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15th May 2018

Our Ref: FOI2018/01934

**REQUEST UNDER THE FREEDOM OF INFORMATION ACT 2000 Ref No: FOI2018/01934**

I write in connection with your request for information received on 11th April. I note you seek access to the following information:

**We seek the following documents under Section 7 of the Freedom of Information Act 2000:**

- 1) The number of referrals made to Hertfordshire Police by the Governor of HMP The Mount between January 2016 to the present in respect of the following offences:
  - (a) Prison Act 1952, Section 40CA - Unauthorised possession in prison of knife or offensive weapon; and
  - (b) Prison Act 1952, Section 40D - Other offences relating to prison security.
- 2) The number of referrals made to Hertfordshire Police by a District Judge sitting in as an Independent Adjudicator at HMP The Mount between January 2016 to the present in respect of the following offences:
  - (a) Prison Act 1952, Section 40CA - Unauthorised possession in prison of knife or offensive weapon; and
  - (b) Prison Act 1952, Section 40D - Other Offences relating to prison security
- 3) The number of referrals from by a District Judge sitting as an Independent Adjudicator at HMP The Mount in respect of offences listed 2) (a) and (b) that were:
  - (a) Actively investigated by Hertfordshire Police;
  - (b) Lead to prosecutions by the CPS;
  - (c) Not prosecuted by the CPS;
  - (d) Information on the outcome of cases not falling in the categories listed at 3) (a), (b) and (c).
- 4) A copy of a local policy/local protocol and/or agreements between Hertfordshire Constabulary, HMP The Mount and other relevant criminal justice partners related to the referrals for prosecution prohibited item offences.

In relations to point (1), (2), (3), and (3) above, we request the information to be listed by date and offence and details of the prohibited item subject of the investigation or prosecution.

In relations to point (4) above, the period we request any local policy/local protocol and/or agreements that are currently in place, or that have been in place since January 2016.

**An amended request the request is provided below:**

1. The number of crimes reported by HMP The Mount to Hertfordshire Constabulary

- a. By the Governor of HMP The Mount\*; OR
- b. A District Judge sitting as an Independent Adjudicator at HMP The Mount.

\*where a referral was made by the Governor, I would be grateful if any information on related internal or external adjudications related to the crime referred could be provided.

The "crimes" which we require information are primarily those under:

- (a) Prison Act 1952, section 40CA – Unauthorised possession in prison of knife or offensive weapon; and
- (b) Prison Act 1952, section 40D - Other offences relating to prison security.

I am required by the Freedom of Information Act 2000 (The Act) to handle all requests in a manner that is blind to the identity of the requestor. Any information released in response to a request is regarded as being published and therefore, in the public domain without caveat.

**Response** - Following enquiries within the Constabulary please see our response below;

1. 337 crimes are linked to this address
  - a. There are 27 records where 'Governor' has been recorded in the occupation field.
  - b. This text has not been identified in the occupation field and therefore no records are held by the Constabulary.

Please see the attached FOI2018 01934 Annexe A which is relevant to the remainder of your request. **Please note** - Prison Act 1952 Section 40CA is identified on the system as PRISON-UNAUTHORISED POSSESS OF KNIFE OR

WEAPON and Prison Act 1952 Section 40D is identified on the system as PRISON-POSSESS AN ITEM SPECIFIED SECT 40D(3B).

The numerical data presented in this response is an un-audited snapshot of un-published data sourced from "live" systems and is subject to the interpretation of the original request by the individual extracting the data.

Should you have any further enquiries concerning this matter please do not hesitate to contact me quoting the above reference number.

Yours sincerely

Sonia Chopra-Miah  
Information Rights

Hertfordshire Constabulary provides you the right to request an independent review of this response under its review procedure. If you require such a review you must notify us within two months from the date of this letter. After lodging a complaint with Hertfordshire Constabulary if you are still dissatisfied with the decision you may make an application to the Information Commissioner. For information on how to make a complaint please visit their website at <https://ico.org.uk/concerns/> or contact them on 0303 123 1113.