



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

Mark Spaven  
request-584423-07431087@whatdotheyknow.com

data.access@justice.gov.uk

15 June 2019

Dear Mr Spaven

**Freedom of Information Act (FOIA) Request – 190621002**

Thank you for your request dated 21 June 2019 in which you asked for the following information from the Ministry of Justice (MoJ):

**Please can you tell me the number of male and female inmates let out of prison to take driving tests in 2018 and 2017. Please breakdown the figures for men and women and provide details of the crimes they were convicted for.**

Your request has been handled under the FOIA.

I can confirm the MoJ holds all of the information you have requested. However, to provide as the request currently stands would exceed the cost limit set out in the FOIA.

Section 12(1) of the FOIA means public authorities are not obliged to comply with a request for information if it estimates the cost of complying would exceed the appropriate limit. The appropriate limit for central government is set at £600. This represents the estimated cost of one person spending 3.5 working days determining whether the department holds the information, and locating, retrieving and extracting the information.

Where section 12 applies to one part of a request we refuse all of the request under the cost limit as advised by the Information Commissioner's Office.

We believe that the cost of locating, retrieving and examining the individual prison files of every prisoner who was released under the centrally collated category of '*Other Resettlement Day Release*' (RDR) to subsequently ascertain the number of those releases for which the reason for the release was for the purpose of taking driving lessons would exceed the appropriate limit. Consequently, we are not obliged to comply with your request.

The reason for this is because since August 2017, from collated centrally data held by the MoJ it is not possible to separately identify instances where the reason for the release was specifically for the purpose of taking driving lessons. Since that date, these are now included in the broader category of: '*Other RDR Linked to Sentence/Resettlement Plan*', which includes releases for many reasons other than for taking driving lessons.

Although we cannot answer your request at the moment, we may be able to answer a refined request within the cost limit. You may wish to consider, for example, restricting the

scope of your request to the time period January – July 2017. Please be aware that we cannot guarantee at this stage that a refined request will fall within the FOIA cost limit, or that other exemptions will not apply.

For guidance on how to structure successful requests please refer to the ICO website on the following link: [http://ico.org.uk/for\\_the\\_public/official\\_information](http://ico.org.uk/for_the_public/official_information)

[http://www.legislation.gov.uk/uksi/2004/3244/pdfs/uksi\\_20043244\\_en.pdf](http://www.legislation.gov.uk/uksi/2004/3244/pdfs/uksi_20043244_en.pdf)

## **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](mailto: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

**Tristan McAlpine**  
**Enquiries Officer, Dissemination and Enquiries Team**