



FREEDOM OF INFORMATION REQUEST



Request Number: F-2012-02738

Keyword: Complaints/Discipline

Subject: Suspensions

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

How many PSNI officers including student officers have been suspended or dismissed from the PSNI in the past twelve months?

Answer

From 1st July 2011 to 1st July 2012, thirty-three PSNI officers were suspended. Two officers were dismissed and four officers were required to resign as an alternative to dismissal in this time-frame.

No student officers were suspended or dismissed.

Question 2

How long have these officers been on suspension for?

Answer

The table below outlines the length in days of these thirty-three suspensions as at 1st July 2012:

Length of suspension in days
68
282
274
262
114
223
220
216
200
49

185
171
163
29
129
123
115
114
100
88
88
88
88
80
74
47
30
19
17
31
31
28
143

Question 3

Are the suspended officers still receiving pay? If so could you please supply how much they have been paid since their suspension?

Answer

Pay and allowances of suspended officers is governed by Regulations 23(4), 36 and Schedule 3 of the Police Service of Northern Ireland Regulations 2005. 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 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. Five of the thirty-three officers are part-time constables and therefore would not be paid a salary.

As at 1st July 2012, the salary paid to the suspended officers was £264,777.31.

Question 4

Without identifying individuals, what have these officers been dismissed / suspended for?

Answer

Two officers were dismissed for discreditable conduct, two officers were required to resign as an alternative to dismissal for excess alcohol, one officer was required to resign for failures in investigations and one officer was required to resign for a motoring offence.

Thirty-three officers were suspended for the following alleged offences;

Inappropriate use of police systems, failure to investigate, sexual offence, misfeasance in public

office, drunk in charge of a loaded firearm, inappropriate text messages, mishandling of police property, AOABH, misconduct in public office, criminal damage, threats to kill, motoring offence, perverting the course of justice, perjury, theft, disorderly behaviour, irregularities with police records, excess alcohol, and inappropriate use of firearm.

An officer under suspension is either awaiting termination of criminal/misconduct proceedings or the subject of a criminal/misconduct investigation (apart from cases where an officer is required to resign at a misconduct hearing, when their last month of service will be on suspension). 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. 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.

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.