

Ministry of Defence (EA.2019.0038)
Peter Burt (EA.2019.0041)
Appellants

and
Information Commissioner
First Respondent

and
Peter Burt (EA.2019.0038)
Ministry of Defence (EA.2019.0041)
Second Respondents

OPEN WITNESS STATEMENT OF RADM KEITH BECKETT CBE
ON BEHALF OF THE MINISTRY OF DEFENCE

I, **Rear Admiral Keith Beckett CBE**, of the Submarine Delivery Agency, Ministry of Defence, Bristol, **WILL SAY AS FOLLOWS:**

1. I am the Director of Submarine Support in the Submarine Delivery Agency, an Executive Agency of the Ministry of Defence, having taken up the role in 2015. I have over 30 years' experience as a nuclear engineer overseeing submarine systems and, in particular, nuclear propulsion systems, including ensuring these are operated safely. I am currently responsible for the delivery of material and equipment support for all the United Kingdom's ('UK's') submarines, which are in use by the Royal Navy. I also hold responsibility for the provision of submarine nuclear propulsion, combat systems, and ships' systems. In addition, since 2014, I have been the nominated UK Project Officer for the Polaris Sales Agreement ('PSA'), an international treaty with the United States ('US') under which the UK procures the Trident missile system.
2. I make this witness statement to explain the operations and safety regulation of UK's submarine force in relation to the process by which the MOD considered the information that was requested by the appellant, relating to the two 2015-16 annual nuclear safety assurance reports produced by the Department's independent safety regulators, and the balance of public interest considerations that resulted in the decision to withhold them from release. I have sought to provide my statement with Open Material to the maximum extent possible, however, owing to the highly sensitive nature of the operations and technologies involved, much of my evidence will be presented as Closed Material - this is provided separately.

3. The facts and matters set out in this statement within my own direct knowledge are true. Facts and matters derived from other sources and information supplied to me by others are true to the best of my knowledge and belief. There is now produced and shown to me a paginated bundle of true copy documents marked "KB1". All references to documents in this statement are to Exhibit KB1 unless otherwise stated.

Overview of Submarine Operations and Safety Regulation

4. The UK's nuclear deterrent is vital to our national security. The safe, secure, and assured delivery of the nuclear propulsion plant and strategic weapon capabilities of the UK's submarine force are essential to the Royal Navy's ability to operate in the way it has done since April 1969, when the Continuous At Sea Deterrent patrols were established. The propulsion system, in particular, is a 'crown jewel' of national military technology.
5. As evidenced in Vanessa Nicholls' statement, the regulation of the design and support of Royal Navy submarine operations is directed primarily by two Joint Service Publications ('JSPs'): JSP 518 – Regulation of the Naval Nuclear Propulsion Programme [VN1, document 4] and JSP 538 – Regulation of the Nuclear Weapon Programme [VN1, document 5].
6. The competent regulatory body is the Defence Nuclear Safety Regulator ('DNSR'). The DNSR works closely with the UK's Office for Nuclear Regulation to regulate the entirety of Defence nuclear activity. Those aspects of naval nuclear propulsion that relate to the direct delivery of military capability are regulated by DNSR. DNSR, therefore, has, for example, complete access to all sensitive and classified details of naval nuclear propulsion design, maintenance and operation. This is essential to ensure robust safety regulation.
7. In support of submarine operations in foreign ports, DNSR provides assurance to the regulators of other nations through reference to the '*Standard Statement*' – see JSP 518, Pt 2 Annex E [KB1, document 1]. The US and France - the two other nuclear forces within the NATO alliance - take the same approach when operating in foreign ports. The '*Standard Statement*' provides assurances at a high level - it does not expose details of sovereign military capability, technology or other information that could be used by others to reduce military advantage or for proliferation purposes.

Public Interest

8. My Closed Material will explain the likely impact of the release of nuclear safety information on UK submarine operations, relations with other nations, and on UK naval nuclear propulsion capability and, therefore, why this information has been withheld.

9. I recognise the public interest in being as well-informed as possible about MOD's nuclear activities and reassured that these are safe. My considered professional opinion, however, is that the balance of the public interest – in national security, international relations, defence capability, and nuclear safety – lies in the DNSR being able to conduct robust nuclear regulation in a secure closed forum, to ensure the security of our sovereign technology and international obligations.

Statement of Truth

I believe that the facts stated in this witness statement are true.

Signed:  Dated: 7 Oct 19.

RAdm Keith Beckett CBE

Director Submarine Support, The Submarine Delivery Agency, Ministry of Defence.