



Gwasanaeth Cenedlaethol
Rheoli Troseddwyd yng Nghymru

National Offender
Management Service in Wales

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Dyddiad/Date: 10 May 2016

Eich cyf/Your Ref: MC/FOI104053

Annwyl/Dear Sirs

Freedom of Information Request – Compensation Claims made by Prisoners within Welsh Prisons

Thank you for your email dated 15 March 2016, in which you asked, from the Ministry of Justice (MoJ), details of claims for compensation made by inmates of Welsh prisons for the periods 2014/15 and 2015/16, broken down by:

1. Individual prisons
2. What the claims were for
3. How much they were for
4. Whether they were successful
5. The identities of those who made the claims, and what they claimed for

Your request has been handled under the Freedom of Information Act 2000 (FOIA).

I can confirm that the department holds information that you have asked for, and I am pleased to provide some of it to you (please see attached table).

However, in answer to question five we will not be providing the identities of those who made the claims as that is their personal data and it is thus exempt from disclosure. We are not obliged, under section 40(2) of the FOIA, to provide information that is the personal information of another person if releasing would contravene any of the provisions in the Data Protection Act 1998 (DPA). In this instance we believe that the release of the names would contravene the first data protection principle and therefore section 40(2) is engaged.

The terms of this exemption in the FOIA mean that we do not have to consider whether or not it would be in the public interest for you to have the information.

You can also find more information by reading the full text of the FOIA (available at <http://www.legislation.gov.uk/ukpga/2000/36/section/40>)

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The Data Protection Act can be found at the following link:
<http://www.legislation.gov.uk/ukpga/1998/29/contents>

The rest of the information you have requested is attached at the end of this letter.

MoJ robustly defend compensation claims where possible, and have successfully defended two thirds of prisoner claims over the last three years.

As previously announced, we have launched a crackdown on claims against the Prison Service to identify opportunities to cut payouts and legal costs.

You have the right to appeal our decision if you think it is incorrect. Details can be found in the 'How to Appeal' section attached at the end of this letter.

Disclosure Log

You can also view information that the MoJ has disclosed in response to previous FOIA requests. Responses are anonymised and published on our on-line disclosure log which can be found on the MoJ website:

<https://www.gov.uk/government/organisations/ministry-of-justice/series/freedom-of-information-disclosure-log>

Yours sincerely



MICHELLE CAPLE

How to Appeal

Internal Review

If you are not satisfied with this response, you have the right to an internal review. The handling of your request will be looked at by someone who was not responsible for the original case, and they will make a decision as to whether we answered your request correctly.

If you would like to request a review, please write or send an email **within two months of the date of this letter** to the Data Access and Compliance Unit at the following address:

Data Access and Compliance Unit (10.38),
Information & Communications Directorate,
Ministry of Justice,
102 Petty France,
London
SW1H 9AJ

E-mail: data.access@justice.gsi.gov.uk

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Information Commissioner's Office

If you remain dissatisfied after an internal review decision, you have the right to apply to the Information Commissioner's Office. The Commissioner is an independent regulator who has the power to direct us to respond to your request differently, if he considers that we have handled it incorrectly.

You can contact the Information Commissioner's Office at the following address:

Information Commissioner's Office,
Wycliffe House,
Water Lane,
Wilmslow,
Cheshire
SK9 5AF
Internet address: <http://www.ico.org.uk/>

Compensation Claims made by Prisoners within Welsh Prisons

HMP Usk/Prescoed		Unsuccessful	Successful	Overall Cost	No. of Claims	Cost of Claims	Reason
2014/15	0	6	12,453.00	4	453.00	Lost property	
2015/16	5	10	12,372.55	2	12,000.00	Minor injuries, e.g. slip/fall, manual handling	
				4	272.55	Lost property	
				3	6,600.00	Minor injuries, e.g. slip/fall, injury while working	
				3	5,500.00	Vehicle incidents	
HMP Cardiff		Unsuccessful	Successful	Overall Cost	No. of Claims	Cost of Claims	Reason
2014/15	0	20	28,186.06	10	556.06	Lost property	
				2	130.00	Postal order error	
2015/16	9	12	43,540.00	8	27,500.00	Minor injuries, e.g. slip/fall, injury while working	
				2	32,500.00	Deaths in custody	
				1	140.00	Lost property	
				8	10,400.00	Minor injuries, e.g. slip/fall, injury while working	
				1	500.00	Unlawful detention	
HMP Swansea		Unsuccessful	Successful	Overall Cost	No. of Claims	Cost of Claims	Reason
2014/15	0	2	5,750.00	2	5,750.00	Minor injuries, e.g. slip/fall, injury while working	
2015/16	8	12	20,004.00	2	741.00	Lost property	
				1	15.00	Postal order error	
				5	19,248.00	Minor injuries, e.g. slip/fall, injury while working	

