

Freedom of Information Act 2000 (FOIA) Decision notice

Date: 21 August 2024

Public Authority: Ministry of Justice

Address: 102 Petty France
London SW1H 9AJ

Request:

The complainant requested the following information from the Ministry of Justice on 23 May 2024:

- “1. Does the MOJ/HMPPS have any policies in force concerning consumables not being sent on transfer from prison to prison?
2. What does the MOJ/HMPPS define as a 'consumable'?
3. Are tinned goods not permitted on transfer? (i.e., Tuna, Mackerel etc etc)
4. Are sealed plastic pouches of food/drinks not permitted on transfer? (i.e. Coffee, Cous Cous)
5. Does the MOJ/HMPPS have any policies in force concerning glass not being permitted in prisons?
6. What would be the procedure if a prisoner had glass items or products in his stored property? Would these remain in stored property?
7. Does a prison have to keep a record of prisoner's property that has been destroyed?”

Commissioner's Decision:

A public authority will breach section 10 of FOIA if it fails to respond to a request within 20 working days. Based on evidence available to the Commissioner, by the date of this notice the public authority has not issued a substantive response to this request. Therefore the Commissioner finds a breach of section 10.

Steps:

The public authority must provide a substantive response to the request in accordance with its obligations under FOIA.

The public authority must take this step within 30 calendar days of the date of this decision notice. Failure to comply may result in the Commissioner making written certification of this fact to the High Court pursuant to section 54 of FOIA and may be dealt with as a contempt of court.

Right of Appeal:

Either party has the right to appeal against this decision notice to the First-tier Tribunal (Information Rights). Information about the appeals process may be obtained from:

First-tier Tribunal (Information Rights)
GRC & GRP Tribunals
PO Box 9300
LEICESTER
LE1 8DJ

Tel: 0203 936 8963
Fax: 0870 739 5836

Email: grc@justice.gov.uk

Website: www.justice.gov.uk/tribunals/general-regulatory-chamber

Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

Information Commissioner

Reference: IC-321891-M9D0

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