



Making Northern Ireland Safer For Everyone Through Professional, Progressive Policing

FREEDOM OF INFORMATION REQUEST



Request Number: F-2010-01401

Keyword: Complaints/Discipline

Subject: Investigations of Employees

Request and Answer:

I write in connection with your request for information, which was received by the Police Service of Northern Ireland (PSNI) on 17 May 2010 concerning Criminal Investigations and Internal Disciplinary Investigations.

This is to inform you that the Police Service of Northern Ireland has now completed its search for the information requested and I have decided to release the information to you.

Question 1

When dealing with employees what factors do the PSNI consider in their decision to proceed with a Criminal Investigation as opposed to an Internal Disciplinary Investigation?

Answer

Where a crime is suspected a criminal investigation would be commenced to determine if there was reasonable grounds to suspect that an offence has occurred and this investigation would be shadowed by a member of Professional Standards Department. At the conclusion of a criminal case a misconduct investigation will be commenced. Professional Standards Department can instigate a criminal investigation if information has been passed to them and there are no reasonable grounds to suspect that a Criminal Offence has occurred. In the case of police staff, only offences of a serious nature would be dealt with by Professional Standards Department. In most cases regarding civilian employees these would be dealt with by Human Resources Department.

Question 2

Who makes this decision?

Answer

Where an offence has been alleged or suspected the matter will always be subject to an investigation to determine if there are reasonable grounds to suspect that an offence has been committed.

The decision to prosecute any police officer or staff member lies and remains with the Public Prosecution Service.

The information supplied has been provided by the PSNI's Professional Standards Department.

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 the 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 @ www.psnipolice.uk .

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