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| Ministry of Justice | **June 2017** |

**Freedom of Information Act (FOIA) Request – 112352**

You asked for the following information from the Ministry of Justice (MoJ):

**Would it be possible to refine my request to exclude seasonal, volunteers and fee paid chaplains in order to bring the request within budget?**

Your original request is as stated below:

**I am seeking the following information in electronic table form, by way of an Excel spreadsheet (I understand** [**I am entitled to request**](https://www.journalism.co.uk/news/court-rules-freedom-of-information-requests-can-specify-file-format/s2/a557580/) **the form in which the information is provided). Please tell me:**

1. **the religious affiliations of prisoners recorded for each prison in England and Wales.**
2. **the religious affiliations recorded of all chaplains and assistant chaplains employed or volunteering in prisons in England and Wales, giving for each their affiliation, whether they are full- or part-time or voluntary, and their level of seniority (e.g. managing chaplain, lead, assistant, etc.).**

You clarified your request (FOI 111673) and replied asking:

* **Yes, I am also seeking information about sessional/fee paid chaplains.**
* **Would it be possible for this this designation to be indicated in the spreadsheet so that they are distinguished from full-time, part-time and volunteer chaplains?**

Your request has been handled under the FOIA.

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

**Question 1**

The information is exempt from disclosure under section 21 of the FOIA, because it is reasonably accessible to you. The information can be accessed within the Prison Population publication at the link below, Table 1.5 provides the requested information.

<https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/610971/prison-population-31-mar-2017.xlsx>

**Question 2**

Please find the requested information extracted in the table below.

**Number of prison chaplains by religion, as at 31 March 2017**

|  |  |  |  |
| --- | --- | --- | --- |
| **Grade level** | **Religion** | **Full-time** | **Part-time** |
| Below Management | Christian | 89 | 196 |
|  | Muslim | 37 | 34 |
|  | Sikh | 4 | ~ |
|  | Hindu | ~ | ~ |
|  | Unknown1 | ~ | 3 |
| *Total* |  | *133* | *235* |
| Managing Chaplain | Christian | 30 | ~ |
|  | Muslim | 23 | ~ |
|  | Unknown1 | 37 | ~ |
| *Total*  |  | *90* | *3* |

1 These are mostly managing Chaplains where the religion of the post is not specified.

~ Figures of 2 or fewer have been suppressed. Low numbers are suppressed to prevent disclosure in accordance with the Data Protection Act, 1998.

In addition to employed Chaplains, religious provision in prisons is also delivered by Chaplains engaged on a sessional basis and by unremunerated Chaplains. The number of non-directly employed Chaplains is not recorded centrally. The table contains information on the number of full time and part time Chaplains directly employed by HM Prison and Probation Service (HMPPS) on 31 March 2017, broken down by grade level.

Figures represented in the table as ‘~’, have been withheld as disclosure risk individual/s involved being identified. Please be informed that we are not obliged, under section 40(2) of the FOIA, to provide personal information, if releasing such information would contravene any of the provisions in the Data Protection Act 1998 (DPA). If a request is made for information and the total figure amounts to two people or fewer, the MoJ must consider whether this could lead to the identification of individuals and whether disclosure of this information would be in breach of our statutory obligations under the DPA. In this instance, the figures if disclosed will be too low and as such, could through a jig-saw approach risk identification of the individuals concerned which would potentially result in harm to the individual/s concerned or their family.

Personal data can only be released if to do so would not contravene any of the data protection principles of the DPA. The first principle states:

*Personal data shall be processed fairly and lawfully and, in particular, shall not be processed unless—*

*(a) at least one of the conditions in Schedule 2 is met, and*

*(b) in the case of sensitive personal data, at least one of the conditions in Schedule 3 is also met.*

We believe releasing the requested information would be unlawful. Individuals have a clear and strong expectation that their personal data will be held in confidence and not disclosed to the public under the FOIA. Disclosure would therefore breach the first data protection principle as it would be unlawful.

Further information on the data protection principles is available as follows:

http://www.legislation.gov.uk/ukpga/1998/29/schedule/1

http://www.legislation.gov.uk/ukpga/1998/29/schedule/2

http://www.legislation.gov.uk/ukpga/1998/29/schedule/3

This is an absolute exemption and does not require a public interest test.