submarines-us-details/>

8 August 2018

More Than 500 Safety Scares Recorded at UK's Trident Nuclear Base Since 2006

<https://sputniknews.com/europe/201811191069938994-trident-nuclear-near-misses/>

19 November 2018

Rid Irish Sea of British Subs - Sinn Fein MP After 'Risky' Near-Miss With Ferry

<https://sputniknews.com/europe/201901231071740722-irish-sea-submarine-ferry-encounter/>

23 January 2019

UK Ballistic Missile Submarines Ready to Retire But Not to Be Replaced

<https://sputniknews.com/military/201901071071277691-british-submarines-sonar-panels/>

7 January 2019

UK Sailors Poised to Track Russian Subs Caught Taking Cocaine - Report

<https://sputniknews.com/europe/201904151074134938-uk-sailors-submarine-test-cocaine/>

15 April 2019

Three Sailors Test Positive for Cocaine, Get Booted Off Royal Navy Nuclear Sub

<https://sputniknews.com/europe/201906021075553324-royal-navy-sailors-busted-snorting-cocaine-nuclear-sub-trident-missiles/>

2 June 2019

UK's Ancient Nuclear Subs Still Radioactive, Cost Hundreds of Millions of Pounds to Store – Report

<https://sputniknews.com/military/201906191075964278-uks-ancient-nuclear-subs-still-radioactive-cost-hundreds-of-millions-of-pounds-to-store--report/>

19 June 2019

Class A: 'Top Flight' UK Navy Sailors Fired From Nuke Sub After Testing Positive for Cocaine

<https://sputniknews.com/europe/201908091076515786-class-a-top-flight-uk-navy-sailors-fired-from-uke-sub-after-testing-positive-for-cocaine/>

9 August 2019