



Ministry
of Defence Police

MDP Secretariat
Room 126, Building 1070
MDP HQ Wethersfield
Braintree, Essex CM7 4AZ

Tel: 01371 85 [REDACTED]
Fax: 01371 854080
E-mail: MDP-FOI-DP@mod.uk

[REDACTED]

By email – [REDACTED]

Our Ref: eCase: FOI2016/11343 RFI: 328/16
Date: 15 December 2016

Dear [REDACTED]

FREEDOM OF INFORMATION ACT 2000: MINISTRY OF DEFENCE POLICE: MDP JURISDICTION RELATING TO MOD PROPERTY AND CIVILIAN PERSONNEL.

I refer to your email dated 22nd 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 22nd November 2016 you requested the following information:

- “1. I request information on procedures for handling Civilian personnel working within Portsmouth dockyard. What authority a MDP has in detaining anyone.**
- 2. I request a black and white written copy of all procedures when arresting/detaining a civilian, also any procedure questioning a civilian on tape/cd/voice recorder. What jurisdictions doe's MDP have.**
- 3. I would also request where MDP jurisdiction ends when not on MOD property. Whether or not an MDP has the authority of entering a civilian address, without a warrant.**
- 4. Also i request Fol any procedure which allows MDP to investigate any property which is not MOD that may have been stole from a civilian company on MOD grounds. As an example, if someone took a loaf of bread from a NAFFI shop within the dockyard, what jurisdiction doe's the MDP have.**
- 5. What powers do a MDP have when dealing with a civilian complaint between a civilian manager and an employee.**
- 6. I also want to request Fol on what ground do MOD police have to FINE any member of public. I would like any black and white written procedure for this”.**

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

1. I request information on procedures for handling Civilian personnel working within Portsmouth dockyard. What authority a MDP has in detaining anyone.

2. I request a black and white written copy of all procedures when arresting/detaining a civilian, also any procedure questioning a civilian on tape/cd/voice recorder. What jurisdictions doe's MDP have.

3. I would also request where MDP jurisdiction ends when not on MOD property. Whether or not an MDP has the authority of entering a civilian address, without a warrant.

4. Also i request Fol any procedure which allows MDP to investigate any property which is not MOD that may have been stole from a civilian company on MOD grounds. As an example, if someone took a loaf of bread from a NAFFI shop within the dockyard, what jurisdiction doe's the MDP have.

Questions 1 2 3 and 4 relate to the Powers of the Ministry of Defence Police and the Ministry of Defence Police Act 1987 legislation. MDP officers have the full powers and privileges of constables, identical to other civil police officers in the UK.

The Ministry of Defence Police Act 1987 can be found at:

<http://www.legislation.gov.uk/ukpga/1987/4/contents>

Information on MDP jurisdiction can be found at:

<https://www.gov.uk/government/publications/mod-police-jurisdiction/mod-police-jurisdiction>

The Anti-terrorism, Crime and Security Act 2001 allow officers of the Ministry of Defence Police to exercise constabulary powers outside the vicinity of MoD property and elsewhere in the following circumstances:

'When they suspect on reasonable grounds a person of having committed, being in the course of committing or about to commit an offence, or that they need the powers and privileges of a constable in order to save life or to prevent or minimise personal injury. Ministry of Defence Police officers can only act in these circumstances if they are in uniform or have documentary evidence that they are a member of the Ministry of Defence Police and they believe on reasonable grounds that they should exercise these powers without securing the attendance of, or a request for assistance from, another constable under (a) as this would frustrate or severely prejudice the purpose for which they believe the power should be exercised.'

5. What powers do a MDP have when dealing with a civilian complaint between a civilian manager and an employee.

This would depend on the specific circumstances of the complaint and any offences disclosed.

6. I also want to request Fol on what ground do MOD police have to FINE any member of public. I would like any black and white written procedure for this”.

This would depend on the specific circumstances and on what offence(s) had been committed.

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, 1st 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