



Disclosure Team
Ministry of Justice
102 Petty France
London
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Mrs Judi Hallett
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data.access@justice.gov.uk

20 August 2021

Dear Mrs Hallett

Freedom of Information Act (FOIA) Request – MoJ references: 210630018, 200805015, 200925018 & ICO Case reference: IC-73074-K3K0

The Ministry of Justice (MoJ) has been contacted by the Information Commissioner's Office (ICO) on the 30 June 2021 regarding your complaint, in relation to the above FOI case numbers. Following this the MoJ carried out a further review of your request.

Therefore, we would like to request a copy of the said 'Operational Assessment' that was used to recommend introducing men convicted of sexual offences to HMP Hollesley Bay.

Your request has been handled under the FOIA.

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

We have previously informed you that the request is exempt under the Section 35(1)(a). We have now carried out a further review and have identified that an additional exemption applies to some of the data requested section 31(1)(f) of the FOIA. This exemption relates to the security and good order in prisons or other institutions where persons are lawfully detained. Disclosing this kind of information which is included in the 'Operational Assessment' being requested, could result in compromise in prison security.

Section 31(1)(f) 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

- Disclosing the 'Operational Assessment' would provide more transparency on operations in prisons to the public.

Public interest considerations favouring withholding the information

- The reason why it is not in the public interest to release the 'Operational Assessment' is due to the prejudice on security and good order that could result from any release. The 'Operational Assessment' states several things that relate directly to prison

security and good order. Disclosure of the information would reveal details of the prison estate, which could assist individuals to exploit, or circumvent prison safeguards and procedures. Disclosure of this type of information could result in planned misbehaviour and breaching of prison discipline. This could put prisoners and staff at risk.

- FOIA is disclosure to the whole world and not just a specific requester. There is a strong public interest not releasing the 'Operational Assessment' to everyone because it could disclose any potential weaknesses in the prison estate. Disclosure would detrimentally affect the effectiveness and usefulness of assessments of ongoing security threats to the workings of the prison estate.
- Therefore, release of this information may undermine the safe management of prisoners and security in prison, which could present a very real and extremely significant risk to the safety of the public, and potentially impact on national security.

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

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

Prison Supply Directorate
Ministry of Justice