



08 October 2017

### Request

We are aware of a report/safety audit that was commissioned by the Parish of St. Helier about Tunnell Street in 2011. We would like this report to be released, or any copies, drafts or variations that might be held by any officials or departments working with the Parish, such as the Roads Committee

### Response

This information is exempt under Article 42(c) of the Freedom of Information (Jersey) Law 2011. See exemption details below.

#### FOI Qualified exemption applied:

#### Article 42(c) – Law Enforcement.

#### Justification for exemption

Information is qualified exempt information if its disclosure would, or would be likely to, prejudice the administration of justice, whether in Jersey or elsewhere.

The England and Wales ICO guidance provides that the 'administration of justice' is a broad term. It applies to the justice system as whole. Amongst other interests, the exemption will protect information if its disclosure would undermine particular proceedings. As well as preventing any prejudice to particular cases, the Law Enforcement exemption can protect a wide range of judicial bodies, such as courts, coroner's courts and tribunals from disclosures that would in any way interfere with their efficiency and effectiveness, or their ability to conduct proceedings fairly.

#### Prejudice test

The publication of this report would likely prejudice the outcome of the future inquest. Any disclosures that would in any way interfere with the Inquests efficiency and effectiveness, or to conduct the proceedings fairly would likely be prejudicial.

#### Public interest test

It is in the public interest that any conclusions from the report are considered by interested parties. The publication of a document that may have a bearing on the outcome of the future Inquest should not be in the public domain beforehand. The Viscount needs to be able to hold the Inquest proceedings in a way that does not undermine the Viscount's ability to hold an effective and fair process. It is therefore not in the public interest to release the information at this time.