



# Ministry of Defence Police

Freedom of Information Manager

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Our Ref: eCase: FOI 2020/04175  
RFI:117/20

Date: 14 April 2020

Dear [REDACTED]

## **FREEDOM OF INFORMATION ACT 2000: MINISTRY OF DEFENCE POLICE: POLICE CLOTHING.**

We refer to your email dated 30 March 2020 to the Ministry of Defence Police which was acknowledged on the same date.

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

In your email you requested the following information:

- “1. Could you please tell me if Police officers are allowed to wear non issued clothing or equipment e.g trousers with knee protection or non issued taser pouches etc?**
- 2. What is the reason for officers only wearing issued clothing and equipment?**
- 3. If officers wear non issued clothing/ equipment and something happens who is then responsible?”**

A search for information has now been completed by the Ministry of Defence Police and I can confirm that we do hold information in scope of your request.

- 1. Could you please tell me if Police officers are allowed to wear non issued clothing or equipment e.g trousers with knee protection or non-issued taser pouches etc?**

Clothing and equipment is issued to all Ministry of Defence Police officers in accordance with an agreed scale of issue. Officers are not permitted to wear/use non-issue items of clothing or equipment without specific authority. If an officer were to require specific clothing or equipment because of an individual need, this would be arranged.

## **2. What is the reason for officers only wearing issued clothing and equipment?**

All clothing and equipment is subject to testing and Human Factors integration assessment. This is a formal process that is applied to ensure that clothing and equipment meets the operational requirement and is equality impact tested.

## **3. If officers wear non issued clothing/equipment and something happens who is then responsible?**

Health and Safety legislation puts an onus on the Force to carry out risk assessments and develop safe systems of work as part of an overall process to manage health and safety, both for police officers and members of the public, where a duty of care is owed. Since 1 July 1998, all police activities have been subject to health and safety at work law. This legislation forms part of criminal law, and a breach of the legislation can result in criminal prosecution by the Health and Safety Executive (HSE), which is the enforcing authority. It is essential, therefore, that officers and police staff are appropriately trained, equipped and use work-related equipment and personal protective equipment (PPE) in accordance with guidance provided to and by the Police Service. The HSWA also places duties on employees to take reasonable care of themselves and others and to co-operate with their employer. In essence, this means that police officers and staff should act sensibly and responsibly within the command and control of their employer; they should not act recklessly. If an officer were to fail to comply with lawful direction in relation to health and safety and use of work relating equipment, this may be considered reckless or negligent and the officer may, therefore, be held responsible for any injury or damage to property resulting from their actions.

If you have any queries regarding the content of this letter, please contact this office in the first instance.

If you wish to complain about the handling of your request, or the content of this response, you can request an independent internal review by contacting the Information Rights Compliance team, Ground Floor, MOD Main Building, Whitehall, SW1A 2HB (e-mail CIO-FOI-IR@mod.gov.uk).

Please note that any request for an internal review should be made within 40 working days of the date of this response.

If you remain dissatisfied following an internal review, you may raise your complaint directly to the Information Commissioner under the provisions of Section 50 of the Freedom of Information Act. Please note that the Information Commissioner will not normally investigate your case until the MOD internal review process has been completed. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. Further details of the role and powers of the Information Commissioner can be found on the Commissioner's website at <https://ico.org.uk/>.

Yours sincerely

**MDP Secretariat and Freedom of Information Office**