



FREEDOM OF INFORMATION REQUEST



Request Number: F-2016-00423

Keyword: Complaints/Discipline

Subject: Misconduct Hearings

Request and Answer:

Question

Details of internal misconduct hearings since January 2010 to date, to include type of charge, integrity/professional duty, etc. specifics of charge, criminal damage, inappropriate comments, etc sanction applied to each charge.

Clarification Sought

There were around 200 scheduled Formal Misconduct Hearings since 1st January 2010, with around 400 charges brought against the officers in question. Whilst a number of these cases can be excluded from your request (as officers tendered their resignation prior to the scheduled hearing), it is estimated to extract and retrieve the information requested would greatly exceed the Freedom of Information Act 2000 statutory cost limit of 18 hours (3 minutes to extract each of the 200 misconduct hearing records, 8 minutes to retrieve information for each type of code of ethics breach and nature of the charge and sanction imposed for each charge = 63 hours).

To retrieve the information within the legislative cost limit of 18 hours, Discipline Branch as stated (subject to any exemptions that may apply) can supply the information requested for 2013 to 2015. Please advise if you would be content to receive this.

Clarification Received

2013 to 2015 will be sufficient for my needs and within the costings limit.

Answer

Your request for information has now been considered. In respect of Section 1(1)(a) of the Act I can confirm that the Police Service of Northern Ireland (PSNI) does hold information to which your request relates. The decision has been taken to disclose the following.

Please see table on pages 1 - 5 at the end of this communication outlining Formal Misconduct Hearings between 2013 and 2015, showing the Breaches of the Code of Ethics, nature of the charge and disciplinary sanction.

Every misconduct charge brought to Hearing is examined on a case by case basis to determine the extent to which the PSNI Code of Ethics has been breached. The seriousness of the misconduct and the circumstances surrounding the offence would have dictated the sanction(s) ultimately imposed.

It should be noted that an officer has the right to appeal their disciplinary sanction through the statutory appeals process, therefore the information provided outlines sanctions furnished at Misconduct Hearing, and not the ultimate disciplinary outcome if any subsequent appeals were allowed.

Whilst the PSNI expect its officers to behave with the highest standards of integrity and professionalism at all times, the number of officers formally disciplined should be placed into context with the average strength of the PSNI in this time-frame, i.e. around 7500 officers.

The information supplied has been compiled by Discipline Branch, Legacy and Justice 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.

Formal Misconduct Hearings 2013 to 2015

Charges	Nature of Charge	Sanction
Integrity	Allegations of misconduct in public office	Dismissal
Integrity x 2	Allegations of misconduct in public office x2	Required to resign
Integrityx1, Professional Dutyx1	failure to support colleagues in execution of their duties, unprofessional language and behaviour	Reduction in pay, Fined
Police Investigations	Failure to conduct prompt and thorough investigations	Reduction in pay
Use of Force x 3	Excessive force on duty x3	Reduction in pay x2 Not guilty third charge
Integrity	Motoring offence	Caution
Integrityx1, Privacy & Confidentialityx1, Propertyx1	Adult caution for breach of Firearms (NI) Order 2004, gathered and retained police information for non-police purposes, failure to ensure property handled in line with Service Policy and procedure	Required to resign x 2, Reprimand
Professional Dutyx2	Failure to obey a lawful order, made a misleading entry on a police document	Fine, Reprimand
Integrity	failure to act with honesty and integrity towards supervisors	Fine
Professional Duty , Police Investigations	failure to abide by provisions of Police Service policy & procedure, Failure to conduct prompt and thorough investigations	Fine, Reduced in pay
Professional Duty	Inappropriate text messages	Fine
Professional Duty	Inappropriate text messages	Fine
Integrity x1, Professional Duty x2	failure to act with honesty and integrity towards supervisors, failure to abide by provisions of Police Service policy & procedure, failure to update police records	Fine, Reprimand x2
Professional Duty	Inappropriate text messages	Not Proven
Professional Duty	Inappropriate text messages	Fine
Professional Duty x2, Property, Integrity	Dishonest/fraudulent behaviour, failure to abide by provisions of Police Service policy & procedure, failure to ensure property handled as required by law, failure to act with honesty and integrity towards colleagues	Dismissed immediate effect, Required to Resign Immediate effect, Reprimand x2,
Integrity , Police Investigations	Inaccurate police records, Failure to conduct prompt and thorough investigations	Reduction in pay, Fine

Formal Misconduct Hearings 2013 to 2015

Police Investigations x 2 & Integrity	Failure to conduct prompt and thorough investigations x2, dishonesty towards supervisors	Fine , Not Proven , Reduction in pay
Professional Duty & Police investigations	Failure to maintain police records, Failure to conduct prompt and thorough investigations	Fine, Reduction in pay
Integrity	Adult caution common assault	Reprimand
Professional Duty& Integrity	Failure to discharge police duties, failure to act with honesty and integrity towards member of the public	Required to resign x 2
Integrity, Professional Duty	Adult caution breach of the Data Protection Act, failure to abide by provisions of Police Service policy & procedure	Fine x2
Property	failure to ensure property handled in line with Service Policy and procedure	Caution
Professional Duty x 3	Breach of Service policy in relation to sickness absence, inappropriate language and behaviour towards colleague, failure to obey a lawful order	Fine x2, Reduction in Pay
Integrity, Professional Duty	Possession of class 'B' Drug, failure to ensure property handled in line with Service Policy and procedure	Required to Resign , Reprimand
Integrity, Privacy & Confidentiality	breach of the Data Protection Act, gathered and retained police information for non-police purposes	Required to Resign x 2
Integrity x 2	Motoring offence x2	Reduction in pay , Fine
Professional Duty	Inaccurate police records	Reduction in Pay
Professional Duty x 3	failure to abide by provisions of Police Service policy & procedure regarding disclosure of information x3	Charges dismissed
Integrity	Drink Driving	Required to Resign
Integrity	Adult Caution Breach of Data Protection Act	Fine
Police Investigations	Failure to conduct prompt and thorough investigations	Reprimand
Professional duty, Equality, Duty of Supervisors	Unprofessional behaviour towards member of the public, failure to act with fairness and self-control towards member of the public, failure to demonstrate professional and impartial supervisory behaviour	Reduction in Pay, Reprimand, Reduction in Pay

Formal Misconduct Hearings 2013 to 2015

Integrity, Police Investigations	Falsified police records, Failure to conduct prompt and thorough investigations	Required to Resign, Reprimand
Integrity x 2	Adult caution assault, failure to support colleagues in execution of their duties	Fine x2
Integrity	Drink driving	Required to Resign
Integrity	Adult caution harassment	Fine
Integrity	Adult Caution Breach of Firearms (NI) Order	Fine
Integrity	Adult caution common assault &DPA	Reduction in pay
Integrity	Conviction for Fraud	Dismissed
Integrity, Professional Duty	Conviction for Theft, failure to ensure property handled as required by law	Dismissed X 2
1 x Professional Duty	Alleged assault	Charges dismissed
2 x Professional Duty, 1 x Property	Failure to adhere to Service policy & procedure, failure to keep accurate police records, failure to appropriately handle police property	2 x fine, 1 x caution
2 x Integrity	Motoring offence, failure to notify authorities	1 x fine, 1 x caution
1 x Police Investigations	Failure to conduct prompt and thorough investigations	Fine
1 x Police Investigations	Failure to conduct prompt and thorough investigations	Fine
1 x Integrity	Common assault	Caution
1 x Integrity	Motoring offence	Fined
2 x police Investigations, 1 x Professional Duty	Failure to conduct prompt and thorough investigations x2, failure to keep accurate police records	Required to Resign as an alternative to Dismissal
1 x Police Investigations, 1 x Integrity	Failure to conduct prompt and thorough investigations , falsifying police records	Dismissed
1 x Professional Duty	Inappropriate text messages	Reduced in Pay
1 x Professional Duty	Inappropriate text messages	Reduced in Pay
1 x Professional Duty	Inappropriate text messages	Reduced in Pay
1 x Professional Duty, 2 x Integrity, 1 x Property	Inappropriate language and behaviour off duty, failure to act with integrity towards colleagues, failure to support colleagues in execution of	Charges 1 - 3 Dismissed by the Panel, Charge 4 no further action

Formal Misconduct Hearings 2013 to 2015

	their duty.	
1 x Professional Duty	Inappropriate text messages	Reduced in Pay
1 x Professional Duty	failure to keep accurate police records	Fined
1 x Professional Duty, 1 x Privacy and Confidentiality	Failure to obey a lawful order, failure to keep data in possession of police confidential	Caution x2
1 x Professional Duty, 1 x Integrity	Inappropriate on duty behaviour, failure to act with honesty and integrity towards supervisors	Reduced in Pay x2
2 x Police Investigations	Failure to conduct prompt and thorough investigations x2	Reduced in Pay x2
1 x Professional Duty	Inappropriate text messages	Reduced in Pay
1 x Professional Duty	Inappropriate text messages	Reduced in Pay
2 x Fitness for Duty	Unfit for duty, failure to report for duty promptly	Fined x2
1 x Integrity	Motoring offence	Reprimand
1 x Integrity	Theft	Required to Resign as an alternative to Dismissal
1 x Police Investigations	Failure to conduct prompt and thorough investigations	Reprimand
1 x Professional Duty	Failure to discharge police duties	Reduction in pay
2 x Professional Duty, 1 Privacy & Confidentiality, 1 x Integrity	Abuse of position, failure to obey a lawful order, failure to keep data in possession of police confidential, failure to act with honesty and integrity towards supervisors	Dismissed x 4
1 x Integrity, 1 x Professional Duty	Adult Caution for breach of the Data Protection Act, failure to abide by provisions of Police Service policy & procedure	1 x Fine, 1 x Reprimand
1 x Integrity	Adult caution disorderly behaviour	Reduction in pay
2 x Integrity	Adult Caution for breach of the Data Protection Act, failure to support colleagues in execution of their duties	1 x Reduction in pay, 1 x Fine
1 x Integrity	Misconduct in public office	Reprimand
Professional Duty x 3	failure to keep accurate police records, failure to take correct measures to bring an offender to justice, failure to maintain and handle police property	fine x 1, Reprimand x 2
1 x Integrity, 1x	Abuse of position, used police information for	2 x Required to Resign,

Formal Misconduct Hearings 2013 to 2015

Professional Duty, 1 x Property, 1 x Fitness for Duty, 1x Professional Duty	personal benefit, failure to handle police equipment as required by Police Service policy, failure to attend work promptly, failure to ensure that accurate records were kept.	3 x Caution
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