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XXXXX
Departmental Security Continuity and
Vetting team
Department for Transport
First Floor
55 Victoria Street

London SW1H 0EU

DIRECT LINE: 0207944 XXXX
GTN No: 3533 XXXX
XXXXXXXX@dft.gsi.gov.uk

Web Site: www.dft.gov.uk

Our Ref: F0007179

13 January 2011

Dear XXXXX,

Freedom of Information request

I am writing in response to your request for information, received on 13 December. This request followed on from the Department's reply to your request for information received on 23 September reference F0006902.

With reference to the Department's reply to your request F0006902 you have asked;

- 1) - Which private investigator firms were used in the investigations you mention, both internally and externally?
- 2) - Did the investigations you mention that are not described as internal (presumably costing £6,991,800) involve members of the public? If not, please describe the persons who were investigated.
- 3) - How much was spent on each firm?
- 4) - What was the cost of the most expensive investigation?
- 5) - What was the purpose of this investigation?
- 6) - What did this investigation reveal?

In my acknowledgement to your request, sent on 22 December, I explained that the information requested in parts 2, 5 & 6 of your question related to the purpose for which the Department used private investigators. This falls within the scope of information withheld by the Department under sections 31(1)(a)&(g) in conjunction with 31(2)(a)&(b) of the Freedom of Information Act 2000 in our response to your previous request for information dated 4 November reference F0006902. As I previously indicated, the internal review of the Department's decision to withhold this information is currently underway and will be communicated to you shortly. Annex A to this letter sets out the exemption in full.

However, some information relevant to questions 5 & 6 has already been published by the Department relating to the purpose and outcome of a specific high profile investigation

and subsequent prosecution which has been published by the Department and can be found at the following web address:

<http://www.dft.gov.uk/dsa/PressRelease.asp?id=SXB48B-A7833206>

In answer to your question parts 1 & 3, all private investigation services referred to in our previous answer reference F0006902 were provided by Outforce Corporate Investigations Ltd. The cost of this contract, between 1 January 2008 and 30 September 2010 has been £7,531,778.

In answer to your question part 4, the most expensive completed investigation which was concluded in November 2010 has cost £221,817.

In keeping with the spirit and effect of the Freedom of Information Act, all information is assumed to be releasable to the public unless exempt. The Department will, therefore, be simultaneously releasing to the public the information released to you, together with any related information that will provide a key to its wider context.

If you are unhappy with the way the Department has handled your request or with the decisions made in relation to your request you may complain within two calendar months of the date of this letter by writing to the Department's Information Rights Unit at:

Zone D/04
Ashdown House
Sedlescombe Road North
Hastings
East Sussex TN37 7GA
E-mail: FOI-Advice-Team-DFT@dft.gsi.gov.uk

Please see attached details of DfT's complaints procedure and your right to complain to the Information Commissioner.

If you have any queries about this letter, please contact Rachel Hersey in our press office on 020 7944 3232. Please remember to quote the reference number above in any future communications.

Yours faithfully

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Your right to complain to DfT and the Information Commissioner

You have the right to complain within two calendar months of the date of this letter about the way in which your request for information was handled and/or about the decision not to disclose all or part of the information requested. In addition a complaint can be made that DfT has not complied with its FOI publication scheme.

Your complaint will be acknowledged and you will be advised of a target date by which to expect a response. Initially your complaint will be re-considered by the official who dealt with your request for information. If, after careful consideration, that official decides that his/her decision was correct, your complaint will automatically be referred to a senior independent official who will conduct a further review. You will be advised of the outcome of your complaint and if a decision is taken to disclose information originally withheld this will be done as soon as possible.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Annex A

Section 31 of the Freedom of Information Act provides that:

1. Information which is not exempt information by virtue of section 30 is exempt information if its disclosure under this Act would, or would be likely to, prejudice-
 - (a)** the prevention or detection of crime,
 - (b)** the apprehension or prosecution of offenders,
 - (c)** the administration of justice,
 - (d)** the assessment or collection of any tax or duty or of any imposition of a similar nature,
 - (e)** the operation of the immigration controls,
 - (f)** the maintenance of security and good order in prisons or in other institutions where persons are lawfully detained,
 - (g)** the exercise by any public authority of its functions for any of the purposes specified in subsection (2),
 - (h)** any civil proceedings which are brought by or on behalf of a public authority and arise out of an investigation conducted, for any of the purposes specified in subsection (2), by or on behalf of the authority by virtue of Her Majesty's prerogative or by virtue of powers conferred by or under an enactment, or
 - (i)** any inquiry held under the Fatal Accidents and Sudden Deaths Inquiries (Scotland) Act 1976 to the extent that the inquiry arises out of an investigation conducted, for any of the purposes specified in subsection (2), by or on behalf of the authority by virtue of Her Majesty's prerogative or by virtue of powers conferred by or under an enactment.
2. The purposes referred to in subsection (1)(g) to (i) are-
 - (a)** the purpose of ascertaining whether any person has failed to comply with the law,
 - (b)** the purpose of ascertaining whether any person is responsible for any conduct which is improper,
 - (c)** the purpose of ascertaining whether circumstances which would justify regulatory action in pursuance of any enactment exist or may arise,
 - (d)** the purpose of ascertaining a person's fitness or competence in relation to the management of bodies corporate or in relation to any profession or other activity which he is, or seeks to become, authorised to carry on,
 - (e)** the purpose of ascertaining the cause of an accident,
 - (f)** the purpose of protecting charities against misconduct or mismanagement (whether by trustees or other persons) in their administration,

- (g)** the purpose of protecting the property of charities from loss or misapplication,
 - (h)** the purpose of recovering the property of charities,
 - (i)** the purpose of securing the health, safety and welfare of persons at work, and
 - (j)** the purpose of protecting persons other than persons at work against risk to health or safety arising out of or in connection with the actions of persons at work.
3. The duty to confirm or deny does not arise if, or to the extent that, compliance with section 1(1)(a) would, or would be likely to, prejudice any of the matters mentioned in subsection(1).