



Dear

Gloucestershire Constabulary Freedom of Information request 2023.0517

On 05/05/2023, you sent an email constituting a request under the Freedom of Information Act asking the following:

I seek a copy of the Notice of Outcome regarding PC Jonathan Eaton's misconduct proceedings. Although he was acquitted of voyeurism in April 2021 [phone in shower case], he was dismissed for gross misconduct in January 2022:

'Assistant Chief Constable of Gloucestershire Police, Rhiannon Kirk, said the behaviour of Jonathan Eaton was "abhorrent and utterly at odds with everything we stand for".'

<https://gbr01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.bbc.com%2Fnews%2Fuk-england-gloucestershire-59962821&data=05%7C01%7CFreedom.Information%40gloucestershire.police.uk%7Cd54283773cdf4963b70408db4d6ac638%7Cd4936c562d8640769ba6ea6bfd965203%7C0%7C0%7C638188893211714655%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Iik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=J6DCrhyTgkVMOXjdpkBficu6E71sW7erR8EuwiYUADQ%3D&reserved=0>

<https://gbr01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.bbc.com%2Fnews%2Fuk-england-gloucestershire-56806075&data=05%7C01%7CFreedom.Information%40gloucestershire.police.uk%7Cd54283773cdf4963b70408db4d6ac638%7Cd4936c562d8640769ba6ea6bfd965203%7C0%7C0%7C638188893211714655%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Iik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=kpfQtyF%2B3O3jBPoqCISXC%2FH9qFyWsg%2FMI3p4ymLi7Qc%3D&reserved=0>

I wish to understand the panel's reasoning and to find out if PC Eaton's name was added to the College of Policing's Barred List.

Under the Freedom of Information Act 2000 s1, I can confirm that Gloucestershire Constabulary holds some relevant information.

Please see the attached document named FOI_23_0517_Panel Determination, any redactions have been made under Section 40 of the Freedom of Information Act.

Section 17 of the Freedom of Information Act 2000 requires Gloucestershire Constabulary, when refusing to provide information (because the information is exempt) to provide you the applicant with a notice which: (a) states the fact, (b) specifies the exemption in question and (c) states (if not otherwise apparent) why the exemption applies.

With regard to the disclosure of redactions, the following exemption applies:

Section 40(2) Personal Information

Section 40(2) applies to third party personal data. This would not be released under the Freedom of Information Act unless there is a strong public interest. The disclosure of any information which could lead to the identification of an individual would breach the Data Protection Principles contained within the Data Protection Act 2018, namely the first principle which states that personal data shall be processed lawfully, fairly and in a transparent manner in relation to individuals

This exemption is absolute and class based therefore I am not required to apply either the public interest test or harm test in disclosure.

In accordance with the Act, this letter represents a Refusal Notice for this part of your request.

With regards to finding out whether Jonathan Eaton has been added to the College of Policing Barred list.

Section 17 of the Freedom of Information Act 2000 requires Gloucestershire Constabulary, when refusing to provide information (because the information is exempt) to provide you the applicant with a notice which: (a) states the fact, (b) specifies the exemption in question and (c) states (if not otherwise apparent) why the exemption applies.

The following exemptions apply:

Section 21 – Information reasonably accessible by other means

The above exemption is absolute and class-based and therefore no Public Interest Test or Harm Test is required.

The information that you have requested is already reasonably accessible to you by other means and is therefore exempt by virtue of Section 21 of the Freedom of Information Act 2000. Gloucestershire Constabulary are required to make certain information available to the public as part of a publication scheme.

Please see the link below for the College of Policing Barred list:

[Barred list | College of Policing](#)

If you are not satisfied with this response or any actions taken in dealing with your request, you have the right to ask that we review your case under our internal procedure. Please note that a request for an internal review must be made within 20 working days of the response to your original request.

If you decide to request that such a review is undertaken and following this process you are still unsatisfied, you then have the right to direct your complaint to the Information Commissioner for consideration.

Yours sincerely,

Disclosure Officer
Gloucestershire Constabulary