



# Ministry of Justice

## Data Access and Compliance Unit

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**William Perrin**

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15 March 2017

### **Freedom of Information Act (FOIA) Request – 110442**

Dear Mr Perrin,

Thank you for your email of 22 February, in which you requested an Internal Review of FOI 108892. In your original request, you asked for the following information from the Ministry of Justice (MoJ):

**I should be grateful for any information you may hold in your records about maintenance, building, up-keep, estate services etc. at Pentonville from 1 June 2015 to 19 November 2016:**

- (a) In general**
- (b) In respect of Windows and nets**

**This might include correspondence from the prison staff and service with the contractor and vice versa, correspondence between HMPS and MOJ/NOMs etc**

The purpose of an Internal Review is to assess how your FOIA request was handled in the first instance and to determine whether the original decision given to you was correct. This is an independent review: I was not involved in the original decision.

The original request advised MoJ holds the information you requested. However, to provide it would exceed the cost limit set out in the FOIA. I have concluded that this response was compliant with the requirements of the FOIA.

#### **Statutory deadline**

Your original request was answered on 22 December and I am satisfied that the response was issued within the statutory 20 day deadline as required by the FOIA and therefore complied with section 10 (1) in relation to timeliness of reply.

#### **Outcome**

In the response dated 22 December, it was confirmed that the MoJ holds the information requested and the response went on to explain that the MoJ does not centrally record data on the information requested. In order to provide you with the information, the MOJ would be required to examine over 38,000 electronic files taking over 1,000 hours, this is because of the broad nature of the request meaning that systems held locally and at Headquarters would need to be checked. This would therefore exceed the 'appropriate limit' set out in section 12(1) of the FOIA.

After careful consideration I have concluded that this response was compliant with the requirements of the FOIA.

You were offered refinement advice on how you could limit the scope of your questions and/ or the timeframe of your request, in order to make your request more likely to remain within the cost limit. I am satisfied the advice offered to you was useful and that it met the criteria required of the FOIA.

I note you have also now sent us a second request for some of the information you requested in the first one, and I can assure you that this is currently being processed independently and separately from this internal review response.

In conclusion, I am satisfied that the response you received on 22 December 2016 was correct.

**Appeal Rights**

If you are not satisfied with this response you have the right to apply to the Information Commissioner's Office (ICO). The Commissioner is an independent regulator who has the power to direct us to respond to your request differently, if she considers that we have handled it incorrectly.

You can contact the ICO at the following address:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
WILMSLOW  
SK9 5AF

<https://ico.org.uk/Global/contact-us>

Yours sincerely

**ROB MITCHELL**

**Directorate of Commissioning Briefing and Correspondence Team**