



Making Northern Ireland Safer For Everyone Through Professional, Progressive Policing

FREEDOM OF INFORMATION REQUEST



Request Number: F-2009-00028

Keyword: Complaints/Discipline

Subject: SUSPENDED OFFICERS

Request and Answer:

This is to inform you that the Police Service of Northern Ireland (PSNI) has now completed its search for the information you requested. The decision has been taken to disclose the located information to you in full. The information provided to you has been taken from records held by the Professional Standards Department of PSNI which has responsibility for internal discipline relating to police officers.

Question 1 - As of 1.1.09 how many of your force's officers were suspended on full pay. Please provide me with a breakdown showing the numbers of officers suspended in each rank of your force as of 1.1.09?

Answer 1 - See table 1 attached.

Question 2 - Please also provide me with a list showing the date (month/year) that each officer suspended as of 1.1.09 was first suspended from duty on full pay.

Answer 2 -

1 x officer – March 2004
1 x officer – October 2004
1 x officer – January 2006
3 x officers - February 2006
2 x officers – May 2006
1 x officer – August 2006
1 x officer – August 2007
1 x officer – September 2007
1 x Officer – October 2007
1 x officer – November 2007
2 x officers – January 2008
2 x officers – February 2008
1 x officer – March 2008
2 x officers – April 2008
1 x officer – May 2008
1 x officer - June 2008
1 x officer – July 2008
4 x officers – September 2008
2 x officers – October 2008
4 x officers – November 2008
6 x officers – December 2008

The figures have been compiled by the PSNI's Professional Standards Department which has responsibility for internal discipline relating to police officers.

In each case the officer under suspension is either awaiting termination of criminal/misconduct proceedings or the subject of a criminal/misconduct investigation. Not all investigations result in criminal /misconduct proceedings and not all criminal/misconduct proceedings result in findings of guilt.

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.

Pay and allowances of suspended officers is governed by either Regulations 36(5), 59 and Schedule 7 of the Royal Ulster Constabulary Regulations 1996 or Regulations 23(4), 36 and Schedule 3 of the Police Service of Northern Ireland Regulations 2005 depending when the suspension was effected. In summary a suspended officer receives full salary and allowance entitlement while suspended unless detained, in pursuance of a sentence of a court, in a prison or other institution to which the Prison Act (Northern Ireland) 1953 applies or is in custody (whether in prison or elsewhere) between conviction by a court and sentence, or has absented himself/herself from duty and whose whereabouts are unknown to the Chief Constable. Full details of the Regulations may be viewed by visiting website <http://www.opsi.gov.uk>

Although officers are normally suspended on full pay and allowance entitlement, there are occasions when officers do not receive full entitlement. For example an officer may be suspended but is reduced to half pay/no pay because of sickness absence or in the case of part time officers who receive no salary while suspended. In addition to the 39 officers suspended on full pay, 1 officer is currently suspended on no pay (part time officer).

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 as of 1.1.09.

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.

TABLE 1**NUMBER OF PSNI OFFICERS (WITH RANKS) UNDER SUSPENSION ON FULL
PAY AS OF 1.1.09**

RANK	NUMBER
Superintendent	1
Chief Inspector	1
Inspector	3
Sergeant	5
Constable	28
Reserve Constable (Full Time)	1
TOTAL	39