



Department of  
**Justice**  
An Roinn Dlí agus Cirt  
Máinnystrie O tha Laa  
[www.justice-ni.gov.uk](http://www.justice-ni.gov.uk)

**Department of Justice**  
**Records & Information Team**  
Information Services Division  
Block 4  
Knockview Buildings  
Ballymiscaw  
Stormont  
Belfast  
BT4 3SL

Telephone 028 90378617  
Email: [foi@justice-ni.x.gsi.gov.uk](mailto:foi@justice-ni.x.gsi.gov.uk)

18<sup>th</sup> January 2021

**REFERENCE: FOI/20/13**

Dear Madam,

Thank you for your request for information dated 11<sup>th</sup> January 2021 and detailed below.

*Can I get a list of the contracts awarded to Serco by the department + its funded arms length bodies and their duration, please?*

*How many are current and how many past?*

*Of the current can you indicate expiry date?*

*What is each contract worth?*

The Freedom of Information Act 2000 gives you two rights of access when you write to us asking for information. You have the right to know whether we hold the information that you are looking for, and you have the right to have the information given to you. These rights may only be overridden if the information you are looking for is covered by an exemption in the Act.

The Department has considered your request in line with these obligations and can advise as follows:



## **Section 38 (2) Health & Safety**

In accordance with this exemption, I can neither confirm nor deny whether the Department of Justice holds the information you have requested. This section of the Act absolves us from the requirement to say whether or not we hold information where, to confirm or deny we hold any information would, or would be likely to:

- (a) Endanger the physical or mental health of any individual, or
- (b) Endanger the safety of any individual

When this exemption is applied, we are required to consider whether the balance of public interest lies in confirming whether the requested information is held by the Department. This is achieved by performing what is known as a public interest test which considers the factors for and against providing any such confirmation. The details of the public interest test are provided below:

### ***In favour of release:***

The DOJ accepts that there is a public interest in placing as much information as possible in the public domain which will allow for debate and improve transparency and accountability. The public have a general interest in information that increases its knowledge and understanding of how Government works. The Department recognises the public interest in relation to how public funds are appropriated and the associated need for transparency in this process.

### ***In favour of non-disclosure:***

Given the sensitive nature of some of the work carried out by the DOJ, some individual or corporate suppliers might be, or might be likely to be, exposed to increased risk of targeting or attack should their involvement with the DOJ be made public. The risk of attack or targeting could vary depending on where the supplier is based, the nature of their business and the security situation at any given time. There is obviously a strong public interest in avoiding risks to individual and corporate suppliers, and those individuals associated with suppliers either directly as employees or indirectly as members of employee's families.



## Conclusion:

The Department has considered the public arguments for and against disclosing information in scope of your request. The Department recognizes the clear public interest in the allocation of public funds. However it is the Department's view that this interest is outweighed by the ongoing security threat to suppliers working on behalf of the Department. In the Department's view, the provision of any recorded information in scope of your request (if held) would identify whether or not Serco Group is a contractor of the Department of Justice. For this reason, the Department has engaged s38(2) of the Freedom of Information Act to neither confirm nor deny whether information in scope of your request is held.

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](http://www.informationcommissioner.gov.uk)

Yours sincerely



**Records & Information Manager**

