



Disclosure Team
Ministry of Justice
102 Petty France
London
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Darrell Dilley
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data.access@justice.gov.uk

14 February 2019

Dear Mr Dilley

Freedom of Information Act (FOIA) Request – 190120002

Thank you for your request dated 20 January 2019 in which you asked for the following information from the Ministry of Justice (MoJ):

Dear Her Majesty's Prison & Probation Service, Could you please supply the following. Number of Governors placed under investigation since 2010. Could you please supply the number of uniformed staff placed under investigation since 2010

Your request has been handled under the FOIA.

I can confirm that the MoJ holds the information that you have requested and I have provided some of it in the attached Table 1 which shows the number of HMPPS Governors and uniformed staff who were subject to investigations, 2010/11 to 2017/18.

However, some of it is exempt from disclosure under section 40(2) of the FOIA, because it contains personal data.

If a request is made for information and the total figure amounts to two people or fewer, the MoJ must consider whether this could lead to the identification of individuals and whether disclosure of this information would be in breach of our statutory obligations under the General Data Protection Regulation and/or the Data Protection Act 2018. We believe that the release of some of this information would risk identification of the individuals concerned. For this reason, MoJ has chosen not to provide an exact figure where the true number falls between one and two. However, it should not be assumed that the actual figure represented falls at any particular point within this scale; 'two or fewer' is used as a replacement value from which it would be difficult to isolate or extract any individual data.

Personal data can only be released if to do so would not contravene any of the data protection principles set out in Article 5(1) of the General Data Protection Regulation and section 34(1) of the Data Protection Act 2018.

We believe releasing the requested information into the public domain would be unlawful. Individuals have a clear and strong expectation that their personal data will be held in confidence and not disclosed to the public under the FOIA.

This is an absolute exemption and does not require a public interest test.

The vast majority of prison staff are hard-working and honest, but we take swift and decisive action against the small minority who involve themselves in corruption.

We announced a £3million investment into a new corruption unit and accompanying strategy in 2016. The Corruption Prevention Unit's aims are to 'detect, disrupt and deter' the activities of corrupt staff and their criminal associates. They have improved intelligence reporting, detection, enforcement, training and support for all staff. This unit works hand in hand with our serious organised crime teams and intelligence teams, with police regional organised crime units and law enforcement agencies.

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

Tristan McAlpine
Enquiries Officer, Dissemination and Enquiries Team