Liam Doherty
By email: Liam <liam@dED1.co>

1 March 2023

Dear Liam Doherty,

G01697: Freedom of Information Request

We refer to your request for information dated 01/02/2023 under the Freedom of Information Act 2000 (the "Act").

Please find below your question, with the University's corresponding response.

Question

Hello,

I am making a request for information, if held by the University of Southampton, regarding its research partnerships with companies considered as 'arms-industry' or 'arms-trade' companies.

In the below request, the phrase 'arms trade companies' relates to, but is not limited to, the likes of Lockheed Martin, Raytheon, Rolls-Royce, or any company in the SIPRI 'Top 100 Arms Companies' list (https://www.sipri.org/sites/default/files/2022-12/fs_2212_top_100_2021.pdf#page=9). Please also include the Ministry of Defence, and the Defence Science Technology Laboratory as arms trade companies in this request.

- Could you please provide me with a list of all University of Southampton research projects undertaken in the last five financial years which have any connection to the above-described 'arms-trade companies'. These connections can be relevant if an arms company is involved at any stage, such as a) as the source of funding b) in the form of industry collaboration/'industrial partnership' in research, c) as inputting into the research process, d) or any other form of formal collaboration. Please break these down by financial year, categorised according to:
- Title and aim of research project
- List of companies/'industrial partners' involved in the research project
- Source of funding the research project (to be included in the list, the source of funding does not have to be an arms trade company)

- The total amount, in pounds sterling, that the university has received in research funding for this project in the last five financial years. Details should be broken down for this project year-by-year.
- Timescale of research project
- The university department(s) relevant to the project

Please let me know if I can further assist you in the completion of this request.

Many thanks,
Liam

Answer

In accordance with Section 1(1)(a) of the Act, we confirm that the University holds the information of the description specified in your request.

In relation to your request, the University would like to provide that it does not engage with the 'arms industry' or 'arms-trade' companies, however, does engage with some of the listed companies (as per the scope of your request) in the context of the Defence Industry. Therefore, a response will be provided in this context as opposed to engagement with 'arms-trade'. Please note that engagement with any companies listed may also be on the grounds of other sectors they operate in, for example, Rolls-Royce and Boeing, in the commercial aerospace sector.

As the University has made clear previously, we have consistently, and without exception, refused to undertake work on the design or development of weapons or weapons systems, including autonomous weapons systems, and we have never received funding to work on lethal autonomous weapons systems.

Please be advised that under Section 12(1) of the Act, the University is not obliged to comply with your request for information, as the time taken to deal with your request would exceed the appropriate limit.

Section 12(1) – provides that:

12. — (1) Section 1(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit.

Section 12(1) of the Act is a provision which allows a public authority to refuse to comply with a request for information where the cost of compliance is estimated to exceed a set limit known as the appropriate limit.

The relevant Regulations which define the appropriate limit for section 12 purposes are The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulation 2004 SI 2004 No 3244. These are known as the 'Fees Regulations'.

Regulation 3 of the 'Fees Regulations' states that the appropriate limit for public authorities such as the University is £450.

Regulation 4(3) of the 'Fees Regulations' states that a public authority can only take into account the costs it reasonably expects to incur in carrying out the following permitted activities in complying with the request:

- determining whether the information is held;
- locating the information, or a document containing it;
- retrieving the information, or a document containing it; and
- extracting the information from a document containing it.

All public authorities should calculate the time spent on the permitted activities at the flat rate of £25 per person, per hour.

This means that the appropriate limit will be exceeded if it would require more than 18 hours work for public authorities such as the University.

The appropriate team with responsibility for collating the requested information, has advised that that the appropriate limit will be exceeded due to vast scope of your request. There is no automated way to collate/produce all the referenced information. Each individual agreement would need to be considered. It has been estimated that 20-30 minutes would be required to consider each agreement and there are potentially 200 such agreements which would fall into the scope of Defence, and therefore, to comply with these questions would vastly exceed the appropriate limit.

The University does not have to make a precise calculation of the costs of complying with the request, instead only an estimate is required. However, it must be a reasonable estimate, which has been provided above.

In order for the University to comply with your request, you are required to reduce the scope of your application.

As you will deduce from the estimate of time required to comply with your original request, you will have reduce the scope of your request considerably. For suggestions this would include:

- reducing the fields of search to bring it within any applicable costs limit.

Paragraph 14 of Section 45 of the Code of Practice states that where a public authority is not obliged to comply with a request because it would exceed the appropriate limit to do so, then it:

"…should consider providing an indication of what, if any, information could be provided within the cost ceiling. The authority should also consider advising the applicant that by reforming or re-focussing their request, information may be able to be supplied for a lower, or no, fee."

The University can inform you as the request of what information can be provided within the appropriate limit. This is important for two reasons:

1. a failure to do so may result in a breach of Section 16 of the Act; and
2. because doing so is more useful than just advising you as the requestor to 'narrow' the request or be more specific in focus. Advising requestors to narrow their requests without indicating what information we as a University can provide within the limit, will often just result in you as the requester making new requests that still exceed the appropriate limit.

Any refined request you submit will be treated as a new request for the purposes of the Act.

If you do not feel that we have dealt with your request in accordance with the requirements of Part I of the Act, you may request a review. Your request for a review **must** specify in what respect you consider that the requirements of Part I of the Act have not been met; mere dissatisfaction with our response is insufficient. Please address your request for a review by completing the form and selecting FoI Review.

In accordance with section 5.3 of the Code of Practice, a request for a review must sent within 40 working days of the date of this letter. The University is not obliged to accept any requests for a review beyond 40 working days. We will acknowledge your request for a review and endeavour to respond within 20 working days of its receipt but please note that a deadline for a review response is not prescribed by the Act.

The Information Commissioner is responsible for enforcing rights of access to information and the operation of the publication scheme. You may apply to the Information Commissioner in writing (FOI/EIR Complaints Resolution, Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF) or electronically for a decision whether, in any specified respect, your request for information has been dealt with by the University in accordance with the requirements

of Part I of the Act. The Information Commissioner will not normally act unless they are satisfied that the University's review procedure has been exhausted.

Yours sincerely,

