



Ministry of Defence Police

Freedom of Information Manager

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Our Ref: eCase: FOI 2021/04947

RFI: 156/21

Date: 8 June 2021

Dear [REDACTED]

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

We refer to your email dated 10 May 2021 to the Ministry of Defence Police which was acknowledged on 11 May 2021.

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:

Between the 1st Jan 2018 and 10th May 2021 how many misconduct and Special Case Hearings hearings has your force held in total? please break down by calendar year and month

Between the 1st Jan 2018 and 10th May 2021 how many misconduct hearings has your force held in private which could have been held in public but a decision had been taken by the LQC that it would be held in private

How many times between the above 2 dates have you invited representations from media and other interested parties before deciding that a hearing should be held in private and what form has that invitation taken? eg email, letter or public notification.? Please provide details of all media outlets that have been advised and how many times the IOPC have been invited to make representations, as to whether a hearing, should be held in private

**Your attention is drawn to section 11.80 pages 134 of the Home Office Guidance Conduct, Efficiency and Effectiveness:
Statutory Guidance on Professional Standards, Performance and Integrity in Policing:**

Which states

11.80 At the pre-hearing, the chair will have discussed with participants the reporting restrictions or exclusions from the hearing proposed by the appropriate authority or the officer concerned. This will not be a final determination but an initial position from which, following public notification, the chair will be able to take representations (see Regulation 36(3) and (5) of the Conduct Regulations) from: a) the officer concerned, b) the appropriate authority, c) the complainant, d) any interested person, e) witnesses, f) the Director-General, g) representatives of the media

Guidance

Your attention is drawn to page 131-132 of the Home Office Guidance Conduct, Efficiency and Effectiveness: Statutory Guidance on Professional Standards, Performance and Integrity in Policing Version 1 published on February 5th 2020

I am seeking to find out the numerical difference between the number of public misconduct hearings that had been scheduled and the number that had been held in private during a 3 year period eg 10 public misconduct hearings have been scheduled but it had been decided that 4 of those were to be held in private

I further seek information on the number of times that the media and the IOPC has been advised in advance of pre-hearing to decide if a public misconduct hearing should be held in private and have been invited to make representations before that decision was made

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.

Between the 1st Jan 2018 and 10th May 2021 how many misconduct and Special Case Hearings hearings has your force held in total? please break down by calendar year and month

Year	Month	Total Hearing and special cases hearings	Year	Month	Total Hearing and special cases hearings
2018	-	0	2020	Jan	1
2019	Jan	0	2020	Feb	3
2019	Feb	1	2020	Mar	0
2019	Mar	0	2020	Apr	0
2019	Apr	4	2020	May	2
2019	May	1	2020	Jun	1
2019	Jun	0	2020	Jul	1
2019	Jul	1	2020	Aug	0
2019	Aug	0	2020	Sep	0
2019	Sep	2	2020	Oct	0
2019	Oct	1	2020	Nov	0
2019	Nov	1	2020	Dec	0
2019	Dec	1	2020	Jan	0

Year	Month	Total Hearing and special cases hearings
2021	Jan	0
2021	Feb	1
2021	Mar	0
2021	Apr	1
2021	May	0

Between the 1st Jan 2018 and 10th May 2021 how many misconduct hearings has your force held in private which could have been held in public but a decision had been taken by the LQC that it would be held in private

Nil

How many times between the above 2 dates have you invited representations from media and other interested parties before deciding that a hearing should be held in private and what form has that invitation taken? eg email, letter or public notification.? Please provide details of all media outlets that have been advised and how many times the IOPC have been invited to make representations, as to whether a hearing, should be held in private

No information held

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