



Making Northern Ireland Safer For Everyone Through Professional, Progressive Policing

FREEDOM OF INFORMATION REQUEST



Request Number: F-2009-01144

Keyword: Complaints/Discipline

Subject: DISCIPLINARY HEARINGS OVER LAST TWELVE YEARS

Request and 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.

Question 1

In each of the last 12 years since 1997, how many police officers have been the subject to a disciplinary hearing for
(a) all classes of misconduct offences, and
(b) for being convicted of a criminal offence?

You have agreed that you will be content to receive information from 1.1.2001 to 31.12.2008.

Answer

Please refer to table 1 below.

TABLE 1

Year	Number of Officers at Hearing regarding misconduct offences	Number of Officers at Hearing regarding criminal offences	Total Officers
2001	23	23	46
2002	15	16	31
2003	16	17	33
2004	19	23	42
2005	25	17	42
2006	18	21	39
2007	33	20	53
2008	39	15	54
Total	188	153	341

It should be noted that some officers would have appeared before Misconduct Panels for both misconduct and criminal offences. They have only been counted once i.e. such an officer would appear in the criminal offences column only.

Question 2

Of those who have been subject to a disciplinary hearing for any misconduct offence, how many

- (a) were dismissed with notice,
- (b) dismissed without notice,
- (c) resigned,
- (d) continued as a serving police officer with no penalty, or
- (e) received a written or final written warning?

You have agreed that you will be content to receive information on the sanctions, which have been imposed by Misconduct Panels (discipline hearings).

Answer.

Please refer to tables 2 - 9 below.

TABLE 2

2001	Disciplinary Result of Officers at Hearings regarding misconduct offences	Disciplinary Result of Officers at Hearings regarding criminal offences
Not Guilty	3	
Proceedings Stayed	1	
Caution	1	2
Reprimand	6	15
Fine	8	1
Reduced in Pay	4	
Required to Resign		2
Dismissed		3
TOTAL	23	23

TABLE 3

2002	Disciplinary Result of Officers at Hearings regarding misconduct offences	Disciplinary Result of Officers at Hearings regarding criminal offences
Not Guilty	2	
Proceedings Stayed		
Charge dismissed	1	
Caution	3	2
Reprimand	2	8
Fine	3	2
Reduced in Pay	1	1
Required to Resign	1	
Reduced in Rank	1	
Dismissed	1	3
TOTAL	15	16

TABLE 4

2003	Disciplinary Result of Officers at Hearings regarding misconduct offences	Disciplinary Result of Officers at Hearings regarding criminal offences
Not Guilty		
Proceedings Stayed		
Charge dismissed	1	
Caution		2
Reprimand	4	3
Fine	9	4
Reduced in Pay	2	4
Required to Resign		3
Reduced in Rank		
Dismissed		1
TOTAL	16	17

TABLE 5

2004	Disciplinary Result of Officers at Hearings regarding misconduct offences	Disciplinary Result of Officers at Hearings regarding criminal offences
Not Guilty		
Proceedings Stayed	2	
Charge dismissed	1	
Caution	2	
Reprimand	1	1
Fine	10	14
Reduced in Pay	1	2
Required to Resign	1	3
Reduced in Rank		1
Dismissed	1	2
TOTAL	19	23

TABLE 6

2005	Disciplinary Result of Officers at Hearings regarding misconduct offences	Disciplinary Result of Officers at Hearings regarding criminal offences
Not Guilty		
Proceedings Stayed		
Charge dismissed	2	
Caution	2	1
Reprimand	1	1
Fine	9	7
Reduced in Pay	8	2
Required to Resign	1	3
Reduced in Rank	1	
Dismissed	1	3
TOTAL	25	17

TABLE 7

2006	Disciplinary Result of Officers at Hearings regarding misconduct offences	Disciplinary Result of Officers at Hearings regarding criminal offences
Not Guilty		
Resigned whilst hearing in session	1	
Charge dismissed	2	
Caution		1
Reprimand	4	1
Fine	5	5
Reduced in Pay	4	10
Required to Resign	2	3
Reduced in Rank		
Dismissed		1
TOTAL	18	21

TABLE 8

2007	Disciplinary Result of Officers at Hearings regarding misconduct offences	Disciplinary Result of Officers at Hearings regarding criminal offences
Not Guilty	6	
Proceedings Stayed	1	
Charge dismissed		
Caution	2	2
Reprimand		
Fine	8	4
Reduced in Pay	7	4
Required to Resign	5	6
Reduced in Rank	1	
Dismissed	3	4
TOTAL	33	20

TABLE 9

2008	Disciplinary Result of Officers at Hearings regarding misconduct offences	Disciplinary Result of Officers at Hearings regarding criminal offences
Not Guilty	2	
Proceedings Stayed		
Charge dismissed	2	
Caution	7	1
Reprimand	3	1
Fine	12	2
Reduced in Pay	8	1
Required to Resign	3	6
Reduced in Rank	1	1
Dismissed	1	3
TOTAL	39	15

Question 3

Of those who have been subject to a disciplinary hearing for having been convicted of a criminal offence, how many

- were dismissed with notice,
- dismissed without notice,
- resigned,
- continued as a serving police officer with no penalty, or
- received a written or final written warning?

You have agreed that you will be content to receive information on the sanctions, which have been imposed by Misconduct Panels (discipline hearings).

Answer.

Please refer to tables 2 - 9 above.

Question 4

Of those that resigned or were dismissed as a result of a disciplinary hearing for any misconduct offence, how many appealed the decision of the disciplinary panel to the Police Appeals Tribunal?

Answer.

Please see table 10 below.

TABLE 10

Year	Number of Officers who appealed to the Police Appeals Tribunal as a consequence of being dismissed or required to resign regarding misconduct offences	Number of Officers who appealed to the Police Appeals Tribunal as a consequence of being dismissed or required to resign regarding criminal offences	Total Officers
2001			
2002	1		1
2003		1	1
2004		1	1
2005			
2006	3	3	6
2007	4	1	5
2008		1	1
Total	8	7	15

Question 5

Of those that resigned or were dismissed as a result of a disciplinary hearing for being convicted of a criminal offence, how many appealed the decision of the disciplinary panel to the Police Appeals Tribunal?

Answer.

Please refer to table 10 above.

In relation to questions 4 and 5 it should be noted that only the top three sanctions i.e. dismissal, requirement to resign or reduction in rank attract an appeal to the Police Appeals Tribunal. The Royal Ulster Constabulary (Conduct) Regulations 2000 as amended provides an appeal mechanism to the Police Appeals Tribunal. Prior to the introduction of those regulations appeals were dealt with by the Secretary of State under the Royal Ulster Constabulary (Discipline and Disciplinary Appeals) Regulations 1988 as amended and the Royal Ulster Constabulary (Part time) (Discipline and Disciplinary Appeals) Regulations 1988 as amended. The date on which the alleged misconduct offence/date of conviction occurred would have dictated the appropriate legislation to be used.

Question 6

Of those that appealed the decision of the disciplinary panel after a hearing for any misconduct offence, how many decisions were overturned by

- the chief constable (or equivalent) of the police force,
- the police authority,
- the Home Secretary, or
- another person (if (d), then please specify who)?

Answer.

Please refer to table 11 below.

TABLE 11

Year	Decisions overturned by the Chief Constable regarding misconduct offences	Decisions overturned by the Chief Constable regarding criminal offences	Decisions overturned by the Police Appeals Tribunal regarding misconduct offences	Decisions overturned by Police Appeals Tribunal regarding criminal offences	Total Officers
2001					
2002	1				1
2003		1			1
2004					
2005					
2006		1	2		3
2007	3	1	1		5
2008		1			1
Total	4	4	3		11

Question 7

Of those that appealed the decision of the disciplinary panel after a hearing for being convicted of a criminal offence, how many decisions were overturned by

- (a) the chief constable (or equivalent) of the police force,
- (b) the police authority,
- (c) the Home Secretary, or
- (d) another person (if (d), then please specify who)?

Answer.

Please refer to table 11 above.

In relation to questions 6 and 7 there were no decisions overturned by the Secretary of State or any other person. In Northern Ireland the Secretary of State was the appeals authority under the 1988 Regulations as mentioned above. The Secretary of States authority in such matters was replaced by the Police Appeals Tribunal by virtue of the 2000 Regulations as mentioned above.

It should be noted that 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 misconduct sanction ultimately imposed.

The figures supplied have been compiled by the PSNI's Professional Standards Department which has responsibility for internal discipline relating to police officers. All the details requested are not recorded centrally and were obtained from the interrogation of several databases across a number of different categories 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 Service takes extremely seriously any allegation of wrongdoing, the number of cases must be put into context of the overall number of PSNI officers i.e. reducing from just over 13000 officers in 2001 to just under 9000 at the end of 2008

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 Freedom of Information Team 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.