



Making Northern Ireland Safer For Everyone Through Professional, Progressive Policing

FREEDOM OF INFORMATION REQUEST



Request Number: F-2010-00601

Keyword: Complaints/Discipline

Subject: Misconduct Hearings

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In the last 5 years how many police officers facing a misconduct hearing have had their charges withdrawn the week before the actual hearing.

The following clarification has been sought:

To keep the request within cost and subject to any exemptions that may apply, Professional Standards Department can supply the number of police officers facing a misconduct hearing who have had their charges withdrawn before the actual hearing, by the gender of the individual and the nature of the charges which were withdrawn for a two year period.

The following clarification was received:

I am happy that my request is confined to a two year period as stated.

Answer

Eighteen officers.

The information supplied covers the period of time from 1 March 2008 to 1 March 2010.

Question 2

Specify the sex of each individual and the nature of the charges which were withdrawn for each individual calendar year.

Answer

A manual check of files shows that the following charges were withdrawn before the hearing took place.

| Number of officers | Charge Withdrawn |
|--------------------|---|
| 1 female | Article 7 Integrity x2 |
| 1 female | Article 1 Professional Duty Article 7 Integrity |
| 1 female | Article 1 Professional Duty x2 |
| 1 female | Article 1 Professional Duty |
| 1 female | Article 1 Professional Duty |
| 1 Male | Article 7 Integrity x2 |
| 1 Male | Article 4 Use of Force |
| 1 Male | Article 4 Use of Force |
| 1 Male | Article 7 Integrity x2 |
| 1 Male | Article 7 Integrity x2 Article 2 Police Investigations |
| 1 Male | Article 5 Detained Persons |
| 1 Male | Article 1 Professional Duty |
| 1 Male | Article 5 Detained Persons |
| 1 Male | Article 2 Police Investigations Article 8 Property |
| 1 Male | Article 1 Professional Duty |
| 1 Male | Article 4 Use of Force |
| 1 Male | Article 1 Professional Duty |
| 1 Male | Article 4 Use of Force |

It should be noted that Police Officers may face a number of charges at misconduct hearing, and whilst the above table shows the number of charges withdrawn, it does not equate to the number of misconduct hearings withdrawn. The above charges which were withdrawn outline a particular article breached of the PSNI Code of Ethics. Failure to comply with the PSNI's Code of Ethics constitutes a misconduct breach. The PSNI's Code of Ethics sets ethical standards required of police officers. The current Code of Ethics came into effect of 14 March 2003 by virtue of Regulation 2 of the Police Service of Northern Ireland (Conduct) (Amendment) Regulations 2003 and 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 The current Code of Ethics may be viewed at www.psni.police.uk

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

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.