



Disclosure Team
Ministry of Justice
102 Petty France
London
SW1H 9AJ

Robin Charles Heyward Cottle
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data.access@justice.gov.uk

25 October 2018

Dear Mr Cottle

Freedom of Information Act (FOIA) Request – 181003017

Thank you for your request received on 3 October 2018 in which you asked for the following information from the Ministry of Justice (MoJ):

I would like to know the number of incidents of prisoners being caught with drugs in jails in the last 12 months.

I would like the figures broken down by class e.g. class A, B and C

Your request has been handled under the FOIA.

I can confirm the MoJ holds all of the information you have requested up until March 2018, and I have provided it attached. Data has been provided for 12 months up until March 2018, as this is the latest published 12 month data.

Information from April 2018 onwards is exempt from disclosure under section 44 of the FOIA.

We are not obliged to provide information if there are prohibitions on disclosure 'by or under any enactment' (Section 44(1)(a) of the Act). In this case, the information you are seeking is prohibited by the Statistics and Registration Services Act 2007 and the Pre-release Access to Official Statistics Order 2008.

The information you have requested is a subset of the incidents data held in its final form which we intend to publish. It is intended for publication in the HMPPS Digest publication in July 2019. As such we are required to consider your request in a manner compliant with the Pre-release Access to Official Statistics Order 2008 further to Sections 11 and 13 of the Statistics and Registration Service (SRS) Act 2007.

It may be helpful to explain further that MoJ produces official statistics under the standards set by the UK Statistics Authority (the Authority). The Authority is obliged under Section 7 of the SRS Act to promote and safeguard the production and publication of official statistics that serve the public good, with particular reference to good practice and quality. The Authority achieves this through the Code of Practice for Official Statistics (the Code). Protocol 2 of the Code reflects the requirements of the Pre-Release Access to Statistics Order. Specifically, it requires producers of official statistics to ensure that no indication of the substance of a statistical report is made public, or given to the media or any other party not recorded as eligible for access prior to publication. I can confirm that MoJ intends to publish information on confiscated items from prisons as part of Official Statistics. Therefore,

to now disclose as part of your FOI request, will undermine the provisions of Section 7 of the SRS Act and violate the Pre-Release Access Order to Official Statistics 2008 and as such engages the exemption under Section 44(1)(a).

Please be advised the information is due to be published on 25 July 2019 in the HMPPS Digest publication and can be accessed via the following link:

<https://www.gov.uk/government/collections/prison-and-probation-trusts-performance-statistics>.

Better intelligence and improved security are allowing staff to prevent record amounts of contraband entering our prisons.

But more must be done, so we've committed £30 million to further boost prison security, as well as rolling out body scanners, sniffer dogs and phone-blocking technology.

Prison officer numbers are at their highest level since 2013 and the extra 3,000 officers we have recruited over the last 18 months are now working to ensure prisons are safe and that offenders can get their lives back on track.

We've also implemented an innovative new drug testing programme, upgraded CCTV cameras across the estate, and made it a criminal offence to possess psychoactive substances in prison.

We have also invested heavily in modern technology, including the roll-out of body worn cameras and £2m on handheld and portable mobile phone detectors to help clamp down on drug-dealing behind bars.

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.gov.uk

Disclosure Team, 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

Operational Security Group
HM Prison and Probation Service