

Mark Leech
request-545952-a09615b6@whatdotheyknow.com

data.access@justice.gov.uk

26 April 2019

Dear Mr Leech,

Freedom of Information Act (FOIA) Outcome of Internal Review – 190402008

Thank you for your Internal Review request dated 2 April 2019 regarding FOI request 190119001 in which you asked for the following information from the Ministry of Justice (MoJ):

I am writing to request an internal review of Her Majesty's Prison & Probation Service's handling of my FOI request 'Prisoners: Discharge clothing and toiletries'.

You have failed completely to respond to this question and its clarifications as to what 'adequate' means in terms of adequate clothing on discharge.

The purpose of an Internal Review is to assess how your FOI request was handled in the first instance and to determine whether the original decision given to you was correct. This is an independent review: I was not involved in the original decision.

The response to your original request: **“Can you please provide me with a full list of what items of 1. clothing; and 2. toiletries; prisoners can receive on discharge from custody, and the rules and policies applicable to them”** confirmed that the information requested was not held as no such list exists. After careful consideration I have concluded that this response was **compliant** with the requirements of the FOIA.

Statutory deadline

The statutory deadline for your request was 15 February 2019 and the response was provided on 15 February 2019. The response was therefore **compliant** with the requirements of the FOIA.

Outcome

I am satisfied that the response you received on 15 February 2019 was correct as it is accurate to say that no such list exists. As previously explained, the Prison Service Instruction (PSI) 72/2011 details HM Prison and Probation Service's Discharge policy, which can be accessed via the following link:

<https://www.justice.gov.uk/offenders/psis/prison-service-instructions-2011>

All PSIs can be downloaded on gov.uk at: <https://www.justice.gov.uk/offenders/psis>.

With respect to the term “adequate”, I am satisfied that this was not mentioned in your original request. However, I understand that this point has been covered outside of the FOIA, so I am not covering this point further in this reply.

In conclusion I am satisfied that the response you received on 15 February 2019 was correct.

Appeal Rights

If you are not satisfied with this response you have the right to apply to the Information Commissioner’s Office (ICO). The Commissioner is an independent regulator who has the power to direct us to respond to your request differently, if she considers that we have handled it incorrectly.

You can contact the ICO at the following address:

Information Commissioner’s Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

<https://ico.org.uk/Global/contact-us>

Yours sincerely

Rob Mitchell
HM Prison and Probation Service