



Freedom of Information Request

Date of receipt: 24th October 2022

Date of response: 17th November 2022

Freedom of Information request regarding Police Disciplinary Actions

Request:

Under the Freedom of Information Code, I respectfully request answers to the following questions:

1. How many Guernsey police officers have received a disciplinary hearing due to a complaint from a member of public, broken down annually, for the past ten years?
2. How many Guernsey police officers were dismissed due to a complaint from a member of public, broken down annually, for the past ten years?
3. How many Guernsey police officers have been “dismissed having been found to have committed gross misconduct” (as CO Hardy states in the 2021 Guernsey police accounts), broken down annually, for the past ten years?
4. How many Guernsey police officers were charged with a criminal offence, broken down annually, for the past ten years?
5. How many Guernsey police officers were dismissed, no matter the reason, broken down annually, for the past ten years?
6. At the date of this letter: (i) How many Guernsey police officers are currently under investigation by the Professional Standards Department, and (ii) how many of these police officers are still on active duty?

Response provided by the Committee for Home Affairs:

The Police Complaints (Guernsey) Law, 2008 (the Law) introduced into statute the Standards of Professional Behaviour. These standards identify the professional expectations of how police officers should conduct themselves, which include to:

- Act with honesty, integrity, fairness and impartiality
- Treat members of the public and their colleagues with respect
- Not to abuse their power and authority
- Act in a manner that does not discredit or undermine public confidence in the Police Service.

It is recognised that an effective, transparent means of making a complaint about the conduct of a police officer and it being appropriately addressed is key to underpinning public confidence in the island's Police.

The Committee *for* Home Affairs and Guernsey Police recognise the importance of a complaints process where grievances can be investigated, and where things have gone wrong, steps can be taken to ensure that they are put right.

Complaints about the conduct of individual officers are dealt with in accordance the provisions of the Law, which provides statutory guidance about how they are dealt with and recorded. Complaints can also capture concern about general policing matters. All complaints are dealt with professionally and proportionately considering the individual circumstances of the issue.

Police Officers are often expected to deal with challenging circumstances; the nature of the job means that some people may feel aggrieved about how they have been dealt with. The role officers fulfil in the community also rightly means there are high expectations around their behaviour. While these expectations are more than justified, they mean officers can face complaints which, after review, are deemed unsubstantiated, or more minor than originally asserted. Internal investigations can also often find room for improvement – as would be expected in any job reliant on sound judgement such as policing – which can lead to learning outcomes being given in a circumstance where no serious wrongdoing was found.

The Committee *for* Home Affairs has confidence in Guernsey Police and how it discharges its duties. The established complaints and disciplinary procedures mean that issues which arise are appropriately dealt with.

Particular care should be taken when attempting to make any comparisons with other jurisdictions using this raw data, as local police complaint legislation, regulations and guidance is substantially different from the UK and elsewhere.

Guernsey Police actively encourages anyone that has grievance about the organisation to make contact.

1. **How many Guernsey police officers have received a disciplinary hearing/meeting due to a complaint from a member of public, broken down annually, for the past ten years?**

Response:

	2021	2020	2019	2018	2017	2016	2015	2014	2013	2012
Disciplinary Hearing	0	2	0	0	1	0	0	0	1	0
Disciplinary Meeting	1	0	0	1	0	4	4	2	6	1

These figures are published in the Bailiwick Law Enforcement Annual Report.

2. **How many Guernsey police officers were dismissed due to a complaint from a member of public, broken down annually, for the past ten years?**

Response:

The number of officers dismissed in this period is published in the Bailiwick Law Enforcement Annual Report and is detailed in response 5.

The Committee *for* Home Affairs has considered it appropriate to apply exemptions 2.8 and 2.12 to this question which seeks additional information to that published.

Exemption 2.8 applies as it is considered that this information constitutes personal data which would require the disclosure of information directly relating to individuals' employment.

Published figures relating to dismissals and provided in response to question 5 note that in the 10-year period, 2012 to 2021, there were two dismissals. Providing further qualifying information as to the reasons for these dismissals, whilst the information is pseudonymised, has the potential to result in the unwarranted disclosure of personal information about an individual and would constitute a breach of the Data Protection (Bailiwick of Guernsey) Law, 2017 and exemption 2.12 applies.

3. **How many Guernsey police officers have been "dismissed having been found to have committed gross misconduct" (as CO Hardy states in the 2021 Guernsey police accounts), broken down annually, for the past ten years?**

Response:

The number of officers dismissed in this period is published in the Bailiwick Law Enforcement Annual Report and is detailed in response 5.

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4. How many Guernsey police officers were charged with a criminal offence, broken down annually, for the past ten years?

Response:

The information has been collated by Bailiwick Law Enforcement and disclosed to the Committee *for* Home Affairs, however, the numbers are sufficiently small (5 within the 10-year period 2012 to 2021) that it is considered that this information constitutes personal data. On that basis the Committee *for* Home Affairs has agreed to apply exemption 2.12 to this question.

Providing further qualifying data and breaking these figures down by year, whilst the information is pseudonymised, has the potential to result in the unwarranted disclosure of personal information about an individual and would constitute a breach of the Data Protection (Bailiwick of Guernsey) Law, 2017 and exemption 2.12 applies.

5. How many Guernsey police officers were dismissed, no matter the reason, broken down annually, for the past ten years?

Response:

2021	2020	2019	2018	2017	2016	2015	2014	2013	2012
0	2	0	0	0	0	0	0	0	0

These figures are published in the Bailiwick Law Enforcement Annual Report.

6. How many Guernsey police officers were subject to management action due to a complaint from a member of the public, broken down annually for the past ten years?

Response:

2021	2020	2019	2018	2017	2016	2015	2014	2013	2012
33	24	21	27	23	40	47	46	19	4

(These figures include all officers subject to some form of formal management action due to their performance, whether as a direct or indirect result of a public complaint, observed conduct or other performance issue. An officer may be the subject of more than one management action during the 10 year period)

These figures are published in the Bailiwick Law Enforcement Annual Report.

7. How many Guernsey police officers were subject to learning outcomes that are due to a complaint from a member of the public, broken down annually for the past ten years?

Response:

2021	2020	2019	2018	2017	2016	2015	2014	2013	2012
7	12	5	12	9	7	6	10	6	Not recorded

(These figures include all officers subject to some form of learning outcome due to their performance, whether as a direct or indirect result of a public complaint, observed conduct or other performance issue. An officer may be the subject of more than one learning outcome during the 10 year period)

These figures are published in the Bailiwick Law Enforcement Annual Report.

8 How many Guernsey police officers resigned whilst being investigated for Misconduct/Gross Misconduct action due to a complaint from a member of the public, broken down annually for the past ten years?

Response:

The information has been collated and disclosed to the Committee *for* Home Affairs, however, the numbers are sufficiently small (6 within the 10-year period 2012 to 2021) that it is considered that this information constitutes personal data.

The Committee *for* Home Affairs has considered it appropriate to apply exemptions 2.8 and 2.12 to this question.

Exemption 2.8 applies as this information constitutes personal data which would require the disclosure of information directly relating to individuals' employment.

Providing further qualifying data and breaking these figures down by year, whilst the information is pseudonymised, has the potential to result in the unwarranted disclosure of personal information about an individual and would constitute a breach of the Data Protection (Bailiwick of Guernsey) Law, 2017 and exemption 2.12 applies.

Statistics relating to officer resignations are published in the Bailiwick Law Enforcement Annual Report, reasons for resignations represents personal data and is not published.

9. At the date of this letter (24.10.2022):

- (i) How many Guernsey police officers are currently under investigation by the Professional Standards Department, and**
- (ii) How many of these police officers are still on active duty?**

Response:

The information has been collated and disclosed to the Committee *for* Home Affairs, however, as the data relates to formal ongoing proceedings and relates directly to individuals' employment the Committee has considered it appropriate to apply exemptions 2.5 and 2.8 to this question.

Exemption 2.5 applies as the subject relates to ongoing formal investigations.

Exemption 2.8 applies as it is considered that this information constitutes personal data which would require the disclosure of information directly relating to individuals' employment.