

Navy Command FOI Section
2015
Navy Command Headquarters
MP 1-4, Lea
Whale Island
Portsmouth
PO2 8BY

13th March

Freedom of Information Request & Response: HMS Victory
Your ref: 2015-01160

Dear Sir,

Thank you for your letter of 2nd March, in response to our Freedom of Information Request regarding the proposed investigation of the HMS Victory (1744)

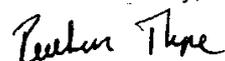
Following the postponement of the investigations and the lifting of the Judicial Review process I believe that your response raises a number of additional questions.

You have indicated that the decision was taken to investigate and remove artefacts from the site – contrary to the conclusions of the 2011 public consultation - on the basis of the Project Design and associated site survey submitted by the Maritime Heritage Foundation. However, you have declined to release this Project Design for scrutiny, as you have indicated it was submitted in confidence. This is an unsatisfactory situation, but if the Project Design remains unavailable after the Judicial Review proceedings have been halted, perhaps you could provide some additional information to satisfy our concerns:

- We would request that the particular site survey report upon which the Government's decision to recover surface material from the site be made available to us for examination – or if it is already in the public domain (there are a number of reports on the site publically available), perhaps you could direct us to the specific reference in question?
- You are of course correct to indicate that the UNESCO *Convention on the Protection of the Underwater Cultural Heritage* does not specify that Project Designs be published (Rule 9 of the Annex). However the same Rule of the *Convention* is explicit in requiring authorization by competent authorities and appropriate peer review of such documents. In response to your refusal to release the detailed Project Design in line with our request, we will require further information to be assured that peer review of the document has been both "appropriate" and carried out by "competent authorities" in line with the *Convention*. Please therefore release the names and the marine archaeology qualifications of all the individual members of Ministry of Defence Advisory Group that examined the Project Design, and any other individuals that examined and recommended the detailed project design for approval, so as we might be satisfied on this extremely important point.
- In the absence of the Project Design itself, could you provide further information, quoted from the document as necessary, detailing in turn how it addresses the 16 specific points set out within Rule 10 of the *Convention Annex*?

We look forward to your response,

Yours Sincerely,



Reuben Thorpe,
Chair,
RESCUE: The British Archaeological Trust