



Ministry of Defence Police

Freedom of Information Manager

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Our Ref: eCase: FOI 2020/09746

RFI: 244/20

Date: 5 October 2020

[REDACTED]
[REDACTED]
Dear [REDACTED]

FREEDOM OF INFORMATION ACT 2000: MINISTRY OF DEFENCE POLICE: LEGAL SERVICES.

We refer to your email dated 28 August 2020 to the Ministry of Defence Police which was acknowledged on 1 September 2020.

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 follow on information:

1. Which department or departments are responsible for overseeing legal hearings involving your police force e.g. Legal Services, HR?

If different for criminal and civil hearings, please differentiate.

Please can you provide the name and contact details of the people overseeing this department(s)?

Within this department(s), please, can you provide the details of staff who are responsible for day-to-day managing of the following legal areas; Commercial Litigation, Crime, Crime-Fraud, Employment, Intellectual Property, Litigation General.

2. Which department or departments are responsible for managing/supporting staff who are giving evidence at a legal hearing i.e. providing time off to attend court?

If different for criminal and civil hearings, please differentiate

Please can you provide the name and contact details of the people overseeing this department(s)?

3. In 2018 and 2019, how many civil legal hearings has the force been involved in?

Please differentiate between hearings your force was the claimants/defendants/respondent/appellant.

Please breakdown where these cases were heard e.g. High court/ Employment tribunal/ arbitration

**At these civil hearings, how many staff or officers gave verbal evidence?
Please differentiate between factual witnesses, professional witnesses, and expert witnesses.**

4. In 2018 and 2019, how many Public Inquiry hearings was your force involved in?

In these inquiry hearings, how many staff and officers gave verbal evidence at the hearings?

Please differentiate between factual witnesses, professional witnesses, and expert witnesses.

5. In 2018 and 2019, how many Coroners inquest hearings was your force been involved in?

In the inquest hearings, how many staff and officers gave verbal evidence?

Please differentiate between factual witnesses, professional witnesses, and expert witnesses.

6. 2018 and 2019, how many criminal hearings was your force been involved in?

At these hearings, how many staff and officers gave verbal evidence.

Please differentiate between factual witnesses, professional witnesses, and expert witnesses.

7. Please can provide how much money the force has spent on civil legal hearings in 2018 and 2019?

A search for information has now been completed by the Ministry of Defence Police (MDP) and I can confirm that we do hold information in scope of your request. However, I have to advise you that I have removed your questions that relate to names, contact details and any other details of staff under S40(2) – Personal Information. FOIA section 40(2) states that personal data which is not the personal data of the requester (ie third-party personal data) should not be disclosed. This is an absolute exemption requiring no Public Interest Test.

1. Which department or departments are responsible for overseeing legal hearings involving your police force e.g. Legal Services, HR?

The MDP Professional Standards department oversees the management of police misconduct hearings and the MDP Crime Command oversees the management of criminal casework. Please note that the Ministry of Defence has various departments that will oversee legal proceedings that relate to the MDP (e.g. public liability claims and Employment Tribunal cases).

If different for criminal and civil hearings, please differentiate.

The Crown Prosecution Service prosecutes criminal cases that have been investigated by the MDP in England and Wales. The Crown Office and Procurator Fiscal Service is responsible for the prosecution of crimes investigated by the MDP in Scotland.

2. Which department or departments are responsible for managing/supporting staff who are giving evidence at a legal hearing i.e. providing time off to attend court?

If different for criminal and civil hearings, please differentiate

The MOD and MDP provides appropriate support to police officers and civilian staff who may be required to give evidence at a legal hearing.

It is MOD policy for those attending court for official business to do so as part of their duty attendance.

3. In 2018 and 2019, how many civil legal hearings has the force been involved in?

There is no centrally held record of this information within the Ministry of Defence Police.

4. In 2018 and 2019, how many Public Inquiry hearings was your force involved in?

Nil

5. In 2018 and 2019, how many Coroners inquest hearings was your force been involved in?

One.

In the inquest hearings, how many staff and officers gave verbal evidence?

Two.

Please differentiate between factual witnesses, professional witnesses, and expert witnesses.

One professional witness. One witness gave factual testimony in a personal capacity.

6. 2018 and 2019, how many criminal hearings was your force been involved in?

20.

At these hearings, how many staff and officers gave verbal evidence.

Please differentiate between factual witnesses, professional witnesses, and expert witnesses.

Factual: 112

Expert: 6

Professional: 1

Factual witnesses include all witnesses that are not classed as either Expert or Professional

7. Please can provide how much money the force has spent on civil legal hearings in 2018 and 2019?

There is no centrally held record of all such costs. However, MDP would be able to supply the legal costs for police misconduct hearings.

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