

WILTSHIRE POLICE



XXXX – By email

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

Date 31st October 2024

Our Ref FOI 2024-905

Dear XXXX,

I write in connection with your request for information dated 14th October 2024, concerning Matthew Hodge's misconduct hearing.

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.

Following receipt of your request, research was conducted by the Professional Standards department at Wiltshire Police.

Your request for information has now been considered and I am not obliged to supply the information you have requested.

You wrote:

I have read the Barred List entry for Matthew Hodge:

'The Police Officer was dismissed for breaching the standards of professional behaviour relating to Honesty and Integrity, Duties and Responsibilities and Discreditable Conduct after failing to deliver mandatory training, signing to say the training had been delivered, and emailing instructors to say the training had been done.'

I understand the misconduct hearing was heard on 01/10/24 and that the mandatory training he failed to deliver concerned guns.

Please provide a copy of the misconduct hearing outcome for Matthew Hodge subject to required redactions.

Our response:

Under the Freedom of Information Act 2000 (FOIA), this request is exempt by virtue of Section 31(1)(g) by virtue of (2)(b) - Law Enforcement.

Section 31 is a qualified prejudice-based exemption and therefore requires Wiltshire Police to establish the harm in disclosure, along with the public interest favouring and against disclosure.

Keeping Wiltshire Safe

Harm test

Our Professional Standards Department conduct investigations into complaints made about officers, staff or the organisation. To disclose information into the public domain relating to ongoing appeals would likely hinder these investigations and prejudice this process and any decisions that are to be made. This could also affect any future investigations and may impact the public in relation to them reporting offences to the Force. This would in turn prejudice our ability to prevent and detect crime and apprehend and prosecute offenders; subsequently affecting the Force's ability to protect the community.

Factors favouring disclosure

Placing information into the public domain regarding misconduct allegations would lead to increased public awareness of this issue within Wiltshire Police. Disclosure would also ensure the Force can be held accountable for the actions taken and show us as being as open and transparent with the public as possible.

Factors against disclosure

Placing information into the public domain regarding ongoing appeals would likely hinder the investigations that are being conducted, and in turn prejudice decisions which are yet to be made. This could also hinder and prejudice any future appeals that will be conducted by the Professional Standards Department.

Additionally, if Wiltshire Police are seen to disclose information regarding ongoing investigations into the public domain, the public will lose confidence in the Force and our ability to handle sensitive information. This in turn may lead to a reduction in reporting of criminal offences to the Force, which would be detrimental to our policing purpose of preventing and detecting crime and apprehending and prosecuting offenders.

Balance test

Whilst there is a public interest in transparency and openness between the Force and the public, in addition to the public seeing how the Force are engaging with and handling these types of issues, there is a greater public interest in ensuring the public are protected and that the enforcement of the law is upheld. To disclose information which is likely to prejudice ongoing investigations would seriously undermine the effective delivery of our policing purpose - to prevent and detect crime and apprehend and prosecute offenders - and is therefore exempt from disclosure.

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.

Exemptions applied:

Section 31(1)(g) by virtue of (2)(b) - Law Enforcement

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.

Keeping Wiltshire Safe

Yours sincerely,

Force Disclosure Decision Maker