

IN THE MATTER OF THE POLICE (CONDUCT) REGULATIONS 2020, AS  
AMENDED BY THE POLICE (CONDUCT) (AMENDMENT) REGULATIONS  
2024

CONCERNING

DETECTIVE SERGEANT RAY MACKENNON

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OUTCOME REPORT

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Introduction

1. The misconduct hearing for Detective Sergeant Ray Mackennon was held in public from 16 March 2026 to 20 March 2026 and a Notice was published to that effect in accordance with the amended Police (Conduct) Regulations 2020 ('the amended 2020 Regulations').
2. The Regulation 30 Notice was issued pursuant to the amended 2020 Regulations. It was alleged that DS Mackennon had behaved in a manner which breached the Standards of Professional Behaviour (SPB) relating to 'Duties and Responsibilities' and 'Equality and Diversity', and which amounted to Gross Misconduct.
3. It was alleged by the Appropriate Authority ('the AA') that:

**On 3rd August 2021, the MPS Directorate of Professional Standards (DPS) appointed Officer A as the investigating officer in a conduct investigation arising from a complaint made by Female E about former MPS officer David Carrick.**

**At the material times, DS Mackennon was Officer A's supervisor in the misconduct investigation of Former Officer Carrick.**

**As a serving member of the Metropolitan Police Service, DS Mackennon –**

**i. Failed to ensure/ direct that Officer A adequately investigated Female E's allegations against Former Officer Carrick, in circumstances where the misconduct investigation had:**

**a. failed to seek the full transcript/ recording of Former Officer Carrick's interview under criminal caution.**

**b. failed to seek the full transcript / recording of Female E's ABE interview.**

**c. failed to seek any material from Hertfordshire Constabulary beyond that which was provided to Officer A.**

**d. failed to seek contact with Female H, who on Female E's account may have been a further victim of Former Officer Carrick.**

**e. failed to identify or seek any other witnesses in this matter.**

**f. failed to contact Female E.**

**ii. Failed to ensure and / or direct that Officer A conducted an adequate investigation into the Facebook messages between Former Officer Carrick and Male J, in circumstances where the misconduct investigation had:**

**a. failed to seek or obtain the evidential exhibit of the correspondence between Former Officer Carrick and Male J.**

**b. Failed to include Former Officer Carrick's admission concerning the sending of the Facebook messages to Male J as an allegation in the *Regulation 17* notice sent to Former Officer Carrick on 3rd August 2021.**

**c. Failed to conduct any further investigation into the Facebook messages between Former Officer Carrick and Male J.**

**iii. Failed to ensure that Officer A contacted Female E in the course of the misconduct investigation.**

**iv. DS Mackennon's failures at (i) to (iii) are attributable, wholly or in part, to conscious or unconscious bias on grounds of Female E's sex or race, in that DS Mackennon:**

**a. Did not act with fairness and impartiality when supervising the misconduct investigation of allegations made by Female E against Former Officer Carrick.**

**b. Discriminated unlawfully or unfairly when supervising the misconduct investigation of allegations made by Female E against Former Officer Carrick.**

**By reason of the matters set out at (i) to (iii) above, either individually or collectively, the behaviour of DS Mackennon did not meet the standards required by the *Standards of Professional Behaviour* set out in *Schedule 2 to the Police (Conduct) Regulations 2020* as to *Duties and Responsibilities* in that DS Mackennon was not diligent in the exercise of his duties and responsibilities.**

**By reason of the matters set out at (iv) above, either individually or collectively, the behaviour of DS Mackennon did not meet the standards required by the *Standards of Professional Behaviour* set out in *Schedule 2 to the Police (Conduct) Regulations 2020* as to *Equality and Diversity* in that DS Mackennon did not act with fairness and impartiality, and /or he discriminated unlawfully or unfairly.**

**The behaviour of DS Mackennon amounts to gross misconduct.**

#### Regulation 31 Response

4. In his response pursuant to Regulation 31 of the amended 2020 Regulations, DS Mackennon denied breaching any SPB in the terms alleged within the Regulation 30 Notice. He stated that the matters which were subject to DPS investigation in relation to Former Officer Carrick were secondary in time to a full criminal investigation by outside forces. Absent reason to doubt the completeness and competence of that criminal investigation, which was discontinued after the main witness withdraw her support for a police investigation, he and Officer A were entitled to rely upon those enquiries to an extent. He stated that he worked collaboratively with Officer A to consider the evidential position and, after independent review, came to agree with the position adopted by Hertfordshire Constabulary.

5. The Panel reminded itself that the burden is on the AA to prove on the balance of probabilities that DS Mackennon behaved in the manner alleged and in doing so he breached the Standards of Professional Behaviour in relation to 'Duties and Responsibilities', and 'Equality and Diversity'. Further, the AA must satisfy the Panel to the same standard that the manner of the breach is of such a nature or degree that it amounts to Misconduct or Gross Misconduct.
  
6. The Panel also reminded itself of the relevant guidance from the Home Office Guidance on Conduct, Efficiency and Effectiveness in respect of the balance of probabilities: *"Conduct will be proved on the balance of probabilities if the persons conducting the meeting or hearing are satisfied by the evidence that it is more likely than not that the conduct occurred. The balance of probabilities is a single unvarying standard (i.e. there is no sliding scale). The seriousness of the allegation of misconduct and/or the seriousness of the consequences for the officer do not require a different standard of proof, merely appropriate careful consideration by the panel before it is satisfied of the matter which has to be established. The inherent probability or improbability of the conduct occurring is itself a matter to be taken into account when deciding whether, on the balance of probabilities, the conduct occurred"*. [Paragraph 9.10]
  
7. The Panel reminded itself that it does not need to make a finding on every issue and need only make findings on those issues which it believes to be relevant and material to the allegations.
  
8. The Panel approached its task in the following stages:
  - i) Are any of the facts admitted?
  - ii) What facts have been proved by the AA on the balance of probabilities?
  - iii) Of the admitted or proved facts, has the AA satisfied the Panel on the balance of probabilities that the relevant Standards of Professional Behaviour have been breached?

- iv) If so, has the AA satisfied the Panel on the balance of probabilities that it is Gross Misconduct, namely the breach is so serious as to justify dismissal?

#### Pre-Hearing

- 9. On 16 September 2025, the former Chair convened a pre-hearing (on Microsoft Teams) and issued a number of case management directions including specified timescales for the service of outstanding material.

#### Reporting restrictions

- 10. At the pre-hearing, given the nature of the allegations, the former Chair put in place reporting restrictions prohibiting the publishing or broadcasting of the true names of Officer A and Officer B (witnesses in the case) in accordance with Regulation 39 (3) (c) and/or Regulation 39 (3) (b) of the amended 2020 Regulations. The Chair confirmed these restrictions at the outset of the hearing.

#### *The Proceedings*

- 11. At the misconduct hearing, the AA was represented by Mr Kevin Saunders of Counsel. DS Mackennon was represented by Mr Fraser Coxhill of Counsel. The Panel was grateful to Counsel for their assistance and their comprehensive written submissions. Ms Chiew Yin Jones, Legally Qualified Advisor, provided legal advice to the Panel.
- 12. In determining this matter, the Panel considered all the material placed before them including the hearing bundle, DS Mackennon's Regulation 31 response, and the 84-page bundle of character evidence.
- 13. In addition to the documentation placed before them, the Panel received oral evidence from Officer A, Officer B, and DS Mackennon during the course of the

hearing. The Panel shall come to its assessment of their evidence later on in the judgment.

#### Character evidence

14. The Panel considered the bundle of character evidence (containing 29 references) which contained many references to DS Mackennon's professionalism, strong work ethic, and deep commitment to equality and diversity.
15. The Panel took these references into account when considering DS Mackennon's credibility and in respect of his propensity or otherwise to behave in the way alleged.

#### *Background*

16. The allegations date back to August / September 2021 after Officer A was appointed the Investigating Officer in charge of the investigation of Female E's allegations against Carrick, with DS Mackennon as the supervisor of the investigation.
17. On 10 August 2021, a Regulation 17 notice was served on Carrick, which alleged that he had anally raped Female E on eight occasions, had urinated in the mouth of Female E on three occasions, had assaulted Female E, and had subjected Female E to controlling and coercive behaviour.
18. On 13 August 2021, Female E made a witness statement stating that she did not wish the Police to continue with the investigation that she made against Carrick as she had a lot of other problems to deal with.
19. On 16 August 2021, DS Mackennon provided Officer A with copies of the case material from Hertfordshire Police which included the crime report, witness statements, and the summary of the Visually Recorded Interview [1097].

20. On 18 August 2021, Hertfordshire Constabulary discontinued the criminal investigation against Carrick.
21. On 1 September 2021, Officer A completed a streamlined/short form conduct matter investigation report, in which she set out her findings concerning Carrick.
22. In her statement of 20 December 2023 **[1095]**, Officer A said she had not been trained how to conduct DPS investigations, how to complete the relevant reports/forms or how to use the DPS systems, and relied heavily on guidance from her supervisors, mentor and colleagues. She said she had regular discussions about her cases with DS Mackennon and her mentor either on the phone, during team meetings or when attending the office for 'on- call' duties.
23. The Panel also heard from Officer B that the working environment at DPS was challenging at the relevant time. DS Mackennon said that DPS was carrying a large workload of approximately 150 cases of which he had oversight of half of those. Officer B stated that DS Mackennon worked 'long and hard', and on overtime to keep on top of the team's workload. DS Mackennon said that as they were in the midst of pandemic restrictions and mostly working from home, he and Officer A would speak at length on nearly a daily basis by phone **[1032]**.
24. The Panel noted that the Domestic Abuse and Sexual Offences (DASO) Investigations Team (which was launched in January 2022) **[1153]** had not been established by the relevant period. Neither was the requirement in place for all DPS investigators to take reasonable steps to contact the victim at the earliest opportunity, to secure their support for the misconduct investigation.

### Factual allegations

25. Against that backdrop, the Panel went on to consider the factual allegations. As allegation (iii) repeats allegation i(f), the Panel did not make a separate finding in this matter.

***Allegations i (a) to (f) : failed to ensure / direct that Officer A adequately investigated Female E's allegations against Former Officer Carrick***

**Overview**

26. There was no dispute that Officer A did not carry out the investigatory steps set out in Allegations i (a) to (f) of the Regulation 30 notice. The central issue was whether DS Mackennon failed in his supervisory duty to ensure that Officer A carried out the relevant investigatory steps.

Supervisory role

27. Before addressing the specific allegations, the Panel first considered whether DS Mackennon had a duty to ensure that Officer A carried out the relevant investigatory steps.

28. At the end of the AA's case, Mr Coxhill advanced a submission of no case to answer on the basis that there was no evidence that a breach of the Standards had occurred. Mr Coxhill submitted that in the absence of specific guidance on what duties DS Mackennon was under in his supervisory role, the Panel could not determine whether he had 'failed' to perform them.

29. As indicated in the Panel's ruling on DS Mackennon's submission of no case to answer **[attached at Annex A]**, an inference from the job description of a DPS Supervisor **[1023]** was drawn. The Panel noted that a DPS supervisor is required to supervise and review investigations, set investigation plans, ensure timely progress, and provide first stage of quality assurance on completed investigations.

30. Given DS Mackennon's role to quality assure completed investigations, the Panel was clear that DS Mackennon had a supervisory duty, albeit the Panel recognised and made allowance for the fact that DS Mackennon was overseeing a very large number of cases at the time and this may have impacted on the level of attention that he was able to give each individual case. It should be noted that at the material time, the wide range of crimes committed

by Carrick was unknown and his case did not have the high level of scrutiny which has subsequently come about.

#### Investigatory steps

31. On that basis, the Panel went on to consider whether it was necessary for DS Mackennon to direct Officer A to undertake further lines of enquiry.
32. In considering **allegations i (a) to (f)**, the Panel took into account all the material put before them, including the following factors:
- i) DS Lumsden's entry on the Crime Report on 11 July 2021 at 18:37: indicating that Female E was reluctant and asked to retract the allegations **[1126]**.
  - ii) DC Deal's entry on the Crime Report on 23 July 2021 at 12:23: indicating that Female E had texted "*forgive me but I don't want to continue with the complaint anymore, please I want to stop the complaint*" **[1126]**.
  - iii) Female E's witness statement of 13 August 2021: in which she stated "*... I just want to stop with the Police investigation in relation to what David did to me as I do not feel mentally strong enough to deal with anything else*" **[283]**.
  - iv) Hertfordshire's discontinuance of the criminal investigation on 14 August 2021: in which the Detective Inspector leading the Sexual Offences Investigation Team (SOIT) concluded that: "*A proportionate investigation has taken place in this case. There are no further lines of enquiry that will progress this investigation...a victimless prosecution has been considered but [is] not appropriate in this case due to the lack of corroborative evidence...*" **[1129]**.
  - v) Officer A's evidence: Officer A said that she did not contact Female E as she did not want to appear oppressive towards her. As Female E had made it clear that she did not want to continue with the complaint, Officer A took the view that it would be unfair to contact Female E given that she had already been contacted by two other police services. The Panel found Officer A to be a

credible witness who gave clear and measured evidence about her involvement in the investigation of the case, and apportioned weight to her evidence.

vi) Officer B's evidence: Officer B stated that in 2021 he drafted a streamlined/short form template to improve efficiency as the usual outcome reports were taking too long to draft. The only guidance on their usage was that contained within the email sent out by the DCI of the DPS, and guidance within the document itself. In evidence, Officer B stated that he did not recall Carrick's case coming across his desk. However, it was not disputed that Officer B had confirmed the severity assessment of the conduct matters against Carrick as Gross Misconduct. Nonetheless, the Panel did not consider that this in itself diminished Officer B's credibility given the overall context of the case, and apportioned weight to his evidence.

vii) DS Mackennon's evidence: The Panel found DS Mackennon to be a credible and measured witness and was struck by DS Mackennon's detailed response to the Regulation 17 notice that had been served upon him (numbering 19 pages), and his statement under caution on 29 August 2024, which demonstrated to what the Panel considered to be his intention to be as truthful and transparent as possible to explain his rationale and to assist with the IOPC investigation.

33. Against this backdrop, the Panel then went on to consider the specific allegations.

#### *Specific allegations*

34. Set out below are the submissions of the parties followed by the Panel's overall assessment having regard to the common themes that run through the individual allegations.

#### ***Allegation i(a) - failed to seek the full transcript/ recording of Former Officer Carrick's interview under criminal caution***

35. It was the AA's case that the probative value of the full transcript should have been apparent to DS Mackennon. Instead, the investigation relied upon a seven-sentence summary of Former Officer Carrick's interview within the Hertfordshire Crime Report [1127].

36. DS Mackennon maintained that Officer A had requested a transcript by email but this was never provided by Hertfordshire Constabulary. In any event, DS Mackennon contended that *"the summary of the interview was accurate save a detail over being offered money to marry E and that was not a relevant consideration in the case disposal either way – and the offence was denied and consent relied upon"* [paragraph 18 of the Regulation 31 response]. DS Mackennon also stated that it was his understanding that most police units do not prepare an interview transcript at pre-charge stage.

***Allegation i(b) - failed to seek the full transcript / recording of Female E's ABE interview.***

37. The AA contended that DS Mackennon should have directed/ensured that Officer A obtain the full Achieving Best Evidence (ABE) interview of Female E as this was a basic investigative step and the failure to do so deprived the investigation of potential lines of enquiry.

38. DS Mackennon maintained that the summary of the ABE interview was detailed and having read the interview, was satisfied that it had been conducted correctly by Hertfordshire Constabulary.

***Allegation i(c) - failed to seek any material from Hertfordshire Constabulary beyond that which was provided to Officer A***

39. The AA asserted that the misconduct investigation was based entirely on the package of material from Hertfordshire Constabulary, and no further investigative actions were undertaken apart from the review and the service of a Regulation 17 notice on Carrick.

40. In his Regulation 31 response, DS Mackennon stated that *“Officer A was entitled to expect that a specialist unit would so provide everything as per the request – only Herts Police knew what existed, not Officer A. If less than all of the case material was provided then any fault lies with Herts Police in failing to provide what was sought”*.

***Allegation i(d) - failed to seek contact with Female H, who on Female E’s account may have been a further victim of Former Officer Carrick.***

41. The AA submitted that as Female H’s complaint against Carrick appeared to be strikingly similar to that of Female E, contacting Female H may have resulted in the corroboration of Female E’s evidence.

42. DS Mackennon asserted that evidence from Female H would not have proven a lack of consent on Female E’s part as Female E had withdrawn her support for a police investigation into Carrick. DS Mackennon also observed that the Appropriate Authority did not request further actions regarding Female H.

***Allegation i(e) – failed to identify or seek any other witnesses in this matter***

43. The AA asserted that as Female E had referred to individuals she had made disclosures to, DS Mackennon should have approached further witnesses who may have been willing to give evidence against Carrick.

44. DS Mackennon stated that as there had been a full criminal investigation, it was reasonable for him to believe that relevant witnesses had been identified and if there were any other potential witnesses, this would have been part of the case file.

***Allegation i(f) - failed to contact Female E***

45. The AA submitted that DS Mackennon should have contacted Female E to clarify the inconsistencies that he had perceived in her account. Furthermore, whilst Female E withdrew from the criminal investigation, she did not say that her allegations against Carrick were untrue.
46. The Panel noted that Female E provided a statement to the IOPC **[75]** confirming that she would have participated if she had known that the Metropolitan Police had been conducting an internal investigation.
47. It was DS Mackennon's case that he had considered contacting Female E directly but on balance decided not to as she had said on at least three occasions that she did not want to support police action. Furthermore, Female E had a point of contact at Hertfordshire who she was familiar with.

#### Overall Assessment

48. Having regard to all the circumstances of the case including the fact that Female E did not wish to pursue the allegation against Carrick, the Panel found that it was not unreasonable for DS Mackennon to rely on the enquiries of Hertfordshire Constabulary given the specialised nature of the SOIT Unit who made the enquiries, and its assessment that there were no further lines of enquiry that would progress that investigation.
49. In this regard, the Panel apportioned weight to the assessment by the Detective Inspector leading the Sexual Offences Investigation Team to close the investigation as there were no further lines of enquiry that would progress the investigation.
50. Furthermore, having apportioned weight to Officer A's evidence, the Panel was persuaded by her explanation for not contacting Female E as referred to above.
51. Given Officer A's experience in investigating Domestic Abuse incidents **[1095]**, the Panel also considered that it was not unreasonable for DS Mackennon to place reliance upon Officer A's judgement, given her overall competence as an

Investigating Officer, and the specific set of support measures that he had put in place for her as a relatively new member of the team **[paragraph 5 of the Regulation 31 response]**. In his statement of 29 August 2024, DS Mackennon said that Officer A was an experienced investigator and had more experience in dealing with sex offences than he did or anyone else on the team **[1047]**.

52. Of crucial importance was the fact that Female E had withdrawn her support for a police investigation into Carrick. The Panel found that, when it came to allegations of rape, assault, and controlling and coercive behaviour, a misconduct investigation would face the same evidential issues which the criminal investigation had faced and it was therefore not unreasonable to conclude that once the criminal investigation had been closed there was no realistic prospect of successfully bringing misconduct charges based on the same evidence, albeit to a lower standard of proof.

53. At a more granular level, the Panel noted that Officer A and/or DS Mackennon had taken a number of steps during the investigation of the case including the following:

- i) Officer A had requested a copy of the transcript of Carrick's interview under caution from Hertfordshire Constabulary by email **[Box folder]**
- ii) Officer A had emailed her mentor to ask if she needed to ask Carrick to answer questions on an MG14 form **[Box folder]**. Officer A was informed that it was unnecessary as the criminal interview had already taken place and she should submit the report for supervisor review **[1098]**
- iii) DS Mackennon went to Stevenage Police Station on the day of Carrick's arrest and Hertfordshire Constabulary provided him with a precis of the case and highlighted some of the challenges that were faced by the investigation team **[1034]**
- iv) DS Mackennon provided Officer A with the point of contact from Hertfordshire Constabulary and asked her to make contact with them, to arrange for the official handover of documents, evidence, and crime report **[1035]**

v) DS Mackennon and Officer A discussed the case at length to see how it could be progressed, and considered the strengths and undermining factors [1040]

vi) After discussing this investigation at length, Officer A and DS Mackennon concluded that there were no reasonable enquiries that could be conducted which had not already been explored or reviewed by the specialist officers during the criminal investigation [1043]

54. The Panel observed that Officer A and DS Mackennon arrived at a reasoned decision that there were no further lines of enquiry that would have progressed the investigation after they had considered the case at length.

55. The Panel also observed that the circumstances in which a streamlined/short form report should be used were unclear and DPS investigators had not been provided with training on this matter. Officer A understood that in cases such as this, where there were concurrent criminal investigations, the short form would be used where those proceedings had been No Further Actioned (NFA). DS Mackennon understood that criminal cases that resulted in NFA would often result in No Case to Answer decisions for related misconduct investigations as the reasons would often be the same. In the Panel's view, this served to confirm the Officers' belief that there was little more they could do to progress a misconduct matter which relied predominantly upon the willingness of Female E to cooperate, which had been withdrawn.

56. Taking all of this into account, the Panel found **allegation i (a) – (f) not proven** on the balance of probabilities.

***Allegations ii (a) (b) (c): Failed to ensure and / or direct that Officer A conducted an adequate investigation into the Facebook messages between Former Officer Carrick and Male J in circumstances where the misconduct investigation had failed to obtain the evidential exhibit of the correspondence between Carrick and Male J, failed to include Carrick's admission concerning the sending of the Facebook messages as an allegation in the Regulation 17 notice sent to Carrick,***

***and failed to conduct any further investigation into the relevant Facebook messages.***

57. There was no dispute that the package of material Officer A received from Hertfordshire Constabulary contained the text of the Facebook messages between Carrick and Male J within Female E's statement.
58. The central issues were whether DS Mackennon should have conducted further investigation into the Facebook messages, and ensured that the Facebook messages were included in the Regulation 17 notice served on Carrick.
59. It was the AA's case that as the Facebook messages were apparent from the package of material received, DS Mackennon not only failed to obtain the evidential exhibit of correspondence but dismissed their probative value by baselessly questioning their authenticity. Furthermore, by failing to ensure that the Facebook messages were included in the Regulation 17 notice, Carrick was never formally compelled to provide an account for this matter.
60. In his Regulation 31 response, DS Mackennon contended that there was no enabling power, within the ambit of a conduct investigation, to seize Carrick's mobile phone and undertake Facebook enquiries **[1041]**.
61. He accepted that the messages were crude but as these messages were private correspondence with no connection to policing, he considered that they disclosed no professional misconduct. DS Mackennon stated that Officer A, her mentor, and the Appropriate Authority also saw the messages and they also did not consider that the messages constituted a potential breach of the Standards of Professional Behaviour.
62. The Panel considered that were the facts of this case to be considered today, DPS might well be expected to bring misconduct proceedings based on the content of the Facebook messages alone.
63. However, the Panel considered that in 2021 it was not generally regarded that such private messages would amount to discreditable conduct or any breach of

professional standards. The Panel therefore took the view that, at the relevant time, DS Mackennon did not fail in any duty or responsibility to direct further investigations into them.

64. In this regard, the Panel had regard to the Home Office Guidance on Conduct, Efficiency and Effectiveness (HoG) concerning off-duty conduct, and noted the need for particular care to be taken when considering the private online behaviour of a police officer **[paragraph 2.19]**.

65. The Panel also noted paragraph 2.11 of the HoG which states:

*'...Due regard shall be paid to the nature and circumstances of a police officer's conduct, including whether their actions or omissions were reasonable at the time of the conduct under scrutiny.' (emphasis added).*

66. Taking all of this into account, The Panel therefore found **allegations ii (a) to (c) not proven** on the balance of probabilities.

#### Standards of Professional Behaviour

67. Having found the factual allegations not proven, the Panel did not go on to consider whether the alleged Standards of Professional Behaviour namely 'Duties and Responsibilities' and 'Equality and Diversity' had been breached.

68. To be clear, as allegation (iv) was based on DS Mackennon's alleged failures at (i) to (iii), and as the Panel had found the said allegations not proven, it was unnecessary for the Panel to make a finding on allegation (iv).

69. There being no representations from the parties, the Chair directed publication of the outcome decision, subject to the continued non-identification of Officer A and Officer B pursuant to Regulation 43(6) of the amended 2020 Regulations.

**Commander Jason Prins - Chair**

**Rachel Ellis - Independent Panel Member**

**Iain Christie - Independent Panel Member**

**[Date] 2<sup>nd</sup> April 2026**

## **ANNEX A: Submission of no case to answer - Ruling dated 18 March 2026**

1. Having considered the various representations on behalf of DS Mackennon and the AA, the Panel determined that there was a case to answer.
2. The Panel noted Mr Coxhill's submission that the Panel had not been provided with any policy, guidance or Standard Operating Procedure which mandated that the matters alleged must be completed in every case. In the absence of specific guidance on what duties DS Mackennon was under in his supervisory role, it was submitted, the Panel could not determine whether he had "failed" to perform them. It was therefore contended that there was no evidence that a breach of the standards had occurred.
3. Nonetheless, the Panel was satisfied that it could reasonably infer (from the material placed before them including the oral evidence of the witnesses) the inherent duties placed on DS Mackennon who was the direct line manager to Officer A during the relevant time.
4. The Panel considered the detailed description contained in the job advert for a Detective Sergeant, DPS Specialist Investigations Unit to be a useful starting point to assess the role and responsibility of a DPS supervisor.
5. The Panel noted that the job holder is required to "*supervise and review investigations into allegations of gross misconduct against police officers made through either public complaints or reported through MPS processes, setting investigation plans and ensuring timely progress. [The Detective Sergeant] will provide first stage of quality assurance on completed investigations*". [1023]

6. On that basis, the Panel was satisfied that it could reasonably infer that a DPS supervisor is expected to supervise and review investigations, set investigation plans, ensure timely progress, and provide first stage of quality assurance on completed investigations.
7. In arriving at this conclusion, the Panel took into account the following factors:
  - i) DS Mackennon was Officer A's supervisor in relation to the investigation into Mr Carrick. In his Regulation 31 response, DS Mackennon clearly acknowledged the supervisory nature of his role in respect of Officer A – indeed he set out at length the support structures that he had put in place for Officer A **[paragraph 5]**.
  - ii) In the Regulation 31 response, DS Mackennon also stated that he ensured that Officer A completed the severity assessment and conduct regulations notice, quality assuring them before transmission to the AA **[paragraph 11(iii)]**. In addition, DS Mackennon stated that he ensured independent review of the evidence provided was undertaken by both Officer A and himself separately **[paragraph 11 (v)]**.
  - iii) On 16 August 2021, Officer A stated that DS Mackennon provided her with copies of the case material from Hertfordshire Police which included the crime report, witness statements, and the summary of the Visually Recorded Interview **[1097]**.
  - iv) DS Mackennon was the named supervisor on the misconduct investigation report dated 1 September 2021 compiled by Officer A **[1072]**.
8. The Panel reminded itself that its task at this stage was simply to determine whether there was a case to answer. Determinations on the facts, the weight to be placed on these, and whether there had been any breaches of Standards of Professional Behaviour would come later.

9. The Panel also considered that, given the nature of the case, it was entitled to draw inferences – namely sensible conclusions – from the material that had been put before them.
  
10. Having considered the evidence in the round, in particular those factors set out above, the Panel was satisfied that, given the close supervisory nature of the role that DS Mackennon had in respect of Officer A, he does have a case to answer in respect of whether the omissions in the carrying out of that supervisory role (as alleged by the AA) amount to a breach/breaches of the Standards of Professional Behaviour.
  
11. To reiterate, the Panel has made no decisions as yet on any of the factual allegations in this matter, as DS Mackennon has not as yet had an opportunity to present his case.