

IN THE MATTER OF MISCONDUCT PROCEEDINGS
UNDER THE POLICE (CONDUCT) REGULATIONS 2020

CM/270/26

BETWEEN:

**THE COMMISSIONER OF POLICE OF THE
METROPOLIS**

The Appropriate Authority

-and-

PS PAUL BARRETT

The Officer Concerned

NOTICE OF OUTCOME ACCELERATED POLICE MISCONDUCT
HEARING

(REGULATION 63 POLICE (CONDUCT) REGULATIONS 2020)

Officer concerned: Police Seargent Paul Barrett

Date of hearing: 2nd April 2026

Name of person chairing: Commander Jason Prins

[References in this decision to the Conduct Regulations are to the Police (Conduct) Regulations 2020, as amended by the Police (Conduct) (Amendment) Regulations 2024 and the Police (Conduct, Performance and Complaints and Misconduct) (Amendment) Regulations 2025. The Appropriate Authority is referred to as AA].

The Decisions of the Accelerated Misconduct Hearing

Summary

The Allegations were found proved. It was determined that PS Paul Barrett's conduct had fallen below the standards expected of a serving police officer such as to contravene the Standards of Professional Behaviour and to amount to gross misconduct. It was determined that the only viable outcome in PS Barrett's case is dismissal without notice and entry on the barring list.

Attendees

- PS Barrett did not attend and was represented by PC Mark O'Shea
- The AA's case was presented by Melissa Gordedo
- I was assisted as to law/procedure and drafting by a lawyer, Miss Elisabeth Acker. The decisions were mine alone.

Evidence and documentation

I had been provided with the following evidence and documentation:

From the AA:

Special Case Certificate

Form 3355D - Allegations

Investigating Officer's Report

Regulation 17 Notice; Form 163 – Signed 03/03/2026

MG11 [REDACTED] – Special Conditions Met

MG11 [REDACTED] - 01/03/2026

MG11 [REDACTED] – 02/03/2026

MG11 [REDACTED] – 01/03/2026

MG11 [REDACTED] – 02/03/2026

MG1 [REDACTED] – 02/03/2026

MG11 [REDACTED]

MG11 [REDACTED]

Scanned 6050 Form – PS Barrett – 01/03/2026

Draeger Image Sample reading #1: '45 reading'

Draeger Image Sample reading #2: '44 reading'

MGDD Report - Main Drink Drive reading – Charing Cross Custody reading

Photo of Logbook

Drink Driving Policy Document

Suspension confirmation – Signed 05/03/2026

Certificate of Conviction

CCTV footage of Incident (see timestamps below)

PS Barrett driving onto Princes Gate 0.00-03.50

[REDACTED] and [REDACTED] engaging with PS Barrett 04.05-05.05

[REDACTED] and [REDACTED] challenge PS Barrett on their perception that he has consumed alcohol 05.30-07.302

From or on behalf of PS Barrett:

Seven character statements, uploaded after the first stage

Allegations

The allegations against PS Barrett were as follows:

It is alleged that on 1 March 2026, you were removed from duty on the basis of a reasonable suspicion that you had consumed alcohol whilst and/or before performing your duties.

Following your removal from duty, you were required to undergo an evidential breath test at Charing Cross Custody Centre.

At 23:06 hours, you provided a sample of breath which produced a reading of 46 microgrammes of alcohol per 100 millilitres of breath.

• At 23:08 hours, you provided a second sample which produced a reading of 45 microgrammes of alcohol per 100 millilitres of breath.

These readings were in excess of the prescribed legal limit.

Subsequently, on 16 March 2026, you appeared before Westminster Magistrates' Court, where you entered a guilty plea to the offence of driving a motor vehicle with excess alcohol, contrary to section 5(1)(a) of the Road Traffic Act 1988.

Upon conviction, you were sentenced to:

- a £700 fine,*
- £75 in prosecution costs,*
- a £280 surcharge, and*
- disqualification from driving for a period of 14 months.*

Professional Standards of Behaviour

In the circumstances, the Appropriate Authority contends that your actions breached the Standards of Professional Behaviour as set out in the Regulation 5 and Schedule 2 of the Police (Conduct) Regulations 2020 (as amended by the Police (Conduct) (Amendment) Regulations 2024 and 2025, namely:

- Discreditable Conduct*
- Fitness for Duty*

In that you behaved in a manner likely to bring discredit upon the police service and undermine public confidence.

As a result of that stated herein, if proven, your conduct amounts to gross misconduct and your dismissal may be justified.

Preliminary matters

Private proceedings:

I confirmed that in advance of the proceedings, I had been supplied with the hearing documents in accordance with Regulation 56 of the Police Conduct Regulations 2020 (as amended) and considered representations from both sides, before determining that the hearing ought to be held in Public.

Notice and service requirements:

I was satisfied the misconduct papers were served on PS Barrett and he had responded under Regulation 54 Police (Conduct) Regulations (within a document '3355D Form 2024 - PS Barrett').

PS Barrett was not in attendance. PS Barrett's federation representative confirmed PS Barrett had texted him last night to say he would not be attending as he felt unwell. He further confirmed PS Barrett did not request an adjournment or suggest he would attend on a later date.

I received the advice of the Legal Adviser in respect of the notice requirements for an Accelerated Misconduct Hearing as well as in relation to proceeding in absence. I received advice in accordance with the case of *General Medical Council v Adeogba and General Medical Council v Visvardis [2016] EWCA Civ 162*. In considering whether to proceed in the absence of a police officer, the Legal Adviser advised that the primary consideration was the need for 'fairness' to PS Barrett though consideration should also be given to the interests of the public as well as fairness to the Appropriate Authority.

I was satisfied that the requirements in Regulations 51 to 53 of the Conduct Regulations as to service had been complied with. I was satisfied that it would be fair to proceed in the absence of PS Barrett.

Background

Due to ongoing political instability, in recent months serial units have been posted to the Embassy of the Islamic Republic of Iran to augment the existing security provided by the MPS Parliamentary and Diplomatic Protection Command (PaDP).

[REDACTED] They are supervised by a Sergeant, who drives between embassies ensuring posts are covered and officers remain alert.

On 1st March 2026 PS Barrett was the supervising Sergeant. Two officers from the augmenting serial unit were on foot patrol [REDACTED] when PS Barrett arrived at the embassy.

The officers observed PS Barrett smelled of alcohol. When they challenged him on this, he became defensive and then refused to engage further. They informed their serial Inspector who in turn informed the PaDP chain of command.

PS Barrett was removed from duties and returned to Charing Cross police station. An initial breath test was conducted using a calibrated DRAGER (ARZD-1153) which indicated PS Barrett was over the legal limit for alcohol.

PS Barrett was placed under arrest at 22:30 on suspicion of drink drive and taken to Charing Cross police station Custody. Evidential samples of breath were taken using an Evidential Breath Machine (EBM) which confirmed PS Barrett was over the legal alcohol limit to drive a motor vehicle.

PS Barrett was charged as follows, “On 01/03/2026 at WESTMINSTER drove a motor vehicle, namely [REDACTED] on a road namely PRINCES GATE SW7, after consuming so much alcohol that the proportion of it in your breath namely 45 microgrammes of alcohol in 100 millilitres of breath exceeded the prescribed limit.”

PS Barrett signed the 163 Form acknowledging receipt on 5th March 2026. He did not add any narrative comments.

On 16th March 2016 he pleaded guilty to driving a motor vehicle with excess alcohol on the 1st March 2026.

Findings on the facts

I noted PS Barrett’s acceptance of his conduct through his representative (and in his Regulation 54 response) and his plea at court. PS Barrett was not in attendance today and so could not be invited at the outset of the hearing to accept the charges formally under Regulation 61(5) or provide information to me. The federation representative did not have instructions to accept gross misconduct on his behalf.

The Legal Adviser advised that the standard of proof with regards the factual particulars is the civil standard. I was reminded that the burden of proof rests with the AA.

I was advised that no finding could be made that the alleged conduct amounted to gross misconduct unless I was satisfied on the balance of probabilities that this was the case per Regulation 61(16).

Advice was further provided in relation to the statutory definition of ‘gross misconduct’ by reference to Regulation 2(1) of the Police (Conduct) Regulations 2020 (as amended) – ““*gross misconduct*” means a breach of the *Standards of Professional Behaviour that is so serious as to justify dismissal*”.

Findings on the facts alleged and on Gross Misconduct

Careful consideration was given to all of the documentary material from the AA and PS Barrett, together with the submissions made on behalf of the AA and PS Barrett and the advice provided by the Legal Adviser.

I was satisfied on the balance of probabilities the factual allegations were proved. I noted the statements of [REDACTED], who had concerns about PS Barrett’s demeanour when he attended them in post in his supervisory role. I noted the CCTV, the alcohol testing print outs and screen reads, and the certificate of conviction in relation to PS Barrett’s plea in the criminal proceedings.

Breach of standards

I was satisfied on the balance of probabilities that the actions of PS Barrett breached the following Standards of Professional Behaviour:

Fitness for Duty: Police officers when on duty or presenting themselves for duty are fit to carry out their responsibilities. I found you were not fit to carry out your responsibilities. Attending a shift with excess alcohol is unacceptable. This was a shift during which you were required to drive and the amount of alcohol in your system meant it was illegal for you to drive. This was a shift in which you were supervising other officers in a high profile, sensitive and stressful protection post. You were perceptibly in drink to them, such that they raised it with you and then another supervisor.

Discreditable Conduct: Police officers behave in a manner which does not discredit the police service or undermine public confidence in it, whether on or off duty. Being convicted of any criminal offence is discreditable. In this case you committed that offence (driving in excess alcohol) while on shift supervising others and driving a police vehicle in a sensitive location. I found your conduct was discreditable to you and the police and likely to seriously damage confidence in the police.

Gross misconduct

I reminded myself that gross misconduct is a breach of the Standards of Professional Behaviour so serious as to justify dismissal. Applying that definition, I was satisfied that the breaches of the standards in this case were sufficiently serious to amount to gross misconduct.

In terms of seriousness, I considered PS Barrett's culpability. PS Barrett not only broke the law by driving while in excess alcohol, he did so while on shift supervising others and driving a police vehicle. When challenged by his colleagues, he was evasive. I also had in mind PS Barrett was well over the limit for officers on duty (13 microgrammes of alcohol per 100 millilitres of breath) and the criminal driving limit (35 microgrammes of alcohol per 100 millilitres of breath). I consider culpability to be high.

Under seriousness, I also considered harm. There was potential harm to your junior colleagues operating in exposed work, under the supervision and support of a more senior officer unfit for work. It was dangerous (and illegal) for you to drive at all, but especially so in the circumstances in which you did it. You exposed yourself and others to the risk of harm, either from your driving and/or from your being unfit to supervise and police while in drink. There is a further risk of harm to the reputation of and public confidence in policing, for a supervising officer to drive in drink and illegally in an area of political sensitivity where his role was to support and protect colleagues and the public. I consider harm to be high.

Findings on outcome

A copy of PS Barrett's service record was provided by the Appropriate Authority.

I received the advice of the Legal Adviser to consider the College of Policing Guidance on Outcomes in Police Misconduct Proceedings. I was advised to adopt the ‘three stage process’ as outlined within the College of Policing Guidance, namely, to assess the seriousness of the misconduct; to keep in mind the purpose of imposing sanctions; and to consider the sanction that most appropriately fulfils that purpose for the seriousness of the conduct in question.

I was also advised as to the wording of Regulation 62 of the Police Conduct Regulations 2020 (after amendment, this case incepted after the relevant date).

Decision on Outcome

Careful consideration was given to all of the documentary materials together with the submissions made by the Appropriate Authority, the federation representative, and advice provided by the Legal Adviser. In making my decision on outcome, I adopted the three-stage process, as outlined in the College of Policing’s Guidance on Outcomes.

Seriousness: I bore in mind that the first stage in determining the appropriate outcome is to assess the seriousness of the conduct. This is assessed by reference to: (i) the officer’s culpability; (ii) the harm caused by the misconduct; (iii) the existence of aggravating factors; (iv) The existence of mitigating factors.

The purpose of the police misconduct regime: The second stage requires me to keep in mind the purpose of the police misconduct regime. I reminded myself that this has three elements: (i) to maintain public confidence in, and the reputation of the police service; (ii) to uphold high standards and to deter misconduct, and (iii) to protect the public. I further reminded myself that the police misconduct regime is not designed to punish police officers. It is about the reputation and standing of the profession as a whole.

Appropriate Sanction: The third stage is to choose the outcome that most appropriately fulfils that purpose given the seriousness of the conduct in question.

I was advised of the dicta of Holroyde J at para 64 in R (on the application of Darren Williams) v Police Appeals Tribunal [2016] EWHC 2708 (Admin):

“the purpose of the sanction is not primarily punitive, and often not punitive at all: the purpose is to maintain public confidence in and respect for the police service or the profession concerned. Personal mitigation which may provide a ground for reducing the punishment which would otherwise be imposed for a criminal offence cannot therefore have the same effect in disciplinary proceedings which have a different, and wholly or largely non-punitive, purpose. The second is that in criminal proceedings, a defendant’s personal mitigation may enable him to distinguish himself from others convicted of similar offences, and so to demonstrate that the normal punishment for his offence would be unduly severe in his case. In contrast, a defaulting police officer or professional person will usually be able to adduce evidence of good character and to point to very severe consequences if dismissed or excluded from his or her profession”.

Stage 1: the seriousness of the conduct

Culpability: as above

Harm: as above

Aggravating Factors: No additional aggravating factors were identified.

Mitigating Factors: I noted what was said by your representative about [REDACTED]. Further, I bore in mind that you acknowledged your wrongdoing in the criminal court and here, and your apology (conveyed by your representative). I noted this was a single and short incident of misconduct, in the context of many years of service. They were not referred to in open session by either representative, but I read with care the seven character references uploaded, which spoke glowingly of your character and service. They appear to have been prepared for your court hearing.

Conclusion on Seriousness: Taking all these matters into consideration, I assessed the seriousness of the misconduct as high.

Stage 2: the purpose of the misconduct regime

I considered the threefold purpose of the police misconduct regime carefully in considering the appropriate outcome in this case. The police misconduct regime is not designed to punish police officers; it is about the reputation and standing of the profession as a whole. It is to uphold standards and to ensure that the public is protected.

Protecting the public: Driving in excess alcohol brings with it the real risk of physical injury to yourself and members of the public. This was even more so where you were driving in a sensitive area and carrying out a role that required a clear and calm head. Public confidence in policing is undermined by an officer in excess alcohol driving police vehicles, supervising colleagues, and protecting the public in a politically sensitive location.

Maintaining public confidence: Members of the public may be rightly concerned about a member of the police service committing a criminal offence, more so when on duty.

Upholding standards of behaviour: PS Barrett's actions represent a serious and dangerous departure from the requisite standards of conduct which requires an appropriate response to uphold standards of behaviour in the police service.

Stage 3: the appropriate outcome

I considered the officer's record of service.

I considered the wording of Regulation 62 (as amended) and whether there were exceptional reasons in this case which justified departing from dismissal without notice.

Having considered the nature and seriousness of PC Barrett's conduct together with the severity of the breaches of the Standards of Professional Behaviour, I was satisfied that no lesser sanction than dismissal would be appropriate.

The Appropriate Authority is directed to inform the College of Policing that PS Barrett's name should be recorded on the police barred list.

Decision on Publication

Having further considered the submissions on publication from the AA (none were made on behalf of PS Barrett by his representative) it is directed that this decision shall be public in accordance with Regulation 63(5) of the Police (Conduct) Regulations 2020 (as amended).

Any reference to PS Barrett's health shall be redacted from the published decision.

Chairperson's signature: Commander Jason Prins

Date: 10 April 2026

Right of Appeal

A police officer has a right of appeal against any disciplinary finding and/or disciplinary outcome imposed at an Accelerated Misconduct Hearing held under the Police (Conduct)

Regulations 2020 (as amended). Notification of this right of appeal is provided in accordance

with Regulation 63(2) of the Police (Conduct) Regulations 2020 (as amended).