



FREEDOM OF INFORMATION REQUEST



Request Number: F-2011-02324

Keyword: Complaints/Discipline

Subject: Misconduct Hearings

Request and Answer:

I am writing to confirm that the Police Service of Northern Ireland has now completed its search for the information.

I have today decided to:

- fully exempt information in response to questions 1 - 3 pursuant to the provisions of Section 21 of the Act.
- disclose information in response to question 4 in full;

Question 1

How many officers have been subject to misconduct hearings each year for the past five years?

Question 2

What offences were the subject of such hearings each year for the past five years?

Question 3

What were the results (again in same time frame) eg, how many were demoted, fined, reprimanded, sacked etc?

Answer

Section 17 of the Freedom of Information Act 2000 requires the Police Service of Northern Ireland, when refusing to provide such information (because the information is exempt) to provide you the applicant with a notice which:

- (a) states that fact,
- (b) specifies the exemption in question and
- (c) states (if not otherwise apparent) why the exemption applies.

Pursuant to the provision of Section 21 of the Freedom of Information Act 2000 it has been decided to refuse access to the information you have requested. Section 21 of the Act provides that information which is reasonably accessible to the applicant by other means is exempt information.

The information you have requested is available from the Police Service of Northern Ireland's Publication Scheme. Statistics for formal misconduct hearings can be accessed via the PSNI website using the links provided below:

http://www.psni.police.uk/misconduct_hear.pdf

http://www.psni.police.uk/misconduct_hearings.pdf

Question 4

Were all held in private?

Answer

Yes all hearings were held in private. Please see attached link to the PSNI (Conduct) Regulations 2000, which outlines the procedures regarding formal misconduct hearings.

<http://www.legislation.gov.uk/nisr/2000/315/part/III/made>

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 letter.

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.psni.police.uk

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