



Making Northern Ireland Safer For Everyone Through Professional, Progressive Policing

FREEDOM OF INFORMATION REQUEST



Request Number: F-2008-05353

Keyword: Complaints/Discipline

Subject: CIVILIAN AND POLICE OFFICER SUSPENSIONS

Request:

Question 1 - How many a) police officers b) civilian staff are still employed by PSNI who are currently on suspension from their posts?

Question 2 - How many of these suspensions have lasted for up to 6 months, up to 12 months, up to 18 months, up to 24 months, more than 36 months? Numbers per category please.

Question 3 - Please identify the number of suspensions, which result from the preferment of criminal charges?

Question 4 - How many suspensions are awaiting a decision as to prosecution? (clarified as awaiting Public Prosecution Service direction).

Question 5 - Please advise in months the lengths of time that such suspensions exist.

Question 6 - How many suspensions resulted from the investigation of internal disciplinary matters which are
(a) ongoing
(b) completed and under appeal - clarified as the number of officers who had been suspended and have appeals ongoing
(c) concluded with dismissal recommendations upheld or not appealed? - (clarified as the number of suspended officers who were dismissed or required to resign as an alternative to dismissal and for as long a period as possible).

Question 7 - What is the estimated time scale for the cessation of the longest suspensions and by what means are these suspensions likely to cease? - (clarified as the 10 officers who have been suspended the longest or whatever figure is possible).

Answer:

This is to inform you that the Police Service of Northern Ireland has now completed its search for the information you requested. The decision has been taken to disclose the located information to you in full.

Answer 1 - On the date your request was received i.e. 11th December 2008, 40 police officers were under suspension and 2 civilian staff.

Answer 2 - Up to 6 months - 18 officers, 6 -12 months - 8 officers, 12 - 18 months - 5 officers, 18 - 24 months - None, 24 - 36 months - 7 officers, Over 36 months - 2 officers and 2 civilian staff

Answer 3 - Twenty four police officers suspensions relate to criminal investigations, which resulted in the preferment of charges.

Answer 4 - Three officers are currently suspended and awaiting directions from the Public Prosecution Service.

Answer 5 - One officer has been suspended for 6 months, one for 3 months and one for 2.5 months.

Answer 6 - (a) Six officers are currently under suspensions on purely internal disciplinary matters. A further 7 officers are currently suspended and under investigation for alleged criminal behaviour and who do not fall into any of the categories mentioned above. Internal disciplinary proceedings are ongoing in relation to 2 civilian staff.

(b) One officer who had been suspended has an appeal ongoing with the Policing Board.

(c) The figures below refer to officers who had been suspended and were ultimately dismissed from the Service or required to resign as an alternative to dismissal in the last 5 financial years.

- 2003/2004 - 2 officers dismissed and 2 required to resign as an alternative to dismissal
- 2004/2005 - 1 officer dismissed and 3 officers required to resign as an alternative to dismissal
- 2005/2006 - 3 officer dismissed and 5 officers required to resign as an alternative to dismissal
- 2006/2007 - 4 officers dismissed and 5 officers required to resign as an alternative to dismissal
- 2007/2008 - 4 officers dismissed (includes 2 officers who had been suspended but dismissed on other matters not associated with suspension) and 4 officers required to resign as an alternative to dismissal.

Answer 7 - In relation to the 2 civilian staff who have been suspended for more than 36 months, internal disciplinary proceedings are ongoing. Although no completion date has been finalised, it is hoped that the matters will be completed before Spring.

Seven officers have been suspended for up to 36 months and 2 officers for more than 36 months. Of the 7 officers suspended for up to 36 months, criminal proceedings have not yet terminated in 3 cases. At the conclusion of criminal proceedings and depending on the outcome of those criminal proceedings it is likely that the officers will appear at internal Misconduct Hearings. In the remaining 4 cases the officers await appearances before Misconduct Hearings, which have already been arranged. In 2 of these cases the officers faced criminal proceedings and in the other 2, the officers faced criminal investigations where the Public Prosecution Service directed no prosecution.

In relation to the 2 officers who have been suspended for more than 36 months, the criminal process has not yet concluded in one case and in the other the officer will appear before a Misconduct Hearing after appearing before a criminal court.

It should be noted that misconduct process could not/cannot be initiated until the termination of the criminal proceedings/receipt of no prosecution direction from the Public Prosecution Service.

It is not possible at this stage to indicate the precise time for the conclusion of the cases mentioned above as so many variables are involved e.g. termination of criminal proceedings, adjournments, witness unavailability etc. In all cases the misconduct process will be completed as expeditiously as is practicable.

Because of the varying nature of the allegations it is not possible at this stage to determine the outcome of each case. Depending on the outcome of the criminal cases it is likely that those officers will appear before Misconduct Hearings (others already have been directed to attend such hearings). The Panel at Misconduct Hearings has the power to impose the following sanctions:

Dismissal
Requirement to resign as an alternative to dismissal
Reduction in rank
Reduction in pay
Fine
Reprimand
Caution.

Each case is examined on an individual basis to determine the level and nature of misconduct of the officer and the extent to which the PSNI's Code of Ethics has been breached. The seriousness of the offence, the circumstances surrounding its commission and its potential impact will dictate the level of action to be pursued and the sanction ultimately imposed.

It should be noted that the decision to suspend an officer is only taken in exceptional circumstances after all other options, including 'alternative duties', have been considered.

Considerations include:

- (i) The nature and seriousness of the alleged action of the individual(s), including any apparent aggravating or mitigating factors;
- (ii) The strength of evidence or nature of the investigation;
- (iii) The public interest and that of the Police Service;
- (iv) The reputation of the PSNI and the effect on public confidence;
- (v) Whether effective investigation of the allegation may be compromised if the officer remains in post;
- (vi) The nature of the current post held, and alternative posts, and the potential risk to the individual, public, colleagues or operations if the officer is not suspended;
- (vii) The likely outcome of a conviction in court or of a finding against the officer at a disciplinary hearing;
- (viii) The impact on organisational efficiency.

The figures supplied have been compiled by the PSNI's Professional Standards Department, which has responsibility for internal discipline relating to police officers and Central Pay Branch. All the details requested are not recorded centrally and were obtained from the interrogation of several databases and the manual examination of a number of files. Information extracted in this manner may not be as accurate as that extracted from a single central database.

Whilst the PSNI takes seriously any wrongdoing by a police officer, the number of suspensions must be put into context of the overall size of the PSNI i.e. just under 9000 officers at date of request.

United Kingdom Police Services do not use generic systems to capture information. For this reason PSNI's response to your questions should not be used for comparison purposes with any other Police Service.

If you have any queries regarding your request or the decision please do not hesitate to contact me on 028 9070 0164. When contacting the Freedom of Information Team, please quote the reference number listed at the beginning of this email.

If you are dissatisfied in any way with the handling of your request, you have the right to request a review. You should do this as soon as possible, or in any case within two months of the date of issue of this letter. In the event that you require a review to be undertaken, you can do so by writing to the Head of Freedom of Information, PSNI Headquarters, 65 Knock Road, Belfast, BT5 6LE or by emailing FOI@psni.pnn.police.uk

If following an internal review, carried out by an independent decision maker, you were to remain dissatisfied in any way with the handling of the request you may make a complaint, under Section 50 of the Freedom of Information Act, to the Information Commissioner's Office and ask that they investigate whether the PSNI has complied with the terms of the Freedom of Information Act. You can write to the Information Commissioner at Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. In most circumstances the Information Commissioner will not investigate a complaint unless an internal review procedure has been carried out, however the Commissioner has the option to investigate the matter at his discretion.

Please be advised that PSNI replies under Freedom of Information may be released into the public domain via our website @ <http://www.psni.police.uk/>

Personal details in respect of your request have, where applicable, been removed to protect confidentiality.