



Ministry
of Defence Police

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[REDACTED]

By email – [REDACTED]

Our Ref: eCase: FOI2016/10942 RFI: 320/16
Date: 12 December 2016

Dear [REDACTED]

FREEDOM OF INFORMATION ACT 2000: MINISTRY OF DEFENCE POLICE: MISCONDUCT HEARINGS

We refer to your email dated 14 November 2016 which was acknowledged on the 15 November 2016.

We are treating your email as a request for information in accordance with the Freedom of Information Act 2000 (FOIA 2000).

In your email of the 14 November 2016 you requested the following information:

“Under the Freedom of Information Act 2000 I seek access to documents detailing the following information about officer misconduct hearings:

- **In the last five years (January 2011 – present day) how many of your officers have been subject to misconduct hearings?**
- **How many of these were found guilty of misconduct?**
- **Of those found guilty of misconduct, how many had engaged, or tried to engage, in a sexual or otherwise inappropriate relationship with a witness, victim or offender?**
- **For all those who were found guilty of misconduct of any nature, please provide: rank of officer, name of officer (where possible), date of their hearing, date the misconduct took place between, the punishment they received from the force and a relevant summary of the misconduct they had committed.”**

A search for information has now been completed and I can confirm that some information in scope of your request is held.

In the last five years (January 2011 – present day) how many of your officers have been subject to misconduct hearings?

29 officers have been subject to misconduct hearings from January 2011 to 22 November 2016.

How many of these were found guilty of misconduct?

27 of these officers were found guilty of misconduct.

Of those found guilty of misconduct, how many had engaged, or tried to engage, in a sexual or otherwise inappropriate relationship with a witness, victim or offender?

No information held. None of these officers had engaged in the above with the witness, victim or offender.

For all those who were found guilty of misconduct of any nature, please provide: rank of officer, name of officer (where possible), date of their hearing, date the misconduct took place between, the punishment they received from the force and a relevant summary of the misconduct they had committed”

Section 40(2)(3) has been applied to the names of officers in order to protect personal information as governed by the Data Protection Act 1998. Section 40 is an absolute exemption and there is therefore no requirement to consider the public interest in making a decision to withhold the information.

Personal data is defined under Section 1(1)(e) of the DPA98 as “data which relates to a living individual who can be identified – (a) from those data”.

Please see Annex A attached for the remaining data requested in this question.

If you are not satisfied with this response or wish to complain about any aspect of the handling of your request, then you should contact me in the first instance. If informal resolution is not possible and you are still dissatisfied then you may apply for an independent internal review by contacting the Information Rights Compliance team, 2nd Floor, MOD Main Building, Whitehall, London SW1A 2HB (email CIO-FOI-IR@mod.uk).

Please note that any request for an internal review must be made within 40 working days of the date on which the attempt to reach informal resolution has come to an end. If you remain dissatisfied following an internal review, you may take your complaint to the Information Commissioner under the provisions of Section 50 of the Freedom of Information Act. Please note that the Information Commissioner will not investigate the case until the MOD internal review process has been completed. Further details of the role and powers of the Information Commissioner can be found on the Commissioner’s website (<http://www.ico.org.uk>).

Yours sincerely

MDP Sec Data Protection and Freedom of Information Office

**Annex A
Misconduct Hearings**

Hearing Start Date	Rank	Date of Misconduct	Punishment	Summary
14/09/2011	Constable	07/03/2011	Final Written Warning	Reported for duty whilst unfit due to alcohol
02/11/2011	Constable	27/12/2010	Final Written Warning	Charged with single count of Battery
22/11/2011	Inspector	July 2009 - October 2010	Dismissal Without Notice	Failure to disclose being in receipt of overpayments
13/03/2013	Constable	06/03/2012	Final Written Warning	Failure to perform full range of duties
13/03/2013	Constable	06/03/2012	Final Written Warning	Failure to perform full range of duties
21/03/2013	Constable	18/08/2011 - 23/06/2012	Dismissal Without Notice	Failure to perform full range of duties and conducting unauthorised business interests
25/07/2013	Sergeant	29/05/2012	Dismissal Without Notice	Found to have alcohol/breath reading which exceeded the limit in regards to MDP Policies
07/11/2013	Constable	14/10/2012	Final Written Warning	Officer arrested for common assault - subsequently released without charge
19/03/2014	Constable	16/05/2013 - 17/05/2013	Dismissal Without Notice	Made false statements in order to obtain short notice leave
08/05/2014	Constable	January 2013	Dismissal Without Notice	Made false statements in order to obtain short notice leave
15/07/2014	Constable	May - August 2013	Dismissal Without Notice	Failure to perform full range of duties
10/06/2014	Constable	May - August 2013	Dismissal Without Notice	Failure to perform full range of duties
24/06/2014	Constable	May - August 2013	Dismissal Without Notice	Failure to perform full range of duties
22/09/2014	Sergeant	2010 - 2012	Dismissal Without Notice	Relationship conducted on work premises
11/11/2014	Constable	May - August 2013	Dismissal Without Notice	Failure to perform full range of duties
25/11/2014	Constable	May - August 2013	Dismissal Without Notice	Failure to perform full range of duties
20/01/2015	Constable	May - August 2013	Dismissal Without Notice	Failure to perform full range of duties
23/03/2015	Constable	August 2014	Dismissal Without Notice	Failure to perform full range of duties
25/03/2015	Constable	August 2014	Dismissal Without Notice	Failure to perform full range of duties
03/12/2014	Insp	July 2007 - July 2012	Dismissal Without Notice	In receipt of allowances where no entitlement was applicable
07/09/2015	Constable	31/08/2014	Final Written Warning	Received a caution for Assault by Beating
09/11/2015	Constable	16/06/2014	Final Written Warning	Equality and diversity issues in relation to comments made relating to another officer
02/02/2016	Constable	March 2012 - March 2015	Extension to Final Written Warning	Failure to notify force of previous speeding convictions
07/03/2016	Constable	15/03/2013	Dismissal Without Notice	Ammunition not stored in accordance with licence conditions
14/03/2016	Sergeant	September 2012 - June 2014	Final Written Warning	Made inappropriate comments about management
20/06/2016	Constable	June 2014 - June 2015	Dismissal Without Notice	Anomalies found during audit of Travel claims
01/11/2016	Constable	24/03/2016	Final Written Warning	Failure to report for duty as directed