



Making Northern Ireland Safer For Everyone Through Professional, Progressive Policing

FREEDOM OF INFORMATION REQUEST



Request Number: F-2009-00299
Keyword: Complaints/Discipline
Subject: STAFF SUSPENSIONS/DISCIPLINE

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 cost of retrieving information relating to civilian staff suspensions/discipline would exceed the "appropriate limit" as stated in the Freedom of Information Regulations 2004, which is currently set by the Secretary of State at £450, as this would involve an intensive manual search of files in each of the 8 Districts.

I have been able to supply the information relating to the suspensions/discipline of police officers within the cost limit.

Question 1

Figures relating to the amount of staff who have been suspended from their duties due to misconduct, in 2008, 2007 and 2006

- a) Number of men suspended
- b) Number of women suspended
- c) Where these staff members are based
- d) The reasons for suspension

Answer

The information supplied below in relation to police officers has been provided by the Professional Standards Department of the PSNI who are responsible for internal discipline relating to police officers. 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.

The information supplied below in relation to trainee officers has been provided by the Police College who are solely responsible for internal discipline relating to trainee officers.

Figures relating to the amount of staff who have been suspended from their duties due to misconduct, in 2008, 2007 and 2006

- a) Number of men (police officers) suspended 2008, 2007 and 2006

2008 - 33 male police officers were suspended (includes 1 officer who was suspended twice relating to two separate incidents)

2007 - 16 male police officers were suspended

2006 - 18 male police officers were suspended

Number of men (trainee officers) suspended 2008, 2007 and 2006

2008 - 2 male trainee officers were suspended

2007 - 6 male trainee officers were suspended

2006 - 3 male trainee officers were suspended

b) Number of women (police officers) suspended

2008 - 3 female police officers were suspended

2007 - 5 female police officers were suspended

2006 - 6 female police officers were suspended

Number of women (trainee officers) suspended

2008 - 1 female trainee officers were suspended

2007 - 0 female trainee officers were suspended

2006 - 0 female trainee officers were suspended

c) Where these staff members (police officers and trainee officers) are based

2008

A District - 7 police officers

B District - 4 police officers

C District - 2 police officers

D District - 3 police officers

E District - 8 police officers

F District - 1 police officer

G District - 3 police officers

H District - 5 police officers

Headquarters - 3 police officers

All trainee officers are based at the Police College

2007

A District - 1 police officer

B District - 1 police officer

C District - 4 police officers

D District - 2 police officers

E District - 6 police officers

G District - 3 police officers

H District - 2 police officers

Headquarters - 2 police officers

All trainee officers are based at the Police College

2006

B District - 2 police officers

C District - 5 police officers

D District - 4 police officers

E District - 4 police officers

F District - 3 police officers

G District - 1 police officer

H District - 2 police officers

Headquarters - 3 police officers

All trainee officers are based at the Police College

d) The reasons for suspension

2008

Alleged inappropriate behaviour - 1 police officer

Alleged driving whilst disqualified - 1 police officer

Non payment of fines - 1 police officer

Alleged possession of firearm with intent - 1 police officer

Alleged causing or inciting prostitution - 1 police officer

Alleged misuse of drugs - 3 police officers

Alleged making of an inappropriate video - 1 police officer

Alleged dangerous driving - 3 police officers
Alleged fraud - 1 police officer
Alleged/convicted of drink driving - 9 police officers
Alleged/convicted of theft - 3 police officers
Alleged possession of indecent images - 2 police officers
Alleged/convictions of assault - 6 police officers
Convicted of harassment - 1 police officer
Alleged perverting the course of justice - 1 police officer
Convicted of unlawful possession of ammunition - 1 police officer
Breach of Police Trainee Regulations - trainee officers

2007

Alleged/convicted of drink driving - 10 police officers
Alleged/convicted of possession of controlled drug - 1 police officer
Alleged assault - 4 police officers
Alleged sexual assault - 1 police officer
Convicted of deception - 1 police officer
Alleged association with a criminal - 1 police officer
Alleged forgery - 1 police officer
Alleged custom/excise offences - 1 police officer
Alleged perjury - 1 police officer
Breach of Police Trainee Regulations - trainee officers

2006

Alleged/convicted of drink driving - 6 police officers
Alleged/convicted of theft - 3 police officers
Convicted of possession of indecent images - 1 police officer
Convicted of possession of controlled drug - 1 police officer
Alleged unauthorised disclosure of information - 4 police officers
Alleged assault - 2 police officers
Convicted of harassment - 1 police officer
Alleged perverting the course of justice - 1 police officer
Alleged sexual assault - 2 police officers
Failure to properly investigate complaints - 1 police officer
Convicted of submission of false documents - 1 police officer
Convicted of attempted murder - 1 police officer
Breach of Police Trainee Regulations - trainee officers

The suspensions relate to suspensions effected in each year. The convictions for a criminal offence will include 'adult cautions.'

The Police Service expects its staff to behave professionally, ethically and with the utmost integrity at all times. Any conduct, whether on or off duty, which brings or is likely to bring discredit on the Police Service will be investigated in order to establish whether or not a breach of the Code of Ethics has occurred. A breach of the code may result in a criminal or disciplinary investigation by the Office of the Ombudsman or the Police Service and, consistent with the seriousness of an allegation, the circumstances surrounding its commission and its potential impact, an officer may be suspended pending the outcome of both a criminal and misconduct investigation. 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.

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 sanction ultimately imposed.

It should be further noted that in the normal course of events and in cases involving the allegation of criminal offences, the misconduct process cannot be initiated until the termination of the criminal proceedings/receipt of no prosecution direction from the Public Prosecution Service.

The PSNI, like any other organisation, has a disciplinary process, which officers must go through. All disciplinary proceedings in connection with suspected offences committed by officers who have been suspended from duty will be dealt with as expeditiously as possible.

Question 2

Figures relating to the amount of staff who have been disciplined without being suspended in 2008, 2007 and 2006

- a) Number of men discipline
- b) Number of women discipline
- c) Where these staff members are based
- d) The reason for the action taken.

Answer

Figures relating to the amount of staff who have been disciplined without being suspended in 2008, 2007 and 2006

a) Number of men (police officers) disciplined without being suspended

2008 - 37 male police officers were disciplined
2007 - 29 male police officers were disciplined
2006 - 33 male police officers were disciplined

Number of men (trainee officers) disciplined without being suspended

2008 - 19 male trainee officers were disciplined
2007 - 48 male trainee officers were disciplined
2006 - 21 male trainee officers were disciplined

b) Number of women disciplined (police officers) without being suspended

2008 - 3 female police officers were disciplined
2007 - 9 female police officers were disciplined (this includes 1 officer who appeared before 2 misconduct hearings for different misconduct offences)
2006 - 3 female police officers were disciplined

Number of female (trainee officers) disciplined without being suspended

2008 - 0 female trainee officers were disciplined
2007 - 9 female trainee officers were disciplined
2006 - 5 female trainee officers were disciplined

c) Where these staff members are based

2008

A District - 3 police officers
B District - 3 police officers
C District - 4 police officers
D District - 2 police officers
E District - 8 police officers
F District - 3 police officers
G District - 5 police officers
H District - 9 police officers
Headquarters - 3 police officers
All trainee officers are based at the Police College

2007

A District - 6 police officer

B District - 3 police officers
C District - 10 police officers
D District - 5 police officers
E District - 3 police officers
F District - 1 police officer
G District - 6 police officers
H District - 3 police officers
Headquarters - 1 police officer
All trainee officers are based at the Police College

2006

A district - 11 police officers
B District - 6 police officers
C District - 3 police officers
D District - 5 police officers
E District - 3 police officers
F District - 1 police officer
G District - 1 police officer
H District - 3 police officers
Headquarters - 3 police officers
All trainee officers are based at the Police College

More information on Police Districts can be found at <http://www.psni.police.uk/index.htm>

d) The reason for the action taken.

All officers were disciplined due to breaches of either the PSNI Code of Ethics, PSNI Code of Conduct or the RUC Disciplinary Regulations 1988

All trainee officers were disciplined due to Breaches of the Trainee Regulations.

The misconduct mentioned above is contained within 3 pieces of legislation - the date in which the misconduct occurred will dictate which legislation is relevant. The Discipline Code is contained within Schedule 1 of the Royal Ulster Constabulary (Discipline and Disciplinary Appeals) Regulations 1988. The Disciplinary Code was replaced by the Code of Conduct on 6th November 2000 and is contained within Schedule 4 of the Royal Ulster Constabulary (Conduct) Regulations 2000. The Code of Conduct was replaced by the code of Ethics on 14th March 2003 by virtue of Regulation 2 of the Police Service of Northern Ireland (Conduct) Regulations 2003 as amended by Regulation 2 of the Police Service of Northern Ireland (Conduct) (Amendment) Regulations 2008. The legislation may be viewed by visiting website www.opsi.gov.uk.

2008

CODE OF ETHICS

Article 1 Professional Duty.

Article 1.1 - 3 police officers
Article 1.5 - 7 police officers
Article 1.9 - 3 police officers
Article 1.10 - 4 police officers

Article 2 Police Investigations

Article 2.2 - 2 police officers

Article 3 Privacy and Confidentiality

Article 3.3 - 1 police officer
Article 3.4 - 2 police officers

Article 4 Use of Force

Article 4.3 - 1 police officer

Article 6 Equality

Article 6.1 - 3 police officers

Article 7 Integrity

Article 7.1 - 1 police officer
Article 7.2 - 11 police officers
Article 7.5 - 1 police officer

Article 9 Fitness for duty

Article 9.3 - 1 police officer

2007

CODE OF ETHICS

Article 1 Professional Duty

Article 1.1 - 2 police officers
Article 1.5 - 3 police officers
Article 1.9 - 2 police officers
Article 1.10 - 1 police officer

Article 2 Police Investigations

Article 2.2 - 1 police officer

Article 3 Privacy and Confidentiality

Article 3.3 - 1 police officer

Article 6 Equality

Article 6.1 - 2 police officers

Article 7 Integrity

Article 7.2 - 18 police officers
Article 7.5 - 3 police officers

Article 8 Property

Article 8.1 - 1 police officer

Article 9 Fitness for duty

Article 9.1 - 2 police officers

DISCIPLINE CODE

Regulation 4 and Paragraph 3 (a)

Disobedience to orders - 1 police officer

CODE OF CONDUCT

Paragraph 1 of Schedule 4

Honesty and Integrity - 1 police officer

2006

CODE OF ETHICS

Article 1 Professional Duty

Article 1.1 - 1 police officer
Article 1.5 - 2 police officers
Article 1.9 - 1 police officer
Article 1.10 - 1 police officer

Article 2 Police Investigations

Article 2.1 - 1 police officer

Article 2.2 - 1 police officer

Article 4 Use of Force

Article 4.3 - 1 police officer

Article 7 Integrity

Article 7.2 - 25 police officers

CODE OF CONDUCT

Paragraph 6 of schedule 4

Performance of duty - 1 police officer

Paragraph 5 of schedule 4

Use of Force - 1 police officer

Paragraph 13 of schedule 4

General Conduct - 1 police officer

The above figures relate to officers appearing before formal misconduct hearings where misconduct was proven. The figures relate to the year in which the misconduct hearings took place. The misconduct may have taken place in a different year.

The Districts mentioned above relate to the Districts where the officers were attached to at the time of the breaches of misconduct or when suspensions were effected.

Whilst the PSNI takes extremely seriously any allegation of wrongdoing, the number of cases must be put into context of the overall size of the PSNI of just under 9000 officers at the date of your request.

Police Forces in the United Kingdom are routinely required to provide crime statistics to government bodies. The recording criteria is set nationally. However these systems used for recording these figures are not generic nor are the procedures used locally in capturing the data. It should be noted for these reasons this Service's response to your questions should not be used for comparison purposes with any other response you may receive

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.psnipolice.uk/>

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