

Kirsty Eccles
Sent via email to: request-452236-92d2abfd@whatdotheyknow.com

Date: 12th January 2018

Dear Kirsty Eccles

FREEDOM OF INFORMATION APPLICATION REFERENCE NO: ICDS/FOI/005965/17

Thank you for your request for information received by Lancashire Constabulary on 12/12/2017 which was as follows:

- 1. *How many Lancashire Police Officers in the last 5 years have been convicted of a criminal offence yet remain employed as serving officers?***
- 2. *What are their criminal convictions?***
- 3. *Why do they remain in the force?***

Your request has now been considered and the information you are seeking can be found below:

In the past 5 years there has been two police officers convicted of a criminal offence whilst in service that remain as serving officers. We can also confirm that the officers remained employed by the force due to accepting full responsibility, showing remorse for their actions and the incidents being isolated or out of character, in addition to other factors.

To break down the information that you have requested further is deemed exempt from disclosure by virtue of the following exemption:

- Section 40 (2) – Personal Information

Section 40 (2) creates an exemption under the Freedom of Information Act (FOIA) for personal information relating to third parties. The disclosure of third party data is exempt if the disclosure would be likely to breach the principles of The Data Protection Act. Section 40 is an absolute class based exemption subsequently there is no requirement for me to apply the public interest test or evidence the harm in disclosure.

However I can advise that the exemption is deemed to apply in this case due to the detail which you have requested such as the offence and the reasoning as to why they remain as serving police officers which could allow individuals to be identified from the data. Disclosures under the FOIA are considered as disclosures “to the world” and therefore if we were to release this information we would be in breach of the first Data Protection Principle, namely that ‘Personal data shall be processed fairly and lawfully’. This letter serves to act as a refusal notice for this part of the document, as per S.17 (1) of the Act.

If you are unhappy with the service you have received in relation to your request and wish to make a complaint or request an internal review of our decision, you should write to the Information Assurance Manager, Information Compliance and Disclosure Section, Police Headquarters, Saunders Lane, Hutton, Preston PR4 5SB or alternatively send an email to information@lancashire.pnn.police.uk. Details of the Constabulary’s Freedom of Information Complaint Procedures can be found attached to this email.

If you are not content with the outcome of your complaint, you may apply directly to the Information

Commissioner for a decision. Generally, the Information Commissioner's Office cannot make a decision unless you have exhausted the complaints procedure provided by Lancashire Constabulary. The Information Commissioner can be contacted at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Yours sincerely

Compliance Team

Information Compliance and Disclosure Section