



Your reference:

Our reference: FOI_2023.1098

E-mail: FOI

@gloucestershire.police.uk

Direct dial: 01452 754304

Postal Address: As above

Date: 05/12/2023

Dear

Gloucestershire Constabulary Freedom of Information request 2023.

On 0911/2023 you sent an email constituting a request under the Freedom of Information Act asking the following:

For each police misconduct hearing held since January 1 2021, please disclose:

- * The date in which that hearing commenced.
- * The date the public notice for that hearing went live on your website.
- * A summary of the officer's alleged misconduct (I.E. the officer is alleged to have breached professional standards due to unwanted touching towards Woman A on a night out)

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

Some of 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.

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.

Please see the below for further details of the cases that are already in the public domain.

Date public notice went live on website	Date hearing commenced	Summary of alleged misconduct
22/02/2023	01/03/2021	Barred list details College of Policing
23/12/2021	10/01/2022	Barred list details College of Policing
15/05/2023	15/05/2023	Barred list details College of Policing
02/10/2023	09/10/2023	Barred list details College of Policing

The information that is not already in the public domain has been listed below. Please note that uncorrelated tables have been provided in an effort to avoid the disclosure of personal data.

Date public notice went live on website	Date hearing commenced
02/06/2021	15/06/2021
05/05/2022	07/06/2022
08/12/2022	13/12/2022
05/12/2022	07/02/2022
19/10/2022	15/02/2023
19/06/2023	13/07/2023
02/10/2023	09/10/2023

Summary of alleged misconduct
Accessed police systems for non-policing purposes.
Deliberately dishonest or misleading concerning entries onto a crime report. Provided misleading information to several people.
Dishonest to supervisors regarding personal car insurance
Drink/driving.
Inappropriate behaviour to subordinate officers
Lied to a supervisor concerning reason for sickness.
Private hearing

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With regard to the above requested information, 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. This is because any release would breach the Data Protection Principles contained within the Data Protection Act 2018, namely the first principle which requires that personal information be processed lawfully, fairly and with transparency. The Constabulary will not release any information under the Freedom of Information Act which may result in the identification of an individual. Due to the specific nature of your request, it is highly likely that an individual may be identified which includes the potential for a victim of a crime, the offender or even their family/ friends to identify themselves in any information disclosed.

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

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.

The Information Commissioner can be contacted via the following means:

Website - <https://ico.org.uk/>

Call their helpline - 0303 123 1113

Email - casework@ico.org.uk

Post –

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Yours sincerely,

Disclosure Officer
Gloucestershire Constabulary