



FREEDOM OF INFORMATION REQUEST



Request Number: F-2015-01071

Keyword: Complaints/Discipline

Subject: Officers Suspended

Request and Answer:

Question 1

How many suspensions of officers within your force commenced in the past five financial years (overall total); 2010-2011, 2011-2012, 2012-2013, 2013-2014, 2014-2015?

Clarification sought

Can you please advise if you would be content to receive information which can be retrieved within the cost limit.

Clarification received

You previously clarified you are content to receive information that could be retrieved within the cost limit.

Answer

This is to inform you that the Police Service of Northern Ireland has now completed its search for the information you requested and the response is as follows.

Ninety-two suspensions commenced in the past four financial years. It should be noted that eleven of these suspensions were effected due to the officer involved receiving a disciplinary sanction of 'requirement to resign' at a Formal Misconduct Hearing, resulting in these officers serving their last month of service on suspension.

Question 2

How many were suspended on full pay in the past five years?

Answer

Eighty-four officers were suspended on full pay. 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 is statutorily entitled to full salary and allowances 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, 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. Police Officers Part-Time (POPT's) are not eligible for pay whilst on suspension.

Question 3

How many are currently suspended on full pay?

Answer

At the date of your request, sixteen officers were suspended on full pay.

Question 4

How much has the suspension of officers cost your force in the past five financial years/past financial year (e.g. cost to organisation and salaries)?

Answer

The table below outlines the amount that the suspended officers' salaries cost the Organisation;

Financial Year	Cost
2014-2015	1,060,809.65
2013-2014	1,102,786.78
2012-2013	1,187,284.84
2011-2012	560,507.28
TOTAL	3,911,388.55

Question 5

Since April 2010 to date, what is the longest period any officer (including rank) has been suspended for?

Answer

Since April 2011 to date, the longest period an officer has been suspended is 3 years and 5 months. This officer held the rank of constable. 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 the conclusion of criminal proceedings accounts in the most part for the length of time an officer remains on suspension.

Question 6

Of those suspended at the moment, what is the longest period any officer (including rank) has been suspended for?

Answer

The longest period for an officer that is currently on suspension is 3 years. This officer holds the rank of constable.

Question 7

What type of allegation (misconduct, assault, etc.) have officers been suspended over (breakdown of number of officers for each offence)?

Answer

The table below provides a breakdown of the alleged offences.

Alleged misconduct	Number of Officers
Criminal damage	3
Data protection breach	3
Drink Driving	16
Assault	5
Disorderly Behaviour	2
On-duty negligence	1

Drug offence	5
Providing misleading information to authorities	3
Firearm offence	2
Fraud/Theft	15
Harassment	3
Inappropriate text messages	5
Misconduct in public office	6
Perverting the course of justice/perjury	5
Sexual offence	7
Requirement to resign as an alternative to dismissal	11

Question 8

How many officers suspended during the five years resigned before disciplinary proceedings?
 If any of my request exceeds the FOI amount - I would like as many questions as possible treated as a separate FOI, so as not to exceed the amount.

Answer

Sixteen officers resigned prior to the conclusion of disciplinary 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.

PSNI officers are expected to behave with the highest standards of integrity and professionalism at all times and any conduct, which is likely to bring discredit on the Service will be investigated robustly in order to establish whether or not a breach of the PSNI Code of Ethics has occurred. The number of suspended officers should be placed into context with the average strength of the PSNI for this time-frame, i.e. around 7600 officers.

The information supplied has been compiled by PSNI Pay Section and Discipline Branch, Service Improvement Department which has responsibility for internal discipline relating to police officers.

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.