



FREEDOM OF INFORMATION REQUEST



Request Number: F-2014-04325

Keyword: Complaints/Discipline

Subject: PSNI Officers Suspended

Request and Answer:

Question 1

How many suspensions of PSNI officers commenced in the past three financial years; 2011-2012, 2012-2013, 2013-2014?

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.

Twenty-eight suspensions commenced in 2011/2012, nineteen suspensions in 2012/13 and twenty-two suspensions were effected in 2013/14.

The Police Service of Northern Ireland 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 robustly. Consistent with the seriousness of an allegation and the 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.

It should be noted that the average strength of the PSNI over the last three financial years is around 7400 officers.

Question 2

Since April 2007 to date, what is the longest period any officer has been suspended for?

Answer

Since April 2007, the longest period an officer was suspended is five years and seven months.

Question 3

Has any officer been suspended and on full pay for more than two years? How many officers, if any, would this apply to?

Answer

In the past three financial years, five officers have been suspended on full pay for more than two

years.

At present, legislation (Regulation 6, Royal Ulster Constabulary (Conduct) Regulations 2000) dictates that (except for 'Special Cases') all criminal proceedings must be finalised before misconduct proceedings can take place. This includes any subsequent appeals against conviction or sentence. Unfortunately, awaiting completion of criminal proceedings accounts for the majority of delay in many of the cases involving suspended officers.

PSNI has been working with the Department of Justice to seek legislative reform of the Police conduct and performance system. It is anticipated that an impact of reformed conduct & performance regulations will result in dramatically reducing the time officers spend on suspension. The revised legislation is expected to be in place by the end of 2014.

Question 4

What type of allegation (misconduct, assault, etc.) have officers been suspended over?

Answer

The suspensions were as a result of investigations into the following alleged offences; motoring offences, perjury, assault, disorderly behaviour, drug offences, perverting the course of justice, sexual offences, inappropriate text messages, misconduct in public office, criminal damage, theft, inappropriate disclosure of police information, fitness for duty, fraud, firearms offences, providing misleading/false information to authorities, harassment.

Question 5

How many officers suspended during the past three years resigned before disciplinary proceedings?

Answer

In the last three financial years, eighteen officers were permitted to resign or retire prior to the conclusion of misconduct proceedings.

The decision to approve an officer's application to resign is given after careful deliberation. Due consideration is given to public interest, the fact that resignation has no impact on any potential criminal liability and is often more cost effective than maintaining an officer on full pay to face a Misconduct Hearing. Given that the ultimate sanction of a Misconduct Hearing is to dispense with an officer's services, resigning has the same net effect but usually at an earlier stage. By resigning, the officer has rescinded any rights to avail of statutory appeals processes, therefore negating any possibility of remaining in the PSNI. Consequently, permitting an officer to leave the Service can be the more constructive decision to ongoing disciplinary proceedings.

Question 6

Since April 2007 what has been the cost for officers suspended on full pay?

Clarification Sought

To enable the Police Service of Northern Ireland (PSNI) to meet your request could you please provide further clarification on the following - Question 6 of your request relates to the cost of officers suspended on full pay since April 2007. This would involve around 215 suspensions that commenced, closed or are ongoing since April 2007. An initial estimate of retrieving the cost regarding this question equates to around 40 hours, placing your request overcost, which is currently set by the Secretary of State at £450 (18hrs).

Information regarding the total amount paid in salaries to suspended officers for the past three financial years can be provided within cost, please indicate how you wish your FOI request to proceed

Clarification Received

Please forget question 6....but please provide total amount paid in salaries to suspended officers for

past three financial years.

Answer

The total cost of suspensions effected since April 2011 has been £3,305,304.43. This figure reflects the cost of these suspensions to the Organisation, and not the amount suspended officers received as a salary.

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. Part-time officers receive no salary during suspension.

The information supplied has been compiled by Discipline Branch, Service Improvement Department and PSNI Pay Branch.

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.