

Our Ref: 004160/20



Freedom of Information Section
Nottinghamshire Police HQ
Sherwood Lodge, Arnold
Nottingham NG5 8PP

Tel: 0115 967 0999
Ext 318 0888
Fax: 0115 967 2896

04 September 2020

Request under the Freedom of Information Act 2000 (FOIA)

I write in connection with your request for information, which was received by Nottinghamshire Police on 25/06/2020.

Following receipt of your request searches were conducted within Nottinghamshire Police to locate the information you require.

RESPONSE

Under S 1 (1) (a) of the Freedom of Information Act 2000 (FOIA), I can confirm that Nottinghamshire Police does hold the information you have requested.

Please find below answers to your questions:-

I would like to request some information under the Freedom of Information Act.

I would like to know:

- How many complaints have been received in the past five years relation to alleged racial discrimination by officers/staff?

Answer: - 45 individual complaints

- Have any been upheld? If so, how many?

Answer: - Yes, 4 resulted in a case to answer and where an officer was disciplined

- Can you please provide details about each upheld complaint (ie the nature of complaint, date committed, number of officers involved etc)?

Answer: - Number of officers subject to complaints allegations in each case was one per complaint

Allegation Outcome
Would Have Been Dismissed
Dismissal Without Notice
Final Written Warning
Written Warning

Allegation Summary
<p>It is alleged that on the [REDACTED] in the County of Nottinghamshire and during a text message conversation with a [REDACTED] from your mobile telephone number [REDACTED] you sent over the telecommunications network a communication stating "MATE I'D LOVE THAT. WE WILL HAVE TO MAKE SURE IT'S THE NIG NOGS THAT WE KICK THE SHIT OUT OF. IF YOU ARE ABLE TO GIVE A LITTLE NOTICE THAT WOULD BE GREAT". This is in response to a suggestion that you and [REDACTED] meet up drink alcohol excessively then beat an unknown person up before attending what is believed to be a sporting match. [REDACTED] in his response suggests to you that your comment is racist. It is alleged that you have used not only abusive, threatening and racially offensive language and behaviour across a public telecommunications network, but have suggested an intention to physically attack another based on the grounds of their race, a protected characteristic.</p> <p>Contrary to the Standards of Professional Behaviour as set out in schedule 2 Police (Conduct) Regulations 2012.</p>
<p>On [REDACTED] and [REDACTED] you sent messages to a personal acquaintance which contained offensive racist language and made derogatory comments about other nationalities.</p>
<p>It is alleged that between [REDACTED] and [REDACTED] you exchanged a number of private text messages with [REDACTED] in which you used offensive language to make derogatory homophobic and racist comments. This conduct is discreditable and fails to show respect and courtesy for members of the public. The comments shows disregard for the force PROUD values and breach standards of professional behaviour</p>
<p>It is alleged that between [REDACTED] and [REDACTED] your conduct has fallen below the standards expected of a Nottinghamshire Police Officer whereby, you have used xenophobic, racist and sexist comments towards members of staff within the employment of Nottinghamshire Police. The comments show a disregard for the force PROUD values and breach standards of professional behaviour.</p>

Month/Year Offence Alleged to have been Committed
August 2018
August & October 2012
June 2014 and November 2015
August 2014 and November 2015

Some of the information requested relates to personal data and so is exempt from disclosure by virtue of Section 40(2) of the Freedom of Information Act 2000.

40. – (2) Any information to which a request for information relates is also exempt information if –

a) it constitutes personal data which do not fall within subsection (1),

This is an Absolute Class Based Exemption which means we do not have to consider the harm or conduct a Public Interest Test under the Freedom of Information Act.

- In each case where a complaint was upheld, what action was taken against individuals concerned?

Answer: -

Allegation Outcome
Would Have Been Dismissed
Dismissal Without Notice
Final Written Warning
Written Warning

- How many allegations of racial discrimination were referred to the IOPC in the past five years?

Answer: - 9

- * Search between 01/01/2015 to 04/09/2020
- * Searched professional standards directorate case management systems
- * Searched keyword for 'Racis' applied wildcard to accommodate variance i.e. Racism & Racist
- * Filtered by number of subjects per record
- * Searched for records tagged with IOPC referrals

Please Note: Police forces in the United Kingdom are routinely required to provide crime statistics to government bodies and the recording criteria is set nationally. However, the systems used for recording these figures are not generic, nor are the procedures used locally in capturing the crime data. **It should be noted that for these reasons, this force's response to your questions should not be used for comparison purposes with any other response you may receive.**

Complaints Rights

Your attention is drawn to the enclosed review procedure, which details your right of complaint.

Copyright

Nottinghamshire Police in complying with their statutory duty under Sections 1 and 11 of the Freedom of Information Act 2000 (FOIA) to release the enclosed information will not breach the Copyright, Designs and Patents Act 1988. However, the rights of the copyright owner of the enclosed information will continue to be protected by law. Applications for the copyright owner's written permission to reproduce any part of the attached information should be addressed to the Force Solicitor, Nottinghamshire Police, Force Headquarters, Sherwood Lodge, Arnold, Nottinghamshire, NG5 8PP.

I would like to take this opportunity to thank you for your interest in Nottinghamshire Police.

Should you have any further enquiries concerning this matter, please write or contact the Freedom of Information Officer on telephone number 0115 9670999 Ext 318 0888 or e-mail freedomofinformation@Nottinghamshire.pnn.police.uk quoting the above reference number.

Yours sincerely

A handwritten signature in black ink, appearing to be 'J. B.', written in a cursive style.

Electronically signed on behalf of Information Request Team

Are you dissatisfied with your response?

Nottinghamshire Police has a duty to implement a complaints process in relation to Freedom of Information Act requests. If you are not content with our response, you may appeal, this process is known as an 'Internal Review'

Internal reviews are intended to be a fair and impartial means of reviewing the original request process.

You can appeal about your request if you:-

- Disagree with the Forces interpretation of your request;
- Believe the Force hold more information than has been disclosed to you;
- Disagree with the application of exemptions;

How do I appeal?

All appeals should be made in writing and sent to:-

Information Management
Nottinghamshire Police
Force Headquarters
Sherwood Lodge
Arnold
Notts
NG5 8PP

or alternatively freedomofinformation@nottinghamshire.pnn.police.uk

To deal with your appeal as quickly as possible please provide the unique identification number provided with your response and the reasons for your appeal.

Once we have received your request for appeal, your FOI response will be reviewed in full to identify any problems in the disclosure.

The review will be undertaken by someone different from, and preferably senior to, the original decision maker and this should be completed within 20 working days from receipt, in exceptional circumstances it may be extended by a further 20 working days.

Your request for review must be received within 28 calendar days your response. If your request for review is not received within this time period a review will not be considered.

What if I'm still not satisfied?

You can appeal to the Information Commissioner. You can contact the Information Commissioner Office at the following:-

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

Tel: 0303 123 1113 (local rate) or 01625 545 745 (national rate)

E-mail: casework@ico.org.uk

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