



# Ministry of Defence Police

Freedom of Information Manager

Ministry of Defence Police

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

Our Ref: eCase: FOI 2023/05510

RFI: 127/23

Date: 24 May 2023

Dear [REDACTED]

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

We refer to your email dated 02 May 2023 to the Ministry of Defence which was acknowledged on the 02 May 2023 by The Ministry of Defence Police.

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:

- **How many officers were convicted of a serious sexual offence between 2016 - 2023?**
- **How many of these officers subsequently had their pensions withdrawn?**
- **Please provide a breakdown of these figures by year from 2016 - 2023.**
- **Please also provide an annual estimated cost of those pensions granted to this group of officers.**

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

- **How many officers were convicted of a serious sexual offence between 2016 - 2023?**

7

- **How many of these officers subsequently had their pensions withdrawn?**

No information held. This information is held by Civil Service Pensions.

- **Please provide a breakdown of these figures by year from 2016 - 2023.**

We are unable to provide a breakdown of our answer for question 1, this is because Section 40(2) Personal Information, of the FOI Act, has been applied to the breakdown of officer's per year in order to protect personal information as governed by the Data Protection Act 2018. Section 40(2) requires the Department to conduct a balancing exercise, this exercise involves balancing the rights and interests of individuals against the legitimate interests in disclosure, this is not the same as carrying out the public interest test associated with certain exemptions in FOIA. The balancing exercise is carried out in order to decide whether the absolute exemption in section 40(2) is engaged. In particular, there is no assumption of disclosure in the legitimate interests test, as there is with qualified exemptions. The outcome of the balancing exercise is to withhold the information requested.

We are unable to provide a breakdown for question 2 because we do not hold any information. This information is held by Civil Service Pensions

- **Please also provide an annual estimated cost of those pensions granted to this group of officers.**

No information held. This information is held by Civil Service Pensions.

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**