

Keeping People Safe



## FREEDOM OF INFORMATION REQUEST



**Request Number:** FOI-2021-01145

**Keyword:** Complaints/Discipline

**Subject:** Police Misconduct Hearings 2018-2021

### Request and Answer:

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

#### Request 1

Between the 1st January 2018 and 10th May 2021 how many Misconduct and Special Case Hearings has your force held in total?

Please break down by calendar year and month.

#### Answer

Between 1<sup>st</sup> January 2018 and 10<sup>th</sup> May 2021 the following number of Misconduct and Special Case hearings have been held by the PSNI:

January 2018 – 3  
February 2018 – 3  
March 2018 – 1  
April 2018 – 1  
May 2018 – 2  
June 2018 – 2  
July 2018 – 1  
November 2018 – 1  
December 2018 – 3  
  
January 2019 – 1  
February 2019 – 1  
March 2019 – 3  
April 2019 – 3  
June 2019 – 1  
July 2019 – 1  
August 2019 – 1  
  
February 2020 – 1  
September 2020 – 5

November 2020 – 1  
December 2020 – 2

January 2021 – 2

### **Request 2**

Between the 1st Jan 2018 and 10th May 2021 how many misconduct hearings has your force held in private which could have been held in public but a decision had been taken by the LQC that it would be held in private?

### **Request 3**

How many times between the above 2 dates have you invited representations from media and other interested parties before deciding that a hearing should be held in private and what form has that invitation taken? E.G. email, letter or public notification? Please provide details of all media outlets that have been advised and how many times the IOPC have been invited to make representations, as to whether a hearing, should be held in private?

Your attention is drawn to section 11.80 pages 134 of the Home Office Guidance Conduct, Efficiency and Effectiveness: Statutory Guidance on Professional Standards, Performance and Integrity in Policing:

Which states: 11.80 At the pre-hearing, the chair will have discussed with participants the reporting restrictions or exclusions from the hearing proposed by the appropriate authority or the officer concerned. This will not be a final determination but an initial position from which, following public notification, the chair will be able to take representations (see Regulation 36(3) and (5) of the Conduct Regulations) from: a) the officer concerned, b) the appropriate authority, c) the complainant, d) any interested person, e) witnesses, f) the Director-General, g) representatives of the media

Your attention is drawn to page 131-132 of the Home Office Guidance Conduct, Efficiency and Effectiveness: Statutory Guidance on Professional Standards, Performance and Integrity in Policing Version 1 published on February 5th 2020.

### **Request 4**

I am seeking to find out the numerical difference between the number of public misconduct hearings that had been scheduled and the number that had been held in private during a 3 year period e.g. 10 public misconduct hearings have been scheduled but it had been decided that 4 of those were to be held in private.

### **Request 5**

I further seek information on the number of times that the media and the IOPC has been advised in advance of pre-hearing to decide if a public misconduct hearing should be held in private and have been invited to make representations before that decision was made.

### **Answer**

All Misconduct Procedures conducted by the PSNI are governed by the PSNI Conduct Regulations (Northern Ireland) 2016, with associated guidance issued by the Northern Ireland Department of Justice. These regulations do not provide for the PSNI to hold Misconduct hearings or Special Case hearings in public, and all such hearings are therefore conducted in private.

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 Corporate Information Branch, 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 Corporate Information Branch, PSNI Headquarters, 65 Knock Road, Belfast, BT5 6LE or by emailing [foi@psni.pnn.police.uk](mailto: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](http://www.psni.police.uk)

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