

Mark Leech FRSA
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data.access@justice.gov.uk

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Dear Mr Leech

Freedom of Information Act (FOIA) Request – 191231011

Thank you for your clarified request received on 31 December 2019, in which you asked for the following information from the Ministry of Justice (MoJ):

Thank you very much for your response and below I have clarified my request.

I requested a copy of the HMPPS intranet website, which should include the home page(s) and each page accessible via “one click” from that home page.

This gives a good representation of what the intranet site contained has.

By 'all the top pages' I mean any page that is accessible by one click from the Home Page and a copy of the page that it links to.

As an example if you look at our site <https://prisons.org.uk> you will see the home page has three rows of top page links that are accessible by one click - for our site these are....

...I would like the same from the HMPPS Intranet site, the Home Page and a copy of any page that is opened with a single click of a link from the Intranet home page.

In terms of format, hard copies are appropriate, either in pdf format or screenshots images

In terms of date please take the date as the date that you open this clarification....

Your request has been handled under the FOIA.

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

The information you have requested is exempt from disclosure under sections 3(1)(f) and 31(1)(c) of the FOIA, in that it would, or would be likely to prejudice the maintenance of security and good order in prisons, or in other institutions where persons are lawfully detained, and the administration of justice.

Section 31 is 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

- Disclosure would improve transparency in the operations of Government, and the justice system in particular by revealing what information MoJ staff are provided on the HMPPS intranet.
- There is a public interest in ensuring that MoJ staff are provided adequate information, on the correct procedures, and measures, in place to deal with security, and maintaining good order in prisons, or in other institutions where persons are lawfully detained.

Public interest considerations favouring withholding the information

- **The sensitivity of the information on the internal intranet, is acknowledged by the fact such data sits behind a firewall, on a private network, accessible only to security cleared MoJ officials, and not the public.** The information requested, available at “one click”, on the HMPPS intranet, is sensitive information meant for internal use only. It includes overviews of sensitive prison policies such as information on **Intelligence Collection, Analysis, and Dissemination**, and policies on **Risk Escalation**.
- It is vital that such information about prison policies, and relating to prison security, which, if disclosed, could endanger those living, and working in prisons, and also visitors, and the wider public, should be protected. The consequences of compromising the security of a prison would be extremely serious and not in the public interest.

I have considered, whether in all the circumstances of this case, if the public interest in maintaining the exemption, outweighs the public interest in disclosing the information. Having discussed with relevant officials, who know the sensitivity of the information requested, I am satisfied that the public interest favours withholding the specific information requested under this subsection of section 31.

Additionally, section 31(1)(c) applies to some of the information requested. This 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

- Disclosure of what MoJ staff are informed via HMPPS Intranet site, could improve transparency in the operations of Government, and the justice system in particular.
- It is important that the public have confidence in the operation of the prison system.

Public interest considerations favouring withholding the information

- It is considered that on balance, the likely threat to administration of justice, caused by the breakdown of good order, and security of prisons, and the implications of disclosure for prisoners, and staff, favours non-disclosure of information existing on the HMPPS intranet pages at the time of your request.

- The information you requested as available via “one click”, would be an overview of the policies, and it would thus reveal information about administration of the policies, rather than the bigger picture of the policy in the area. This means whilst the subject matter of the particular HMPPS policies, may have a public interest, this public interest, is less acute, than would be the case if it were not an overview, and had been more revealing about the policy than revealed by a “one click” method.

Therefore, I am satisfied that any public interest in the type of information revealed you have requested, on the HMPPS intranet, is met by the information already published by MoJ, into the public domain, via the MoJ website.

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.gov.uk

Disclosure Team, Ministry of Justice, 10.25, 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

The Disclosure Team