



# Ministry of Defence Police

Freedom of Information Manager

Room 126 Building 1070

MDP Wethersfield

Braintree CM7 4AZ

United Kingdom

Telephone: +44 (0)1371 85[REDACTED]

E-mail: [MDP-FOI-DP@mod.gov.uk](mailto:MDP-FOI-DP@mod.gov.uk)

Our Ref: eCase: FOI 2021/00660

RFI:28/21

Date: 16 February 2021

Dear [REDACTED]

**FREEDOM OF INFORMATION ACT 2000: MINISTRY OF DEFENCE POLICE:  
ELIGIBILITY TO JOIN THE MINISTRY OF DEFENCE POLICE.**

We refer to your email dated 20 January 2021 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. I am trying to establish the correct legal standing on a Policy that the MOD Police have in place with regard to Eligibility for rejoiners and transferrers from other Police Forces. It appears at first stance that the current policy is incorrect and unlawful as it is not the same as other Police Forces and also goes against the College Of Policing IOPC own policy.**
- 2. I have contacted the MOD Police directly and they are not prepared to answer the simple questions without me going to you first. Even though they are the owners of this policy. Therefore, I have attached the previous emails on here and their replies.**
- 3. Please can you confirm the current MOD and MOD Police Policy with regard to applicants wanting to rejoin or transfer to the MOD Police.**
- 4. Can you confirm why this goes against the current Civil Service Covenant, and what exemption in law they are using.**
- 5. What exemption does the MOD Police in law (employment or otherwise) have to allow them to bar an applicant from joining for life (when no criminal action or dishonesty has taken place) which this current policy is suggesting.**

**6. Why is this policy working outside the College of Policing's own Guidelines and Policy as laid out on their own public website.**

**7. Why are the MOD Police still trying to put past members of the force on a disapproval list (See their own website) when the College of Policing state on their own website this list no longer exists, no new names are placed on it and is only held for statistical reasons only.**

**8. Can you also confirm that there is no law or legal instrument that allows previous MOD Officers to be placed on the IOPC Barred list and advisory list as this is only for Home Officers Police forces only, not MOD Police.**

**9. I will re-iterate what I have said in the original email:**

**'I therefore, would like a full copy of your Policy/ies in regard to this and what is the current force's policy in allowing someone to join if they have had any misconduct proceedings found against them that was NOT Honesty and Integrity and was not in any way criminal and they had not resigned during an investigation or currently serving having an investigation into them. Also, if your document and policy is lawful please can you quote the specific law that allows you as a force to do this, as no other force is allowed such a far reaching policy.' Basically, if their investigation is now "Resolved" (the legal term the IOPC uses) why are they barred for life by the MOD Police?**

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.

**Please can you confirm the current MOD and MOD Police Policy with regard to applicants wanting to rejoin or transfer to the MOD Police.**

This information is already in the public domain and therefore Section 21 of the FOI Act applies – (Information reasonably accessible to the applicant by other means). Information in respect of Ministry of Defence Police recruitment, including transferring from other forces can be found at the following link:

<http://mod.police.uk/recruitment/joining-the-mdp.html>

**Can you confirm why this goes against the current Civil Service Covenant, and what exemption in law they are using.**

No information held.

**What exemption does the MOD Police in law (employment or otherwise) have to allow them to bar an applicant from joining for life (when no criminal action or dishonesty has taken place) which this current policy is suggesting.**

No information held. However you may wish to note the following information in respect of former officers wishing to rejoin the Ministry of Defence Police:

<http://mod.police.uk/assets/NEOFInhibitors.pdf>

**Why is this policy working outside the College of Policing's own Guidelines and Policy as laid out on their own public website.**

No information held.

**'I therefore, would like a full copy of your Policy/ies in regard to this and what is the current forces policy in allowing someone to join if they have had any misconduct proceedings found against them that was NOT Honesty and Integrity and was not in any way criminal and they had not resigned during an investigation or currently serving having an investigation into them. Also, if your document and policy is lawful please can you quote the specific law that allows you as a force to do this, as no other force is allowed such a far reaching policy.'** Basicly, if their investgation is now "Resolved" (the legal term the IOPC uses) why are they barred for life by the MOD Police?

Under Section 21 (Information reasonably accessible to the applicant by other means), please see the relevant information on the Ministry of Defence Police recruitment website at this link:

<http://mod.police.uk/assets/NEOFInhibitors.pdf>

The Ministry of Defence Police applies the College of Police Authorised Professional Practice in respect of Police Vetting. Therefore you may find the following link of further interest:

<https://www.app.college.police.uk/app-content/professional-standards/vetting/>

In accordance with Section 16 (Advice and Assistance), it may be helpful to note that a public authority does not have to answer questions if this would mean creating new information or giving an opinion or judgment that is not already recorded.

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**