



Force Disclosure Unit
Police Headquarters
London Road
DEVIZES
Wiltshire
SN10 2DN

Date: 7th August 2024

Ref: FOI 2024/730

Dear,

I write in connection with your request for information dated 6th August 2024 concerning the outcome of the misconduct hearing for PC James Aubrey.

I am required by the Freedom of Information Act 2000 to handle all requests in a manner that is blind as to the identity and motives of the requestor. Any information released as a response to a request is regarded as being published and therefore in the public domain without caveat.

Your request for information has now been considered and after having consulted our Professional Standards Department – I am now able to respond as follows.

You wrote:

I want a copy of the full hearing outcome for PC James Aubrey.

Your website includes the following:

'A hearing has concluded that a Wiltshire police officer's behaviour amounted to gross misconduct.

A four day hearing was held at Wiltshire Police Headquarters between 8 and 11 July 2024 chaired by Assistant Chief Constable Deb Smith and concluded that the actions of PC James Aubrey breached the Standards of Professional Behaviour for police officers of discreditable conduct.

The panel considered six allegations against PC Aubrey; upholding two allegations and partially upholding a further allegation. As a result, PC Aubrey was dismissed without notice. He will also be placed on the national barred list which means he will not be able to work in policing in the future.

Full hearing outcome here:'

When I click on the link I get the following message:

'Sorry

We can't find the page you are looking for This page has been moved, deleted or does not exist. Please use the search box below to find the one you need.'

When I search for 'James Aubrey' it brings me back to the news item.

In the 'Published items' section I can see that 'PC James Aubrey' is dated 15 July 2024.

Our response:

The technical issue with the aforementioned link has now been rectified and the outcome of the hearing has now been uploaded to our website. My apologies for any inconvenience this may have caused. As this information can now be found readily available in the public domain, it is therefore exempt under Section 21 – Information Reasonably Accessible by Other Means.

Please refer to the following link below which will provide you with the information you require (please see the PDF document "Aubrey outcome" on the link below):

<https://www.wiltshire.police.uk/foi-ai/wiltshire-police/misconduct/outcomes/2024/pc-james-aubrey/>

Section 17 of the Freedom of Information Act 2000 requires the Constabulary, when refusing to provide information (because the information is exempt) to provide you the applicant with a notice which: (a) states that fact, (b) specifies the exemption in question and (c) states (if that would not otherwise be apparent) why the exemption applies. In accordance with the Freedom of Information Act 2000 this letter acts as a Refusal Notice for those aspects of your request.

Exemption applied:

Section 21 – Information Reasonably Accessible by Other Means

In accordance with Section 17 of the Act, this letter represents a partial Refusal Notice for this particular request.

I am satisfied that all the relevant information has been passed to me and been considered in the light of your request within the time constraints applicable under the legislation.

Wiltshire Police would like to thank you for the interest that you have shown in the Force.

Yours sincerely,

Force Disclosure Decision Maker

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Wiltshire Police offers a re-examination of your case under its review procedure.



Force Disclosure Unit

Wiltshire Police HQ, London Road, Devizes, Wiltshire SN10 2DN

Freedom of Information Request Appeals Procedure

1. Who Can Ask for a Review

Any person who has requested information from Wiltshire Police, which has been dealt with under the Freedom of Information Act, is entitled to complain and request an internal review, if they are dissatisfied with the response they received.

2. How to Request a Review

Requests for review of a Freedom of Information request must be made in writing to the:

Force Disclosure Unit
Wiltshire Police Headquarters,
London Road, Devizes,
Wiltshire,
SN10 2DN

Email at disclosure@wiltshire.police.uk.

The reference number, date of the request and details of why the review is being requested must be included. Requests for review should be brought to the attention of the Force Disclosure Unit within 20 working days of the Force's response to the original FOI request.

3. Review Procedure

Receipt of a request for review will be acknowledged in writing to include confirmation of the reasons for the review. The review will be conducted by another Decision Maker, who is independent from the original Decision Maker. The Force Disclosure Unit will set a target date for a response. The response will be made as soon as is practicable with the intention to complete the review within twenty working days. In more complex cases the review may take up to 40 working days.

The Independent Decision Maker will conduct a review of the handling of the request for information and of decisions taken, including decisions taken about where the public interest lies in respect of exempt information where applicable. The review enables a re-evaluation of the case, taking into account the matters raised by the complaint.

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4. Conclusion of the Appeal

On completion of the review the Independent Decision Maker will reply to the complainant with the result of the review. If the complainant is still dissatisfied following the review, they should contact the Information Commissioner to make an appeal. The Information Commissioner can be contacted via the following details:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Tel: 01625 545 700
Fax: 01625 524 510
Email: mail@ico.gsi.gov.uk