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# Nuclear test veterans

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## 1

### Summary

Between 1952 and 1967 the UK undertook nuclear weapons testing at sites including Australia and several islands in the Pacific Ocean.

In the time since the nuclear tests, it has been alleged that veterans and civilians who took part in the operations (and their children) have suffered health conditions as a result. There have been legal cases seeking compensation on this issue, and ongoing research.

The UK Government states that it recognises and is “grateful to all Service personnel who participated in the British nuclear testing programme.” The Prime Minister announced a new Nuclear Test Medal in November 2022, which he said recognised nuclear test veterans’ “contribution to our safety, freedom and way of life.” In relation to health concerns, the government has stated that numerous studies “have consistently demonstrated that cancer and mortality rates for the Nuclear Test Veterans are similar to those serving contemporaneously in the UK Armed Forces who did not participate in the testing programme, and lower than for the general population.”<sup>1</sup>

Any veteran who believes they have suffered ill-health due to service has the right to apply for no-fault compensation under the War Pensions Scheme.

In September 2023, a new legal case was launched by a group of nuclear test veterans for access to medical records held by the Ministry of Defence (MOD).<sup>2</sup> BBC News reported that the discovery of new documents showed that the MOD may have a number of medical files recording the results of blood and urine sample testing but, when veterans request these reports, they had been told they were “missing or incomplete.”<sup>3</sup> The Government have said no records have been withheld from veterans and that these can be requested from the MOD.

The Supreme Court ruled against a previous class action of over a thousand veterans and family members in 2012. The Court held that the case was not brought within the statutory timeframe and that there were no grounds for the Court to exercise its discretion to disapply the prescribed time limit, as the veterans’ claims had no real prospect of success.

This briefing provides background information on nuclear weapons tests, the Government’s recognition of nuclear test veterans and current and previous legal action in this area.

## 2 Nuclear weapons testing

On 3 October 1952 the UK became the world’s third nuclear power with Operation Hurricane: the detonation of a plutonium bomb on Montebello Islands in Australia.<sup>4</sup>

The UK conducted 12 major nuclear weapon tests in Australia between 1952 and 1957, at the Montebello Islands, Emu Field and Maralinga. A few hundred

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<sup>1</sup> [Written questions and answers - Written questions, answers and statements - UK Parliament](#)

<sup>2</sup> BBC News, [Nuclear bomb test veterans relaunch legal action](#), 20 September 2023

<sup>3</sup> As above

<sup>4</sup> [What’s the Context? The decision to build a British atomic bomb, 8 January 1947 - History of government \(blog.gov.uk\)](#)

smaller scale tests were conducted at both Emu Field and Maralinga between 1953 and 1963.<sup>5</sup>

A set of four nuclear weapon test series were also carried out by the UK in 1957 and 1958 at Malden Island and Christmas Island in the Pacific Ocean as part of the British hydrogen bomb programme. In total nine nuclear explosions were initiated as part of this series. The largest bomb was tested in Operation Grapple Y in 1958.<sup>6</sup>

It is estimated that around 40,000 British personnel witnessed the nuclear testing alongside military personnel, scientists and civil servants from Australia, New Zealand, Fiji and Kiribati.<sup>7</sup>

Veterans and civilian personnel who took part in the nuclear tests have raised concerns that they (and their children) are suffering health conditions as a result of exposure to radiation from these tests.

## 1 Research on health conditions and nuclear test veterans

The [Nuclear Weapons Test Participants Study](#) is a long-term epidemiological study of the health of veterans who were present at UK nuclear testing between 1952 and 1967. It has been undertaken by the National Radiological Protection Board (NRPB) and Cancer Research UK (formerly the Imperial Cancer Research Fund) following a commission from the Ministry of Defence in 1983. The UK Health Security Agency provide information on the study and its background in the [Nuclear weapons test participants study: information sheet](#).

There have been four studies completed to date, which have compared a group of individuals who were present at the nuclear testing, with another “control group” of veterans who weren’t present and the general public. The analyses examine whether “there are significant differences in mortality causes or cancer incidence between these groups.” The studies so far have concluded that Nuclear Test Veterans have a similar incidence of cancer and, in general, a longer healthy life expectancy than the control group of individuals:

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<sup>5</sup> Ministry of Defence, [Information for British Nuclear Test Veterans](#) (PDF) [accessed 29 October 2023]

<sup>6</sup> James Callery, [Veterans exposed to the effects of nuclear bombs during UK's testing in the 1960s will receive a medal to wear on Remembrance Sunday](#), Mail Online, 28 July 2023

<sup>7</sup> BBC News, [Nuclear test medal: UK veterans to receive recognition after years-long campaign](#), 28 July 2023

To date, there have been 4 analyses, the result of which have been published in the peer reviewed [scientific literature](#). These were based on following the cohort up to 1983, 1990, 1998 and 2017 respectively.

Over all the analyses, when compared with the control group, the test participant group had similar overall levels of aggregated mortality and cancer incidence.

In addition, test participants and controls had, in general, a greater life expectancy than members of the general UK population. This ‘Healthy Worker Effect’ (or ‘Healthy Soldier Effect’) reflects the fact that a group of people who have been employed will (overall) be healthier than the general population because the general population will include the chronically sick who are unable to work.<sup>8</sup>

Links to the published findings of the studies are provided on the [UKHSA reference papers and reports webpage](#).

The [Genetic and Cytogenetic Assessment of British Nuclear Test Veterans and their Families](#) is being carried out by the Centre for Health Effects of Radiological and Chemical Agents at Brunel University. This study is looking at comparing the numbers of chromosomal abnormalities in nuclear test veterans and their children with a control veteran group. The team published its first results in July 2022, which found that “the number and type of genetic changes were in line with what would be expected naturally, with no significant differences between the nuclear test veteran and control groups.”<sup>9</sup>

The following sources provide further background information on the nuclear tests and nuclear test veterans:

- [What’s the Context? The decision to build a British atomic bomb, 8 January 1947](#) - History of government (blog.gov.uk), 7 January 2022
- [Ministry of Defence, Information for British Nuclear Test Veterans \(PDF\)](#)
- [British Nuclear Test Veterans Association](#)
- [The Nuclear Community Charity Fund](#) and [NCCF Nuclear Community Remembrance Virtual Museum Project](#)
- [Legacy of the Atomic Bomb. Recognition for Atomic Test Survivors- LABRATS International](#) LABRATS International conducted [a global survey of nuclear test veterans and their families in 2020](#). This was a self-

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<sup>8</sup> UKHSA, [Nuclear weapons test participants study: information sheet](#), 14 October 2022

<sup>9</sup> Brunel University, [Study finds no evidence of genetic legacy in children of UK’s nuclear test veterans](#), July 2022

reporting survey where respondents were asked to provide information about their health conditions.<sup>10</sup>

The Library briefing, [Support for UK Veterans](#), provides more general information on veterans in the UK and government policy in this area.

### 3

## Government position and the Nuclear Test Medal

[A June 2023 Parliamentary Question response](#) from the Parliamentary Under-Secretary of State for the Ministry of Defence sets out the Government's position on Nuclear Test Veterans:

The Government continues to recognise and be grateful to all Service personnel 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

A commemorative Nuclear Test Medal was announced by the Prime Minister in November 2022, to recognise Service veterans and civilian personnel who participated in the UK's atmospheric nuclear test programme between 1952 and 1967.

Since the 1980's, the Ministry of Defence has commissioned and published four independently-conducted and analysed longitudinal studies of 20,000 Nuclear Test Veterans. These compared cancer and mortality rates between Nuclear Test Veterans and age- and gender-matched contemporary control groups, both within the UK Armed Forces and the general population. The results of these studies have consistently demonstrated that cancer and mortality rates for the Nuclear Test Veterans are similar to those serving contemporaneously in the UK Armed Forces who did not participate in the testing programme, and lower than for the general population.

Any veteran, including those of the Nuclear Tests, who believes they have suffered ill-health due to service has the right to apply for no-fault compensation under the War Pension Scheme if they served before 6 April 2005. War pensions are payable in respect of illness or injury as a result of service in the Armed Forces, 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.<sup>11</sup>

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<sup>11</sup> [Written questions and answers - Written questions, answers and statements - UK Parliament](#)

## 3.1

# Nuclear test medal

In November 2022 Prime Minister Rishi Sunak announced a new [medal to honour the service of veterans of Britain's nuclear tests](#):

I am incredibly proud that we are able to mark the service and dedication of our nuclear test veterans with this new medal. Their commitment and service has preserved peace for the past 70 years, and it is only right their contribution to our safety, freedom and way of life is appropriately recognised with this honour.

This medal is an enduring symbol of our country's gratitude to each and every person who played a part in this effort and their loved ones who supported them.<sup>12</sup>

The announcement coincided with an event at the National Memorial Arboretum in Staffordshire, where nuclear test veterans and their families gathered to pay tribute to their service.<sup>13</sup>

The Nuclear Test Medal is a commemorative medal that can be worn by recipients and recognises the contribution made by veterans and civilians from the UK and across Australia, New Zealand, Fiji and Kiribati.

It is estimated that around 22,000 veterans will be eligible for the medal. The medal can also be awarded posthumously, and families can apply.<sup>14</sup>

In August 2023 the government announced [the first medals had started rolling off the production lines](#) and that many would be ready in time for Remembrance Sunday parades on 12 November.

At a service held in October 2023, at the National Memorial Arboretum, to mark National Atomic Veterans Awareness Day, the first veterans to have received the new Nuclear Test Medal wore it in public for the first time.<sup>15</sup>

In November 2023 the Minister for Veterans' Affairs confirmed he will be hosting a reception for a small cohort of the first recipients of the medal on 28 November.<sup>16</sup> In response to a PQ on 13 November, the government revealed that, as of 8 November 2023, there had been 1,684 Nuclear Test Medals had been issued to veterans and 14 to next of kin. Of the cases assessed, a further

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<sup>12</sup> UK Government press release, [Nuclear test veterans to receive medal as event remembers their service 70 years on](#), 21 November 2022

<sup>13</sup> ITV News, [Nuclear test veterans to be recognised with new medal as event remembers their service 70 years on](#), 21 November 2022

<sup>14</sup> UK Government press release, [Nuclear test veterans to receive medal as event remembers their service 70 years on](#), 21 November 2022

<sup>15</sup> Hannah King, ['Pride is the only feeling': First nuclear test veterans to receive medals wear them in public for first time](#), ForcesNet, 2 October 2023

<sup>16</sup> UIN2043 [on [Veterans: Radiation Exposure](#)], 14 November 2023

33 veterans are eligible for the Nuclear Test Medal, and 699 next of kin. 439 veteran and 648 next of kin cases still to be assessed.<sup>17</sup>

The government confirmed the initial priority for awarding medals was given to veterans who had applied prior to 18 September 2023, with applications from those over 90 and/or the terminally ill reviewed first. The MOD has since started issuing medals to widows who had applied prior to 18 September 2023, whilst continuing to process new cases from veterans. Once widow applications have been processed this will be followed by the processing of applications from other next of kin.<sup>18</sup>

The medal is free of charge and, in Sir John Holmes' [Military Medals Review](#) (PDF) published in July 2012, it was noted that the Ministry of Defence had estimated the medal would cost the government £1.6m.<sup>19</sup>

Australia, New Zealand and the United States have also instituted medals to recognise their nuclear test veterans.

## Eligibility

The Nuclear Test Medal may be awarded to UK service and civilian personnel, and individuals from other nations, who served at the locations where the UK atmospheric nuclear tests were conducted, between 1952 and 1967 inclusive. Eligibility also includes personnel who served during the preparatory and clear-up phases.

The medal may also be awarded to UK personnel who served at locations where US atmospheric nuclear tests took place in 1962 under Operation DOMINIC.

Qualifying service for the medal is defined as service of any length and the medal can be awarded posthumously to the legal next of kin of eligible individuals who have since died.

The Ministry of Defence has published more detailed information on the [eligibility criteria for the Nuclear Test Medal](#).

## How to apply

Applications for the Nuclear Test Medal can be submitted by completing the [Ministry of Defence medal form](#) (PDF). This form must be printed out and completed and then sent to the following address:

MOD Medal Office  
Room G36

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<sup>17</sup> UIN624 [on [Veterans: Radiation Exposure](#)], 7 November 2023

<sup>18</sup> As above.

<sup>19</sup> Sir John Holmes, *Military Medals Review*, July 2012

Innsworth House  
Imjin Barracks  
Gloucester  
GL3 1HW

## 3.2 War pensions scheme

The War Pensions scheme (WPS) provides compensation for any injury, illness or death which was caused by service before 6 April 2005. This is separate to the armed forces pension scheme. More information about the War pensions scheme is provided in the Library briefing, [The Armed Forces Compensation Scheme](#).

The MOD updated its policy statement on Claims for Ionising Radiation Related Conditions in 2017.<sup>20</sup> This includes a detailed discussion on the UK atmospheric nuclear test and weapons experiments, and international research on the tests and links between exposure to ionising radiation and the development of health conditions, such as types of cancer.

The MOD's [Information for British Nuclear Test Veterans](#) (PDF) leaflet summarises the war pensions policy on certain conditions and links with ionising radiation.<sup>21</sup> This states that “in the context of the war pensions onus and standard of proof, the normal policy in war pensions is that there is reliable evidence to raise a reasonable doubt that there may be a causal link between ionising radiation exposure [and certain cancers].”<sup>22</sup>

Any veterans who believe their condition was caused by exposure to ionising radiation during the UK nuclear test programme may have their claim fast-tracked if they also complete the additional [Nuclear Test Veteran \(NTV\) Priority Claim: Enquiries/Request Form](#) (PDF).

### Appeals

A number of claims for war pensions on the basis of health conditions alleged to be due to exposure to radiation during nuclear tests have been refused.

In May 2013 the [War Pensions and Armed Forces Compensation Chamber of the First Tier Tribunal released its decision](#) in regard to war pension appeals from veterans who served in Australia, Christmas Island and Maralinga. It accepted only one of these appeals, deciding that in the other cases there was insufficient evidence to show that both the claimants were exposed to the radiation and that this exposure led to the conditions suffered.

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<sup>20</sup> Ministry of Defence, Policy paper: Information for British Nuclear Test Veterans, 25 August 2020

<sup>21</sup> Ministry of Defence, [Information for British Nuclear Test Veterans](#) (PDF)

<sup>22</sup> A list of specific cancers is provided in the leaflet.



In 2014, the Upper Tier Tribunal heard an appeal of this decision and remitted the case back to the First Tier Tribunal on an error of law to be reheard. The First Tier Tribunal set [out its decision](#) in these cases in December 2016; it dismissed 12 out of the 13 appeals.

## 4 Current legal action and previous legal cases in the UK

### 4.1 Medical files of nuclear test veterans

In September 2023, it was reported that a legal case had been launched by a group of nuclear test veterans for access to medical records held by the Ministry of Defence (MOD).<sup>23</sup> BBC News reported that the discovery of new documents showed that the MOD may have a number of medical files recording the results of blood and urine sample testing but, when veterans request these reports, they are “missing or incomplete.”<sup>24</sup>

A Sky News article, [British Cold War nuclear test veterans claim MOD is hiding some of their medical records](#), reports on one veteran’s experience and comments from one of the lawyers acting on behalf of the group:

"I have been requesting for many, many years my medical records and I have received them, but they appear to be changed or they appear to be somewhat missing in certain items," said Mr Morris.

"I know for a fact that I had urine and blood samples taken and they were not recorded. But the MOD [Ministry of Defence] suggests they were never taken. Now I can almost give them the dates that my blood was taken because I was in an isolation hospital."

Mr Morris and other veterans are suing the government in order to provide their complete medical files. Oli Troen, one of the lawyers working with them, says when veterans have requested medical information it has often come back as missing or incomplete.

"We've uncovered over 200 archive documents which clearly show that the veterans were required to be tested for both blood and urine samples, both before they went out to the South Pacific to engage in the nuclear testing, whilst they were there and when they came back... if those tests were done where are they now?" said Mr Troen.

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<sup>23</sup> BBC News, [Nuclear bomb test veterans relaunch legal action](#), 20 September 2023

<sup>24</sup> As above

"It's not simply enough for the MOD to say 'sorry we don't have these records'. We need to know why they don't have them, where they are and who lost them."<sup>25</sup>

The MOD has said that no information has been withheld from veterans:

In a statement, the Ministry of Defence said: "We are grateful to all service personnel who participated in the British nuclear testing programme and contributed to keeping our nation secure and are pleased that they will now be [receiving a medal in recognition](#) of this.

"It remains the case that no information is withheld from veterans and any medical records taken either before, during or after participation in the UK nuclear weapon tests are held in individual military medical records in the government's archives, which can be accessed on request."<sup>26</sup>

There have been some recent Parliamentary Questions on access to medical files. In response to a July 2023 Lords PQ, the Minister of State at the Cabinet Office, Baroness Neville- Rolfe, said that "nuclear test veterans can apply to the Ministry of Defence for access to any personal information. That request can be for any relevant health records or blood data within their service record."<sup>27</sup>

She went on to provide detail on how an application for this information may be made:

I can certainly confirm that no information is withheld—transparency is very important in this area. Any medical records taken before, during or after participation in the nuclear weapons tests would be held in individual military records in the government archives. Where a veteran is still alive, they can request personal data relating to them as a subject access request. In relation to the Atomic Weapons Establishment, veterans may need to make a freedom of information request, which has been the subject of questions—but nearly all or most of the information is readily available, and it is key to make a subject access request to the MoD.<sup>28</sup>

A more recent PQ response provides more detail on how veterans can make a request for access to records:

A veteran, or representative acting on their behalf, can make a Subject Access Request (SAR) to the relevant military Service, Veterans UK or the Atomic Weapons Establishment (AWE) to gain access to records held on them. Information is provided under 'General Data Protection Regulation (GDPR), Chapter 3, Article 15 – Right of access'. Guidance is set out on gov.uk: [https://www.gov.uk/guidance/obtain-information-about-yourself-held-by-mod\(opens in a new tab\)](https://www.gov.uk/guidance/obtain-information-about-yourself-held-by-mod(opens%20in%20a%20new%20tab)). Further information on submitting a SAR to

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<sup>25</sup> Sky News, [British Cold War nuclear test veterans claim MOD is hiding some of their medical records | UK News | Sky News](#), September 2023

<sup>26</sup> As above

<sup>27</sup> [HL Deb 18 July 2023 2204](#)

<sup>28</sup> [HL Deb 18 July 2023 2205](#)

AWE specifically can be found here: <https://www.awe.co.uk/freedom-of-information-act/><sup>29</sup>

Background information on Freedom of Information requests is provided in the Library briefing, [Freedom of information requests](#). Information on making a subject access request is provided on the Information Commissioners Office website, [Your right of access](#). This also sets out what an individual can do if they are dissatisfied with the outcome of their request, [What to do if the organisation does not respond or you are dissatisfied with the outcome](#).

The following news articles include further information on the case and comment from the legal team representing the group:

- BBC News, [Nuclear bomb test veterans relaunch legal action](#), 20 September 2023
- The Independent, [Nuclear veterans take legal action over 'illegally withheld' medical records](#), 20 September 2023
- Sky News, [British Cold War nuclear test veterans claim MOD is hiding some of their medical records](#), 21 September 2023
- Forces Net, [Cold War nuclear veterans take legal action over 'illegally withheld' medical records](#), 21 September 2023

## 4.2 Previous legal cases

More detailed background on previous legal cases is provided in a [2013 Library briefing, Nuclear test veterans – compensation](#).

In the early 2000s, a group of over a thousand nuclear test veterans brought a claim against the UK Government alleging that exposure to fallout radiation from the nuclear tests had caused health conditions. The Ministry of Defence denied this exposure took place and that being present at the nuclear tests had caused health problems. In 2012, the Supreme Court upheld a decision by the Court of Appeal that the Veterans' claims should not be permitted to proceed on the basis they were time-barred under the provisions of the Limitation Act 1980.<sup>30</sup> In dismissing the appeals from the Court of Appeal decision in nine lead cases, the Supreme Court held by a majority of 4-3 that the Veterans had acquired the knowledge, or reasonable belief, that their injuries were attributable to the nuclear testing more than three years before the issue of their claims. In consequence, the claims were time barred under section 11(4) of the 1980 Act. The majority held further that there were no

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<sup>29</sup> [Written Question UIN 200834, 13 October 2023 \[Veterans: Radiation Exposure\]](#)

<sup>30</sup> [Ministry of Defence \(Respondent\) v AB and others \(Appellants\) - The Supreme Court](#)

grounds for the Court to exercise its discretion to disapply the prescribed time limit, as the Veterans' claims had no real prospect of success.<sup>31</sup>

Following this, the group [announced they would seek to appeal the ruling in the European Court of Human Rights](#). On 18 February 2014, the European Court ruled that their challenge was inadmissible. Henderson Chambers, the chambers that provided the legal team for the Ministry of Defence in the Supreme Court, provides [a summary of the ECHR decision](#) on their website.<sup>32</sup>

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<sup>31</sup> [Microsoft Word - Atomic Veterans summary.doc \(supremecourt.uk\)](#)

<sup>32</sup> Henderson Chambers, [European Court of Human Rights rules Nuclear Test Veterans challenge inadmissible](#), January 2014

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