

*Records and Information
Management Team*



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Sent to:

Your Ref:

Our Ref: 15:206

Date: 31 July 2015.

Dear,

FOI Case No. 15:206

Thank you for your request which was treated as a request for information under the terms of the Freedom of Information Act 2000.

Please see your request and our response below:

Could you provide me with details of how much person injury compensation was paid out to prison officers and inmates in the last three financial years, broken down by prison, rank and date.

If possible, could you also provide details of the incident which compensated for.

Annex A contains the detail of amounts paid in compensation in the financial years, 13/14 (prisoners) and 14/15 (staff and prisoners) by specific categories of claim. These have been grouped together in order to protect the identity of individual claimants. To disclose further information would breach these individuals' rights under the terms of the Data Protection Act 1998 and the exemption at Section 40 of the Freedom of Information Act 2000 is thereby engaged. Publication of such personal information does not fulfil any of the necessary criteria for fair and lawful

processing and is therefore contrary to the First Principle of the Data Protection Act 1998. **Annex B** contains details of the public interest test conducted in this case.

The figures for 12/13 and the remainder for 13/14 (staff) are exempt from disclosure under the terms of Section 1 of the Act by virtue of Section 21 of that Act which states:

Information which is reasonably accessible to the applicant otherwise than under Section 1 is exempt information. For the purposes of subsection (1)-

(a) information may be reasonably accessible to the applicant even though it is accessible only on payment, and

(b) information is to be taken to be reasonably accessible to the applicant if it is information which the public authority or any other person is obliged by or under any enactment to communicate (otherwise than by making the information available for inspection) to members of the public on request, whether free of charge or on payment.

For the purposes of subsection (1), information which is held by a public authority and does not fall within subsection (2)(b) is not to be regarded as reasonably accessible to the applicant merely because the information is available from the public authority itself on request, unless the information is made available in accordance with the authority's publication scheme and any payment required is specified in, or determined in accordance with, the scheme.

The information can be found on the NIPS website at the links below:

[Comp paid - staff and prisoners - 12/13](#)

and

[Comp paid - staff - 13/14](#)

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If you are unhappy with the result of your request for information you may request an internal review within two calendar months of the date of this letter. If you request an internal review please do so in writing stating the reasons to the address above.

If following an internal review you were to remain dissatisfied you may make a complaint to the Information Commissioner and ask him to investigate whether the DOJ has complied with the terms of the FOIA. You can write to the Information Commissioner at:

Information Commissioner
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

The Commissioner will not investigate a complaint unless an internal review procedure has been carried out. Further details on the role of the Information Commissioner and the handling of appeals can be found at: www.informationcommissioner.gov.uk

If you wish to discuss this please contact the Records and Information Management Team using the contact details provided at the top of the first page. Please remember to quote your reference in any correspondence.

Yours sincerely,

Records & Information Management Team

Annex A

2013/14

Compensation paid to Prisoners 13/14

Category	Number of Claims	Amount Paid £
Medical/Psychiatric which includes medical, psychiatric and death in custody claims	0	0
Violence and injury against persons	4	18,000
Physical environment which includes slips & trips and smoke inhalation	20	36,230.25
Unlawful Imprisonment	6	10,375
Total	30	64,605.25

2014/15

Compensation paid to Staff 14/15

Category	Number of Claims	Amount Paid £
Medical/Psychiatric	1	16,000
Violence and injury against persons. Includes Control & Restraint injuries and other physical injuries as a result of physical violence	15	88,868.86
Physical environment - includes slips & trips smoke inhalation and hearing loss claims	29	177,694.75
Employment Related/Hearing Loss	251	716,491.69
Total	296	999,055.30

Compensation paid to Prisoners 14/15

Category	Number of Claims	Amount Paid £
Medical/Psychiatric which includes medical, psychiatric and death in custody claims	1	5,820
Violence and injury against persons	7	24,100
Physical environment which includes slips & trips and smoke inhalation	34	46,612
Unlawful Imprisonment	6	28,250
Total	48	£104,782

See below.

Annex B

PUBLIC INTEREST TEST CONSIDERATIONS

Section 40

PERSONAL INFORMATION

FOI Request number: 15:206

Date: 24 July 2015

Responsible division: Records and Information Management Team

Name of person/s carrying out PIT: Assistant Records & Information Manager

PUBLIC INTEREST TEST IN RELEASING INFORMATION:

General principles of openness and accounting for public expenditure.

PUBLIC INTEREST IN RETAINING INFORMATION:

- Protecting individuals right to Privacy.
- Potential breach of Section 10 of the Data Protection Act 1998.
- Breach of Principles 1 and 2 of the DPA 1998.

OUTCOME OF PUBLIC INTEREST TEST CONSIDERATIONS:

It is my view that the public interest in protecting the right to privacy of individuals under the terms of the Data Protection Act 1998 outweighs the public interest in disclosure of the material in the detail requested.