

Crown Premises' Fire Safety Inspectorate

Date: 7 June 2019

Mark Leech

By email: request-556427-9b1e59cb@whatdotheyknow.com



Crown Premises' Fire Safety Inspectorate
Policing and Fire Directorate
6th Floor SE Fry Building
2 Marsham Street
London
SW1P 4DF

Our Ref: Fol Case 52589
Your Ref:

Please reply to:
FOIRequests@homeoffice.gov.uk

Dear Mr Leech

I am writing further to my letter of 24th April 2019 in which I explained that we would need extra time to assess the public interest test relating to the release of the information requested in your e-mail of 28th February 2019, namely:

1. All fire safety inspection reports issued by CPFIF following inspections by them at prison and young offender establishments in the 12 months prior to the date of this request.
2. Copies of Non-Compliance Notices issued by CPFIF as a result of the inspections referred to in 1 above - including those addressed to contractors responsible for correcting defects identified in the inspections reports referred to in 1 above; and
3. Copies of Crown Enforcement Notices issued by CPFIF as a result of the inspections referred to in 1 above.

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

I can confirm that the Home Office holds the information that you have requested. However, following consultation with the Ministry of Justice and HM Prisons and Probation Service we have decided that some information is exempt from disclosure under section 31 of the Freedom of Information Act, with the effect that we have redacted information which may prejudice the maintenance of security and good order in prisons.

Section 31 of the Act is a qualified exemption and requires consideration of the public interest test. Arguments for and against disclosure in terms of the public interest with the reasons for our conclusion, are set out in the attached Annex.

If you are dissatisfied with this response you may request an independent internal review of our handling of your request by submitting a complaint within two months to foirequests@homeoffice.gov.uk, quoting reference 52589. If you ask for an internal review, it would be helpful if you could say why you are dissatisfied with the response.

As part of any internal review the Department's handling of your information request would be reassessed by staff who were not involved in providing you with this response. If you were to remain dissatisfied after an internal review, you would have a right of complaint to the Information Commissioner as established by section 50 of the FOIA.

Yours sincerely

Jeremy Yates

**Enforcement Team Leader
Crown Premises' Fire Safety Inspectorate**

Annex A

Although the FOIA carries a presumption in favour of disclosure, it provides exemptions which may be used to withhold information in specified circumstances. Some of these exemptions, referred to as 'qualified' exemptions, are subject to a public interest test. This test is used to balance the public interest in disclosure against the public interest in favour of withholding the information.

Section 31 provides for qualified exemptions, where information which may prejudice the maintenance of security and good order in prisons can be exempted provided that it meets the public interest case. In this case, I have redacted:

1. All references to identifiable people (prisoners (including trustees), prison managers, prison staff, inspectors and contractors);
2. All references to identifiable locations and scenarios within a given prison at which we identified an additional vulnerability for deliberate fire to cause disorder and harm to prisoners or staff;
3. All information which could direct any person's thoughts towards or which would assist them to plan arson or disorder, including self-harming with fire and the targeted misuse of fire.

I have not redacted information on the basis that it is critical of the Ministry of Justice or HM Prisons and Probation Service.