



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

Ian Johnson
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data.access@justice.gsi.gov.uk

18th April 2017

Dear Mr Johnson

Freedom of Information Act (FOIA) Request – 110988

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

Could you please disclose for each of the following prisons

**Deerbolt. Durham.
Frankland.
Holme House.
Kirklevington Grange.
Low Newton.**

How many times an incident has been formally reported involving a prisoner's use of Facebook.

For each incident, could you please disclose exactly what was reported, with any identifiables like names redacted (i.e. A prisoner was reported to have streamed themselves via Facebook live from their cell)

For each incident, could you please disclose if an investigation was held and what that outcome was.

Your request has been handled under the FOIA.

I can confirm the MoJ holds all of the information that you have requested.

All of the information is exempt from disclosure under section 31(1)(a) and section 31(1)(f) of the FOIA, because it would be likely to prejudice the prevention or detection of crime, and the maintenance of security and good order in prisons.

Section 31 is a qualified exemption which means that the decision to disclose the requested material is subject to the public interest test. When assessing whether or not it was in the public interest to disclose the information to you, we took into account the following factors:

Public interest considerations favouring disclosure

- There would be greater transparency, enabling the public to better understand the extent of the unlawful use of social media in prisons;
- There would be an appreciation of whether HM Prison & Probation Service (HMPPS) was managing the risks posed by the use of social media in prisons.

Public interest considerations favouring withholding the information

- We believe that publishing the data would be likely to be used by criminals to alter their behaviour concerning their unlawful use of social media. The nature of the threat posed by social media continues to evolve and published data would be likely to be used by criminals to gauge HMPPS response to a changing social media landscape;
- Prisoners (or crime groups on the outside passing instructions) would be likely to move to different social media platforms if the extent of investigations into Facebook use were disclosed. This would be likely to influence the manner in which crime groups communicate with each other in the future;
- Prisoners who were active with social media would be able to use the information on whether or not to maintain their social media presence. If there were certain types of social media that prisoners were using and in which they were able to evade our investigatory methods, this would be likely to put members of the public at risk of harm;
- HMPPS resources to investigate crime in prisons is limited and data which hands the initiative to prisoners or organised criminals would reduce further our ability to carry out investigations;
- Some social media use by prisoners, particularly linked to the sharing of photographs and videos, is linked to bullying in prisons, which perpetuates criminal behaviour and puts vulnerable prisoners at risk. The release of this information could again cause prisoners to adapt their behaviour and use different avenues to carry out bullying.

On balance, I consider the public interest favours withholding the information at this time.

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

B Clifford
Operational Security Group