



Ministry of Defence Police

Freedom of Information Manager

Ministry of Defence Police

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RAF Wyton, Huntingdon,

Cambs, PE28 2EA

E-mail: MDP-FOI-DP@mod.gov.uk

Our Ref: eCase: FOI 2024/05404

RFI: 070/24

Date: 07 May 2024

Dear [REDACTED]

FREEDOM OF INFORMATION ACT 2000: MINISTRY OF DEFENCE POLICE: MINISTRY OF DEFENCE POLICE MISCONDUCT HEARINGS AND OUTCOMES

We refer to your email dated 02 April 2024 to the Ministry of Defence Police (MDP), which was acknowledged on 03 April 2024.

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:

Please can you provide a list of all Ministry of Defence police hearings and outcomes from 01 January 2023 up to and including 02 April 2024. For each hearing, please can you provide the name of subject officer, a summary of the alleged conduct and PSPBs breached, the date and time, finding and outcome. Please do NOT simply provide the breach type and recorded outcome.

A search for information has now been completed and I can confirm that the MDP does hold information in scope of your request, which is provided in the table in Annex 1.

The MDP expects all staff to demonstrate the highest possible standards of behaviour and conduct, at all times, and will take suitable action against anyone that fails to maintain these standards. The action taken will depend on the outcome of Professional Standards Department investigations and will reflect the severity of any misconduct identified.

We are withholding the name of the subject officer, as the duty in Section 1(1)(b) of the Freedom of Information Act 2000 does not apply by virtue of the exemption in Section 40(2) Personal Information.

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.

If you are not satisfied with 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

Annex A

Summary of alleged conduct	PSPB* breached	Date	Time	Finding	Outcome
Unauthorised changes were made to the duty roster at Station	Honesty & Integrity Orders & Instructions	27 to 29 March 2023	No Information held	Gross Misconduct	Dismissed
Two separate instances of sexual misconduct and inappropriateness in the workplace	Discreditable Conduct	25 to 26 April 2023	No Information held	Gross Misconduct	Would have been dismissed**
Two separate instances of sexual misconduct and inappropriateness in the workplace (inappropriate comment)	Discreditable Conduct	25 to 26 April 2023	No Information held	Gross Misconduct	FWW*** 5 yrs
Plagiarism of work based development submission	Duties & Responsibilities	02 to 03 May 2023	No Information held	Gross Misconduct	Would have been dismissed**
officer lifted his rifle and aimed sights at MGS officers who were carrying out access control duties.	Orders & Instructions	24 to 26 May 2023	No Information held	Misconduct	FWW*** 5 Yrs
Plagiarism in unit 11 of the Student Officer Portfolio	Honesty & Integrity	1 to 3 November 2023	No Information held	Gross Misconduct	Would have been dismissed**
Asleep on Duty	Duties & Responsibilities	No information held	No Information held	Gross Misconduct	Would have been dismissed**
Asleep on Duty	Duties & Responsibilities	No information held	No Information held		FWW*** 5 yrs
Assault	Discreditable Conduct	21 February 2024	No Information held	not Misconduct	No Action
Asleep on Duty	Orders & Instructions Duties & Responsibilities	24 October 2023	No Information held No Information held	Gross Misconduct	FWW*** 5 yrs
Homophobic remarks	Equality & Diversity	24 November 2022	No Information held	Gross Misconduct	FWW*** 5 yrs
Criminal damage, common assault, and assault by beating	Discreditable Conduct	27 November 2023 to 01 December 2023	No Information held	Gross Misconduct	Dismissed
Excess Alcohol	Discreditable Conduct Honesty & Integrity	13 April 2023	No Information held	Gross Misconduct	Would have been dismissed**
Reverted Shift at short notice, from Early shift to Rest Day	Orders & Instructions Honesty & Integrity Duties & Responsibilities Discreditable Conduct	13 April 2023	No Information held	Gross Misconduct	FWW*** 5 yrs
Officer performed a dangerous overtake manoeuvre on a single carriageway resulting in coming close with an oncoming vehicle.	Duties & Responsibilities	25 March 2024	No Information held	Gross Misconduct	FWW*** 5 yrs
Excess Alcohol	Discreditable Conduct	25 March 2024	No Information held	Gross Misconduct	Would have been dismissed**

*Police Standards of Professional Behaviour

**Not employed by MDP at the time of the hearing outcome

***Final Written Warning