



Data Access & Compliance Unit
Ministry of Justice
102 Petty France
London
SW1H 9AJ

William Perrin
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data.access@justice.gsi.gov.uk

17 March 2017

Dear Mr Perrin,

Freedom of Information Act (FOIA) Request – 110462

Thank you for your request dated 22 February 2017 in which you asked for the following information from the Ministry of Justice (MoJ):

This request is an amended version of my previous request (Your ref 108892) covering a shorter time period and amended subject.

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 July 2016 to 21 February 2017 in respect of the windows and nets at that prison.

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

Your request has been handled under the FOIA.

I can confirm the MoJ holds all of the information you have requested. However, to provide as the request currently stands would exceed the cost limit set out in the FOIA.

Section 12(1) of the FOIA means public authorities are not obliged to comply with a request for information if it estimates the cost of complying would exceed the appropriate limit. The appropriate limit for central government is set at £600. This represents the estimated cost of one person spending 3.5 working days determining whether the department holds the information, and locating, retrieving and extracting the information.

Where section 12 applies to one part of a request we refuse all of the request under the cost limit as advised by the Information Commissioner's Office.

We believe that the cost of examining over 2,500 electronic files would exceed the appropriate limit. Consequently, we are not obliged to comply with your request.

Although we cannot answer your request at the moment, we may be able to answer a refined request within the cost limit. I see that you have refined the request to cover a specific period. However, the amount of information we hold relating to the period you have specified still falls outside the cost limit provided by the Act. For example, recently the MOJ has embarked upon a Window Replacement Programme which includes many establishments. Therefore you could further refine your request by reducing the scope of the

questions you ask, by limiting it, for example, to a particular type of record at a single prison or a small number of prisons. Please be aware that we cannot guarantee at this stage that a refined request will fall within the FOIA cost limit, or that other exemptions will not apply.

For guidance on how to structure successful requests please refer to the ICO website on the following link: [http://ico.org.uk/for the public/official information](http://ico.org.uk/for_the_public/official_information)

http://www.legislation.gov.uk/ukxi/2004/3244/pdfs/ukxi_20043244_en.pdf

Appeal Rights

If you are not satisfied with this response you have the right to request an internal review by responding in writing to one of the addresses below within two months of the date of this response.

data.access@justice.gsi.gov.uk

Data Access and Compliance Unit, Ministry of Justice, 10.38, 102 Petty France, London, SW1H 9AJ

You do have the right to ask the Information Commissioner's Office (ICO) to investigate any aspect of your complaint. However, please note that the ICO is likely to expect internal complaints procedures to have been exhausted before beginning their investigation.

Yours sincerely,

**Directorate of Contracted Services Briefing and Correspondence Team
National Offender Management Service**