

IN THE MATTER OF A MISCONDUCT HEARING
B E T W E E N:

THE COMMISSIONER OF POLICE OF THE METROPOLIS
Appropriate Authority

-and-
PC Oluwaseye Olajide (P253459) and Former PC Oliver Fellowes (P258832)

Subject Officers

**NOTICE OF OUTCOME OF POLICE MISCONDUCT HEARING (REGULATION 43(1) POLICE
(CONDUCT) REGULATIONS 2020) as amended.**

This matter came to the attention of the AA on Friday 1st March 2024.

1. Officers concerned: PC Oluwaseye Olajide (P253459) and Former PC Oliver Fellowes (P258832) ("the officers")

Appropriate Authority: The Commissioner of Police of the Metropolis ("AA")

Date of hearing: 6-8th July 2026

Panel Chair: Former Police Commander Katie Lilburn (Chair),

Panel Members: Ms Yvonne Walsh and Ms Karen Townsend (IPMs) - ("the Panel")

Ms Judith Seaborne Legally Qualified Advisor (LQA)

Legal counsel for the AA - Mr Giles Bedloe (counsel)

Legal counsel for PC Olajide- Ms Calla Randall (counsel).

Federation Representative for the former Officer Fellowes- PC Darren Gill

Federation Representative for PC Olajide- PC Brinsley.

Relevant regulations: The Police (Conduct) Regulations 2020 ("2020 Regulations") as amended.

2. SUMMARY OF THE HEARING

The Misconduct alleged was set out in full in the revised Regulation 30 notices supplied to the Officers, but in summary related to an incident on 5th October 2023 when PC Olajide and Former PC Fellowes sat their sergeants' exams together, consecutively in the same room at a private residential address.

Former PC Fellowes

Having found breaches of the Standards, the Panel carefully considered whether the breaches amounted to Misconduct, Gross Misconduct or neither (*Regulation 41(15) as modified*); *para 11.115 HOG*) and found that officer **Former PC Fellowes** breached the Standard of Professional Behaviour, namely, Honesty and Integrity on the balance of probabilities having regard to all of the evidence, circumstances and submissions made to it over the course of these proceedings. The Panel determined the breach amounted to Gross Misconduct and concluded that Former PC Fellowes would have been dismissed had he still been a serving officer.

PC Olajide

Having found breaches of the Standards, the Panel carefully considered whether the breaches amounted to Misconduct, Gross Misconduct or neither (*Regulation 41(15) as modified*); *para 11.115 HOG*) and found that officer **PC Olajide** breached the Standard of Professional Behaviour, namely, Honesty and Integrity on the balance of probabilities having regard to all of the evidence, circumstances and submissions made to it over the course of these proceedings. The Panel determined the breach amounted to Gross Misconduct and the outcome that appropriately fulfilled the purpose of the proceedings was dismissal without notice.

3. APPLICATIONS MADE DURING THE HEARING

No Case to answer

At the close of the AA's case, Ms Randall made an application of 'no case to answer' on behalf of PC Olajide. The application was opposed by the AA. The Panel refused the application, gave a verbal ruling and moved to hearing evidence from the officer.

It became apparent during Ms Randall's closing submissions at the end of Stage 1, that she had misunderstood the Panel's Ruling on her submission of 'no case to answer'. The Panel issued a 'clarification Note' as to its Ruling, which the parties had overnight to consider. The note, clearly directed that if there had been any ambiguity or misunderstanding as to how the case had proceeded following the ruling by the Panel, Ms Randall must be afforded every

opportunity to make further submissions to the Panel or indeed re-call PC Olajide, if Ms Randall or indeed PC Olajide were labouring under a misconception or mistaken understanding as to the Panel's ruling. This must be undertaken once all parties to the hearing were re assembled and before the Panel retired to consider its 'Finding of Facts'.

Ms Randall deemed it unnecessary to recall PC Olajide but made further submissions to the Panel before it retired to consider its Findings of Fact. *[See Annexe 1 attached- Clarification of the 'No Case to Answer' Ruling by the Panel on 6th July 2026.]*

Application to adjourn the Panel's 'Outcome' determination (PART 2) on behalf of PC Olajide.

Following the Panel's determination that the allegations against PC Olajide were proven and breached the Standard of Honesty and Integrity to the level of Gross Misconduct, Ms Randall made an application to adjourn Stage 2 (i.e. the 'Outcome' decision) until such time as PC Olajide could commission a medical report dealing with the impact his [REDACTED] had on/ impaired his judgement at the material time of the allegations. The application was opposed by the AA.

Ms Randall initially referred to this case as an 'exceptional circumstances' case which was understood to be a reference to proceedings brought to the attention of the AA post 28th May 2025 where a finding of Gross Misconduct will result in dismissal without notice.

The LQA confirmed that this matter came to the attention of the AA on Friday 1st March 2024 and thus pre-dated the change in Regulations referred to.

The Panel refused the application and it's Ruling is attached. *[See Annexe 2- Ruling on application to adjourn 'Outcome' proceedings in respect of PC Olajide]*

4. REPRESENTATION

Throughout the misconduct proceedings and hearing, the AA was represented by Mr Giles Bedloe (counsel). Throughout the misconduct proceedings and during the hearing on 6-8th July 2026, the officer PC Olajide was present and represented by Ms Calla Randall (counsel). Former PC Fellowes did not attend and was not legally represented. He was supported by a Federation Representative.

5. PRELIMINARY ISSUES

On 6th July 2026 (first day of the scheduled final hearing) the subject former Officer Fellowes did not attend. The AA made an application to proceed in absence. The Panel considered the application in detail and in the absence of any application by the former Officer for the hearing to be adjourned.

The Chair satisfied herself that the former Officer was aware of the hearing date, had absented himself voluntarily, was aware the hearing could proceed in his absence, was aware he was entitled to give evidence on his own behalf had he attended the hearing and was aware of the possible outcomes and consequences of the hearing. In these circumstances the Panel decided there was a clear public interest in the hearing proceeding without any unreasonable delay. [See *General Medical Council v Adeogba*, *General Medical Council v Visvardis* [2016] EWCA Civ 162]

6. THE FACTUAL ALLEGATIONS – Former PC Fellowes and PC Olajide

The Panel was referred to revised Regulation 30 notices wherein it was alleged in respect of **Former PC Fellowes and PC Olajide** that:

1. On 5 October 2023, PC Olajide and Former PC Fellowes sat their sergeants' exams together in the same room at a private residential address, Officer Olajide commencing his exam just after 10 am and finishing three hours later just after 1 pm, Former PC Fellowes was in the bedroom throughout the taking of this exam. He then started his own exam just ten minutes after his friend and colleague had completed his exam.
2. At the outset of the exam the entrants sign to confirm they will observe and adhere to the key principle regarding not gaining an unfair advantage, in the following terms:

Candidates must not gain, or attempt to gain, any unfair advantage during the examination. All Officers are expected to act with integrity, in line with the principles and standards of behaviour set out within the Code of Ethics. Candidates must not help, or accept help from, anyone else during or after the examination.

3. Candidates also make a declaration at the outset of the exam in the following terms:

It is expected that you will preserve the integrity of the exam. This means that you will not:

- copy or record your exam, or any part of it*
- be involved in coaching other candidates*
- discuss or divulge the content of your exam after accessing it*
- receive help from someone or something else while completing your exam (this includes attempting to use artificial intelligence applications or similar)*
- attempt to stop the clock or gain additional time within your exam*

Any candidate found to be disclosing information about the content of their exam (for example, sharing content via social media) will be reported to the Reports and Disqualifications Panel and their force's Professional Standards Department, or equivalent. You are expected to continue to act in accordance with the expectations set out above once you have completed your exam. Failure to do so could mean your exam result is nullified.

4. This declaration reflects the contents of section 5 of the NPPF Candidate Handbook 2023, particularly sections 5.4 and 5.5. These provisions clearly state that revealing the content of the exam in any manner will lead to an investigation and referral to the Professional Standards Unit. Additionally, *"discussing the content of questions is prohibited and presents a huge personal risk for that candidate and their future career."*

5. The Online Examinations Candidate Guide states as follows (emphasis added):

Candidates must complete the exam on their own without helping, or accepting help from, others. Candidates sharing information about exam questions and/or answers with another candidate before, during or after the exam, will be deemed to have breached exam rules. Candidates are expected to take the exam on their own with no-one else present in the room, except if they are taking it as part of an organised force delivery.

Candidates must not discuss any part of the exam questions or answers with anyone else before, during or after the exam. Any allegations of colluding between Officers will be thoroughly investigated and detailed reports of performance will be analysed. Cases will be reported to the relevant professional standards unit, or equivalent, and to the reports and disqualifications panel. The panel will remove results from candidates who are found to have colluded with others.

6. It is noted that former PC Fellowes was present together in the small bedroom where PC Olajide took his exam throughout that examination, ten minutes after PC Olajide finished

his exam, PC Fellowes began his own, sitting the exact same questions in the same order, in PC Olajide's company at the same address,

7. By sitting their exams consecutively in the same private residential location, with both present throughout each other's sittings, these defendants individually or collectively gained, attempted to gain or allowed an unfair advantage, in breach of both their oath at the start of the examination and the Standards of Professional Behaviour,
8. Furthermore, their decision to take the exam in each other's company constituted a clear breach of the exam guidance,
9. For the avoidance of doubt, the breach of the Standards of Professional Behaviour, namely Honesty and Integrity, is completed by either Defendant in this case by either gaining a personal advantage themselves or by acquiescing in, permitting or giving the opportunity to the other to gain a personal advantage,

Revised in accordance with Former Commander Lilburn's Pre -Hearing directions of 4 March 2026.

7. Standards of Professional Behaviour

The Appropriate Authority contended that the aforesaid conduct breached the following Standards of Professional Behaviour (Sch. 2 2020 Regulations):

Namely-the Standards of Professional Behaviour as set out in in Regulation 5 and Schedule 2 to the Police (Conduct) Regulations 2020 in respect of **Honesty and Integrity**.

The Standard of Professional Behaviour that has been breached as alleged is a matter which individually and / or collectively, amounts to Gross Misconduct and is individually and collectively so serious as to justify dismissal.

This hearing was conducted pursuant to the [Police \(Conduct\) Regulations 2020](#) in Public.

8. EVIDENCE

- The Panel was referred to a bundle of documentary evidence consisting of 127 pages.
- During the misconduct hearing the Panel heard live evidence from PC Olajide.

- The Panel took PC Olajide's MG14 response dated 28th April 2025, his Regulation 31 response (undated) and his live evidence at the hearing into account throughout its deliberations.
- Former PC Fellowes submitted no Regulation 31 response, did not attend the hearing and submitted no written evidence for the Panel to consider.

The LQA advised it was appropriate for the Panel to consider two-character references supplied by PC Olajide at this Part 1 stage/Finding of Fact stage of the proceedings as the credibility and propensity of the Officer were in issue and to be determined. No objection was taken by the AA to this course of action.

Additionally, the Panel received an Opening Note from the AA.

9. LQA's legal directions at the close of the case for the AA.

The LQA gave directions (In summary) on the following topics;

- a) The Chair delegated the outcome report writing in this case to the LQA. As such, the LQA will accompany the Panel in the retiring room to capture its deliberations, but will not participate in any decision making, which is for the Panel alone.
- b) Burden and Standard of Proof.
- c) The Panel will be referred to the cases of *Ivey v Genting Casinos (UK) Ltd t/a Crockfords* [2017] 3WLR 1212 and *The Chief Constable of Thames Valley Police v (1) Police Misconduct Panel (2) White* [2017] EWHC 923, in respect of the allegation that the subject Officer's conduct breached the Standard of Honesty and Integrity.
- d) Inferences from evidence presented can be drawn, but the Panel should not be drawn into conjecture or speculation.
- e) The nonattendance of former PC Fellowes should not be regarded as an admission.
- f) The Panel must determine the appropriate weight to be afforded to evidence that is agreed and the character statements presented.
- g) A full Good Character (both limbs) direction in respect of PC Olajide was given.
- h) The circumstances in which adverse inferences can be drawn.
- i) The purpose of the Police Misconduct Regime.
- j) If the Panel were to find a breach of the Standards of Professional Behaviour, it should then proceed to determine whether the breach amounted to Misconduct or Gross Misconduct (*Regulation 41(15) as modified*); *para 11.115 HOG*) with reference to *the College of Policing's guidance on outcomes in misconduct proceedings [COP]*.

10. DEFINITIONS

- **Honesty and Integrity**

“Police officers are honest, act with integrity and do not compromise or abuse their Position”.

- The Panel had to be satisfied on the balance of probabilities, that the conduct amounted to Misconduct, Gross Misconduct or neither, with each term defined as follows in respect of **Former PC Fellowes:**

Misconduct: *“a breach of the Standards of Professional Behaviour that is not so serious that the officer concerned would have been dismissed if the officer had not ceased to be a member of a police force”.*

Gross misconduct: *“a breach of the Standards of Professional Behaviour that is so serious that the officer concerned would have been dismissed if the officer had not ceased to be a member of a police force”.*

- The Panel had to be satisfied on the balance of probabilities, that the conduct amounted to Misconduct, Gross Misconduct or neither, with each term defined as follows in respect of **PC Olajide:**

Misconduct means a breach of the Standards of Professional Behaviour.

Gross misconduct means a breach of the Standards of Professional Behaviour that is so serious that dismissal would be justified.

11. THE PANEL'S FINDINGS

In coming to its conclusions, the Panel has reminded itself that the burden of proof remains on the AA throughout and the standard of proof is on the balance of probabilities. All decisions made by the Panel set out, have been made in accordance with this standard of proof.

The Panel have considered the evidence presented in this case, the accounts provided in any written submissions and verbally as part of the hearing.

Having considered all the facts available to the Panel, it has determined that the conduct of **PC Olajide and former PC Fellowes** breached the Standards of Professional Behaviour, namely,

Honesty and Integrity. The breakdown of the Panel's findings in respect of both subject Officers is as follows:

PC Olajide

1. Chronology/timeline leading to the exam day

The Panel noted that in the National Guidance (Page 93) Section 5.2, both PC Olajide and former PC Fellowes would have received a prompt from the exam board asking them to test their devices and were offered the chance to familiarise themselves with the platform. A few days before the exam candidates would have received details of how to access the exam platform on the day of the exam.

The evidence for the Chronology/timeline leading to the exam day came principally from PC Olajide's oral evidence at the hearing.

PC Olajide described a chance meeting of approximately 5 minutes with former PC **Fellowes 1-2 weeks before the exam** which occurred when he was vaping in the vehicle yard at the back of Charing Cross police station. He said that during this conversation they discussed meeting to revise together, having discovered they were both taking the exam in October.

The Panel understood this to mean that from this date some form of plan was instigated to partner up as 'study buddies' prior to the exam.

The Panel accepted this evidence as credible, given the proximity of the upcoming exam.

PC Olajide gave evidence that **1-2 days before the exam** (3rd - 4th October) that text messages were exchanged between PC Olajide and former PC Fellowes discussing a time and an address at which to meet and revise together.

The Panel asked questions around this arrangement, whereby PC Olajide asserted that former PC Fellowes suggested in text messages they could do the exam at his and asked if PC Olajide still wanted to come over to revise together. PC Olajide confirmed that he and former PC Fellowes had not met up (physically or online) between the chance meeting at Charing Cross and the day of the exam to study.

The Panel accepted this evidence as credible but were wary of PC Olajide's description of this plan to 'revise' and felt his omission to the Panel to reference the intention to take the exam together, less than credible.

The Panel found that any prior planning required to co-ordinate taking the exam together (same day, same location) when the two officers no longer worked on same team or shift would have required more liaison than that admitted by PC Olajide. In light of the National exam conditions, all Officers sitting the exam have the same 3-day window. Both these officers sat the exam on the 3rd and final

day of that window. The Panel found it unlikely that the only communication between the Officers having a chance meeting in Charing Cross yard two weeks before, to meeting up for the exam on the 5th October was a text communication in the day or two preceding the 5th October (i.e. on the 3rd or 4th). The Panel surmised that if this was the case, there would be a chance that either Officer could have sat the exam already on one of the preceding two days. The Panel found it was more probable than not that a greater degree of liaison was required to at least identify and coordinate a date and a time to sit the exam together.

The Panel was disappointed that the text messages referenced by PC Olajide were unavailable for the Panel to consider.

2. Exam Day

PC Olajide confirmed that the journey to the address provided took 45-60 minutes and he arrived at approximately 8am. PC Olajide could not recall if he was late.

PC Olajide gave evidence that he realised upon arrival at the address, that it was PC [A's] flat (former PC Fellowes' then girlfriend, who was not present). However, her flat mate PC [B] was present. PC Olajide stated he was told that PC [B] had completed a night shift and was resting in her bedroom.

PC Olajide further described to the Panel, walking past a spacious living room, was aware of a separate kitchen area having described how former PC Fellowes retrieved a stool from the kitchen. The Panel therefore noted that PC Olajide made a clear and conscious decision to locate himself in the bedroom despite alternatives available and remained there throughout with former PC Fellowes.

The Panel noted the text messages from Former PC Fellowes to PC [B] informing her that both subject Officer's would be present taking their sergeants exam in PC [A's] bedroom. The Panel considered the agreed statement of PC [B] and attached little weight to it in terms of assisting it to make a determination as to the allegations.

The Panel noted the lack of any reference to preparation by PC Olajide for the taking of the exam on the 5th October, including taking no food or drink, taking no breaks in an 8 hour period, no early enquiry about Wi-Fi connectivity, no checking about the environment of the residential address (i.e. who was at home), no checking in advance on where they would physically take the exam.

3. 1–2-hour revision period prior to exam taking

PC Olajide described the 'cramming' revision period before the taking of the exam. PC Olajide described how former PC Fellowes went to the kitchen to get another stool and they sat side by side in the bedroom to revise.

The Panel found it unlikely that any meaningful revision could have been achieved in this short period when trying to absorb another's handwritten notes, textbooks etc in the absence of any described structure or approach.

PC Olajide gave evidence to the Panel that this was the only time that the subject Officers created a joint study resource.

4. Exam

PC Olajide described taking the exam using his privacy screen with former PC Fellowes moving to the bed when he started the exam.

The Panel noted that PC Olajide conceded he may have read aloud some of the exam questions and that former PC Fellowes may have got up off the bed at times and could have seen the questions displayed on his screen.

PC Olajide further confirmed in evidence that he accessed textbooks and his notes during the exam, clearly in the presence of Former PC Fellowes. The Panel concluded that this would have given former PC Fellowes an advantage as to topics arising in the exam.

The Panel noted that PC Olajide's times taking the exam were 10.06am - 13.06pm and former PC Fellowes times were 13.16pm -15.32pm, giving a 10-minute interlude between exams. (COP data). The Panel found this evidence of the interlude did not add any assistance to its determination as to the subject Officer's choice to complete the exams consecutively, due to multiple potential reasons for the Officer's adopting this schedule.

PC Olajide gave evidence that whilst former PC Fellowes took his exam, he lay on the bed watching you-tube wearing earphones and left shortly after former PC Fellowes completed his exam. The Panel concluded that no meaningful emotional support was offered during this period. PC Olajide acknowledged his close friendship with former PC Fellowes and the Panel felt there must have been many other opportunities to retrieve his notes in these circumstances. The Panel found the reasons given by PC Olajide for staying in the bedroom once he had finished his own exam, namely, to retrieve his notes and offer emotional support for a further 3 hours implausible.

Additionally, the Panel noted that PC Olajide could have waited in another room during this period.

The Panel considered the agreed factual scenario of the subject Officers taking the exams consecutively. The Panel determined that this provided a 6-hour window to each candidate with a potential assistant present to yield the best potential outcome for both parties.

The Panel found it implausible that both subject Officers remained in the bedroom for at least six hours without eating, drinking, or using the bathroom or discussing the exams they were both undertaking.

5. Declaration and Online Guidance

The Panel had regard to the following:

Declaration signed at outset of exam [Page 42]– relevant parts: -

- (i) *Must not... attempt to gain any unfair advantage*
- (ii) *Expected to act with integrity*
- (iii) *Must not help, or accept help from anyone else during or after examination*

Unfair advantage - The Panel found that both PC Olajide and former PC Fellowes created an opportunity whereby it was more likely than not that both would yield some additional benefit by having two contributors in the same small room when undertaking the same exam. The Panel found this approach to be inherently unfair and unethical because of the wording of the exam rules. All other candidates abiding by the exam rules, would not have the benefit of the possibility of extraneous assistance during their exams. Whilst the AA have not proved that an actual and tangible ‘gain’ was achieved by either officer, the Panel found on the balance of probabilities and what was conceded by PC Olajide (in that it was possible that former PC Fellowes could see questions when he moved around the room) that both officers attempted to gain an unfair advantage through the circumstances and environment in which they sat the exams.

Act with integrity – The Panel found that both Officers wilfully disregarded the exam declaration and exam rules. They both signed the declaration. In sitting the exam in the conditions and circumstances they did, the Panel determined they displayed a lack of professional integrity.

PC Olajide in evidence accepted *“with hindsight, maybe I shouldn’t have gone there”* showing an acknowledgement of the adverse perception created.

Help / accept help - PC Olajide admitted that he *“possibly could have”* read some questions aloud when he was sitting his exam first. Albeit he said he would not have done this consciously, as he was focussed on his laptop and exam, he conceded it was a possibility. PC Olajide also agreed that *“it could have been possible”* for former PC Fellowes to see his screen (and questions) when he was moving around the bedroom to stretch his legs.

Objectively, this would have given former PC Fellowes “help” in highlighting and pre-alerting him to topics and questions.

In addition, the mere actions of PC Olajide accessing his notes and textbooks during the exam would have given former PC Fellowes an early indication of topics that were coming up. This would

undoubtedly have been of assistance to former PC Fellowes, as he would have been given pre-warning (and time) to look at certain topics.

Additional declaration at outset of exam – relevant terms: -

- (i) *It is expected that you will preserve the integrity of the exam. You will not*
- (ii) *Copy or record your exam*
- (iii) *Be involved in coaching other candidates*
- (iv) *Discuss or divulge the content after accessing it*

The Panel found the integrity of the exam had not been preserved, on the balance of probabilities, PC Olajide having conceded that former PC Fellowes may have seen his screen thereby divulging the questions, may have read out loud the questions thereby divulging them and accessed certain resource materials during his exam, thereby highlighting relevant exam topics.

Online CoP Examinations Candidate Handbook [Pages 93-96] – relevant parts

- (i) *Must complete on their own*
- (ii) *Without helping, or accepting help from others*
- (iii) *Sharing information about exam questions and or answers with another candidate before, during or after the exam – breach of exam rules*
- (iv) *Expected to take the exam on their own with no-one else present in the room.*

The Panel found this handbook guidance to be unambiguous and clearly sets out the required expectations required to maintain, as far as possible, the integrity of the exam conditions.

The conditions created by the subject Officers were determined by the Panel to be a clear breach of the terms of the exam handbook.

COP Data – The Panel attached no further weight to this evidence; save for the timings the exams were taken as referenced above.

6. WhatsApp messages (Pages 59-60)

The Panel noted from the agreed evidence of PC [A] (who was out of the Country at the time of the exam) and the evidence of PC [B], the following:

The Panel was careful not to interpret the meaning of the messages in the absence of evidence from former PC Fellowes who sent them.

The Panel acknowledged the date stamp might be wrong due to PC [A's] location.

From unambiguous messages, which required no interpretation as to meaning, the Panel learned that (COP Data)

- 08.45 message – The intention was that former PC Fellowes would start the exam at 10.00 am. The Panel concluded that this evidenced a pre-arranged plan to undertake the exam at 10.00.
- 14.06 message - The Panel found that other options were clearly considered by at least former PC Fellowes (i.e. to move to the kitchen to take the exam) but were not taken.
- 16.33 message - *'I'm done'* and 16.38 message- *'He's leaving now'*. The Panel found this evidence was of significance, in that PC Olajide left former PC Fellowes within minutes of his exam conclusion. PC Olajide described lying on the bed with earphones in whilst former PC Fellowes took his exam.

Considering the above evidence, the Panel found PC Olajide's reference to providing emotional support as the reason for him remaining in the bedroom as former PC Fellowes took the exam unconvincing.

7. Photographs

The Panel noted from the photographs supplied a small room with a very small desk, which corroborated the agreed evidence as to the environment in which the exams were taken.

The reasons given for both subject Officers remaining in that room for up to 6 hours was implausible and the Panel preferred the synopsis put forward by the AA as to why this occurred.

8. MG14 and Regulation 31 response (Page 57 and pages 67-71)

In PC Olajide's MG14 dated 28th April 2025 he asserted *'In the lead up to the 5th October 2023, PC Fellowes and I were both revising for the exam together'*

The Panel found this statement, in its formulation infers that the two Officers revised together on a day or days before the 5th October 2023. The Panel found this written statement to be false and contradictory to PC Olajide's live evidence to the hearing, where he asserted that the singular revision session undertaken in company with former PC Fellowes was on the morning of the 5th October, immediately before the exam.

The Panel found the MG14 statement quoted above, which was signed and made under caution, on a date closer to the incident in question, was misleading and deliberately untruthful.

Later in his MG14 PC Olajide further asserted *'We would meet up to test each other on questions, use flash cards and generally help each other with the revision process.....'* and *'during that revision process Former PC Fellowes and I created one set of notes between us'*. This again was contradicted by PC Olajide's oral evidence where he admitted that all prior revision before the 5th October had been conducted alone, so the only joint compilation of resource occurred in the cramming session immediately before the exam, where the two Officers focused on topics and questions which it was anticipated would arise. In light of the oral testimony of PC Olajide, the Panel found the MG14 to be misleading and untruthful.

PC Olajide's written MG14 gave the impression that both subject Officers had created one set of revision notes which dictated them having to take the exam together and was proved subsequently by PC Olajide's live evidence to be untrue.

In respect of PC Olajide's undated Regulation 31 response (Pages 67-71) the Panel found this supportive of the language used in his MG14 and was misleading.

Para 22 of the Regulation 31 response again referenced *'had a shared pool of notes..... which they had used for revision.... and which they each wanted to use for the exam'*

The two versions given by PC Olajide in his MG14/Regulation 31 response and his live evidence were mutually exclusive and incompatible as to when the subject Officers created their joint revision resource- either in the days leading up to the 5th October 2023 or on the actual day of the exam, namely the 5th October 2023. The Panel found both versions could not be true and drew an inference of inherent dishonesty in the manner in which PC Olajide had attempted to present the circumstances of his case. The Panels overall finding of dishonesty is not solely predicated on the inference drawn from this evidence.

9. Character References

The Panel found them positive in their portrayal of PC Olajide's professional conduct but did not assist it in determining the factors involved in the days leading up to the 5th October 2023 or the circumstances 'behind closed doors' in which the exams were taken by the subject Officers.

10. Evidence of PC Olajide at the hearing and credibility.

The Panel found the contradictions and omissions in the Officer's evidence of significance.

The Panel found the Officer at times displayed inconsistent detail recollection and rationale. The Panel found the Officer was forthcoming in providing more detail in his live evidence on some points but vague on areas that were potentially inciteful including the selection of study topics on the day of the exam and the lack of any revision structure. This approach appeared to the Panel to highlight the discrepancies between his written responses to the allegations in respect of his preparation for the exam.

11. Implausibility factors – effecting PC Olajide’s credibility: -

The Panel found the Officer’s evidence exposed inconsistent thread of rationale – re approach to exam in 2023 compared to his exam failure in 2022. In 2022, his takeaway features of that experience were twofold:

- (i) The exam environment matters i.e. noisy/busy environment was distracting and
- (ii) he had weak topics around Road Traffic Act and Policy & Procedure. The Officer maintained in his evidence that in 2023 he prepared differently and took it more seriously as he wanted to pass (due to having had an acting Sergeant opportunity). However, PC Olajide in oral evidence did not appear to have taken any proactive steps to improve or mitigate for the two features of the 2022 exam failure.

The Panel found the Officer’s evidence improbable as to his lack of any proper preparation for taking the exam on the 5th October 2023 – including taking no food or drink, taking no breaks in an 8 hour period, no early enquiry about Wi-Fi connectivity, no checking about the environment of the residential address (i.e. who was at home), no checking in advance on where they would physically take the exam.

The Panel found the Officer’s inconsistent accounts between the MG14, Reg 31 and oral evidence – around the principal justification for being together on the exam day being due to needing access to “shared resources” unlikely; the MG14 and Reg 31 strongly implied these were a jointly created resource and prior revision had been together in the proceeding time before the exam. The oral testimony of the officer was different and inconsistent, as the only and singular revision session they had done together was for a maximum time of 1-2 hours directly before the officer started his exam at 10:06am.

The Panel found PC Olajide was ambiguous and intentionally ‘loose with language’ in relation to his meaning of the term ‘revision’. The Officer’s assertion was that the initial conversation in Charing Cross yard with former PC Fellowes, involved an arrangement to meet up to “revise together”. This needs to be contrasted against his conceded intention that the arrangement was to meet up to physically take the exam together. The true meaning/definition of “revision” has been blurred and obfuscated. Given the exam was sat on the final day of a specified 3-

day window, when PC Olajide left his home, he would have had to have known that he would be sitting the exam that day. So, to reference the meeting with former PC Fellowes as a 'revision session' is misleading and disingenuous. It had to be more than solely a revision session on that day. He knew he was going to take the exam that day.

The Panel found PC Olajide's perceived assessment of former PC Fellowes' competency in the Sergeant's exam (specifically his assessment of a perceived strength being former PC Fellowes' knowledge of the Road Traffic Act legislation) was nebulous. He said that he thought former PC Fellowes would be good at the Road Traffic Act legislation, because he himself is a non-driver and once he had dealt with a collision with former PC Fellowes and in his opinion, he had dealt with the female casualty well. This was a far from convincing explanation.

12. Conclusion.

The Panel considered the test in *Ivey v Genting Casinos (UK) Ltd t/a Crockfords* [2017] 3WLR 1212, and specifically paragraph 74:

"When dishonesty is in question the fact-finding Tribunal must first ascertain (subjectively) the actual state of the individual's knowledge or belief as to the facts. The reasonableness or otherwise of his belief is a matter of evidence (often in practice determinative) going to whether he held the belief, but it is not an additional requirement that his belief must be reasonable; the question is whether it is genuinely held. When once his actual state of mind as to knowledge or belief as to facts is established, the question whether his conduct was honest or dishonest is to be determined by the fact finder by applying the (objective) standards of ordinary decent people. There is no requirement that the subject must appreciate that what he has done is, by those standards, dishonest."

The Panel determined that it was obvious to PC Olajide, by the concessions made in his evidence, that he was flouting the exam guidance and signed declaration by the manner and circumstances in which he took the exam with former PC Fellowes. The Panel found this to be his genuinely held belief as confirmed by his evidence that former PC Fellowes may have seen the questions on his screen, heard him read the questions out loud and seen him access resources indicative of the relevant topics covered by the exam questions.

The Panel went on to apply the objective test of the standards of ordinary decent people in deciding that this Officer's conduct was dishonest in the given circumstances.

The Panel determined that the Officer consciously and wilfully disregarded the online guidance and declaration, clearly lacked integrity in doing so and by so acting undertook conduct of an inherently dishonest nature, whilst attempting to give the impression that the subject Officer's took the exams in

a compliant manner absent of any misconduct. **The Panel found the allegations proven and breached the Standard of Honesty and Integrity.**

Having considered all the facts available to the Panel, it has determined that the conduct of **Former PC Fellowes** breached the Standards of Professional Behaviour, namely, Honesty and Integrity. The breakdown of the Panel's findings is as follows:

The Panel received no evidence from former PC Fellowes.

The Panel based its findings on the agreed evidence which detailed the circumstances and environment in which the two subject Officer's came to take the exams in the same room consecutively, to make its findings.

For the same reasons as detailed for PC Olajide (absent of any references to PC Olajide's MG14 and Regulation 31 responses) the Panel concluded that the former Officer consciously and wilfully disregarded the online guidance and declaration, clearly lacked integrity in doing so, and by so acting undertook conduct of an inherently dishonest nature.

The Panel found the allegations proven and breached the Standard of Honesty and Integrity.

11. Misconduct, Gross Misconduct or neither

The AA submitted that both Officers' conduct amounted to **Gross Misconduct**. It was conduct so serious that the Officers' dismissal would be justified. That did not mean that dismissal must inevitably follow at the outcome stage.

The Panel reminded itself of the full circumstances of the case and the breach of the Standards of Professional Behaviour found.

The Panel noted that the purpose of disciplinary proceedings was threefold:

- i. To maintain public confidence in, and the reputation of the police service.
- ii. To uphold high standards in policing and deter misconduct.
- iii. To protect the public.

12. CONCLUSION

Having found breaches of the Standards, the Panel carefully considered whether the breaches amounted to Misconduct or Gross Misconduct. (*Regulation 41(15) as modified*); para 11.115 HOG). The Panel considered *the College of Policing's guidance on outcomes in misconduct proceedings [COP]*. The Panel made a preliminary finding based on the proven conduct to assist them in determining whether the conduct amounted to Misconduct or Gross Misconduct. The Panel was extremely mindful, cautious and careful not to engage in double counting when assessing the seriousness of the misconduct found proven.

The factors considered by the Panel were as follows:

Culpability:

COP 4.9 *The more culpable or blameworthy the behaviour in question, the more serious the misconduct and the more severe the likely outcome.*

COP 4.10 *Conduct that is intentional, deliberate, targeted or planned will generally be more culpable than conduct that has unintended consequences, although the consequences of an Officer's actions will be relevant to the harm caused.*

COP 4.12 *Culpability will also be increased if the Officer was holding a position of trust and responsibility at the relevant time.*

In respect of COP 4.12, the Panel acknowledged that PC Olajide had 'acted up' in the role of sergeant.

The Panel found that in respect of both subject Officer's, the seriousness of their culpability was High

Harm 4.66- 4.68

COP 4.66- *Harm will likely undermine public confidence in policing. Harm does not need to be suffered by a defined individual or group to undermine public confidence. When an Officer commits an act that would harm public confidence, if the circumstances were known to the public, take this into account. Always take misconduct seriously that undermines discipline and good order within the policing service, even if it does not result in harm to individual victims.*

The Panel found that in respect of both subject Officer's, the seriousness of the harm was High.

Aggravating Factors

In relation to **aggravating factors** the Panel found the following factors (*Paragraph 4.76 of the COP Guidance*) were engaged and aggravated the conduct found proven.

- Malign intent- for personal gain

- Significant deviation from exam instructions
- Potential Role model expectations

Mitigating Factors

Paragraph 4.81 of the COP Guidance – *Mitigating factors are those tending to reduce the seriousness of the misconduct.*

The Panel found PC Olajide may have been developing some insight into his behaviour during the hearing in the concessions he made in evidence.

The Panel accepted that the conduct occurred for a brief duration.

The Panel concluded that **PC Olajide** and **former PC Fellowes's** conduct amounted to **Gross Misconduct** on the balance of probabilities having regard to all of the evidence, circumstances and submissions made to it over the course of these proceedings.

13. FINDING ON OUTCOME.

The Panel's task was to decide on the appropriate sanction in the light of the findings that both former PC Fellowes and PC Olajide's conduct amounted to Gross Misconduct.

The Panel's considerations as to outcome should be viewed in the context of the decisions as to the facts and conduct referred to above.

14. STATUTORY MATERIAL

The Panel was reminded of and reviewed the latest version of the College of Policing's 2023 Guidance on Outcomes in Police Misconduct Proceedings ("COP Guidance"), albeit bearing in mind that it was guidance only, and the 2020 Regulations. Ultimately it was for the Panel to determine the appropriate outcome.

The Panel was also reminded that simply because it had been determined that the Officers' breaches of the Standards of Professional Behaviour were so serious that dismissal was justified, it did not automatically follow that dismissal would have resulted.

As **PC Fellowes** is a former Officer, and upon a finding of Gross Misconduct, the Panel could only consider two potential outcomes (para. 20.66(d) HOG):

- i. Disciplinary action.
- ii. No disciplinary action.

The only disciplinary action that could be imposed is to find that the former Officer would have been dismissed had he had still been a member of a police force. Where the Panel determined that the matter did not justify dismissal, no action would be taken, and the finding of gross misconduct would be recorded (para. 20.66(e) HOG).

Regulation 42- Upon a finding that the Officer's conduct amounts to Gross Misconduct, the Panel may consider the following possible outcomes for **PC Olajide**.

- (i) A final written warning.
- (ii) Reduction in rank (Not available in this case)
- (iii) Dismissal without notice.

In reaching its decision regarding the disciplinary outcome of this case, the Panel gave due consideration to all the evidence and information put before it. The Panel also considered the following:

15. Former PC Fellowes

- i. The Officer's record of service and training.
- ii. Submissions made on behalf of the AA
- iii. The nature of the allegation
- iv. The interests of the public
- v. The interests of the Metropolitan police.

16. PC Olajide

- vi. The Officer's record of service and training.
- vii. Submissions made on behalf of the AA
- viii. Submissions of mitigation on behalf of the Officer PC Olajide from Ms Randall.
- ix. Character References
- x. 5 Medical and Occupational Health (OH) reports
- xi. The nature of the allegation
- xii. The interests of the public
- xiii. The interests of the Metropolitan police.

In coming to its conclusion about the appropriate outcome, the Panel revisited the College of Policing 'Guidance on outcomes in police misconduct proceedings' ('the Outcomes Guidance'), Home Office Guidance 2020 and the relevant authorities and determined that the Panel's assessment of seriousness remained as previously, save for additional consideration which was given to PC Olajide's medical and Occupational Health reports as mitigation.

The Outcomes Guidance makes it clear that there is a 3-stage process, which the Panel is required to adopt when deciding upon what is the correct sanction in misconduct proceedings. Case law is unequivocal that this 3-stage process should be adopted in police misconduct proceedings when deciding upon what is the appropriate outcome.

The 3-stage process originates from **Fuglers** and requires us to

- a) assess the seriousness of the misconduct
- b) keep in mind the purpose of imposing sanctions; and
- c) choose the sanction which most appropriately fulfils that purpose for the seriousness of the conduct in question

The Outcomes Guidance emphasises that there are 4 elements that the Panel is required to consider; culpability, harm, aggravating and mitigating factors.

17. Regarding Former PC Fellowes

Culpability, the Panel assessed that his culpability was high in relation to the Panel's findings, his proven conduct and breach of the Standard of Professional behaviour found for the reasons given previously.

In relation to Operational dishonesty, the Panel found that the proven misconduct could incur operational consequences. An Officer holding the rank of sergeant without the genuine requisite qualification could result in operational consequences, in terms of their potential incompetency to give orders and instructions at that higher rank.

- Culpability – high

Moving to **Harm**, the Panel assessed that the harm was high, in relation to the Panel's findings, his proven conduct and the breach of the Standard of Professional behaviour found for the reasons given previously.

In respect of dishonesty, the Panel found the proven misconduct will incur reputational harm to the Metropolitan Police Service as a whole and also to internal colleagues. A sergeant who had not

properly qualified to that rank would erode trust and confidence in the important role of a first line manager.

- Harm – high.

In relation to **aggravating factors**, the Panel considered the following factors as aggravating its finding of this Officer's breach of the Standards of Professional behaviour.

- Malign intent- for personal gain
- Significant deviation from instructions
- Potential Role model expectations

Regarding **mitigating factors**, the Panel considered the following factor as mitigating its finding of this Officer's breach of the Standard of Professional behaviour.

- The Panel recognised this conduct was of brief duration.

And finally, regarding overall **mitigating factors** the Panel considered the Officers 4 years of good service at the point of the proven misconduct.

In conclusion the Panel find that the Officer's misconduct was serious.

18. Regarding Officer PC Olajide

Culpability, the Panel assessed that his culpability was high in relation to the Panel's findings, his proven conduct and breach of the Standard of Professional behaviour found for the reasons given previously.

In relation to Operational dishonesty, the Panel found that the proven misconduct could incur operational consequences. An Officer holding the rank of sergeant without the genuine requisite qualification could result in operational consequences, in terms of their potential incompetency to give orders and instructions at that higher rank.

- Culpability high

Moving to **Harm**, the Panel assessed that the harm in relation to the Panel's findings, his proven conduct and the breach of the Standards of Professional behaviour was high for the reasons given previously.

In respect of dishonesty, the Panel found the proven misconduct will incur reputational harm to the Metropolitan Police Service as a whole and to internal colleagues. A sergeant who had not properly qualified to that rank would erode trust and confidence in the important role of first line manager.

- Harm– high

In relation to **aggravating factors**, the Panel considered the following factors as aggravating its finding.

- Malign intent- for personal gain
- Significant deviation from instructions
- Potential Role model expectations

Regarding **mitigating factors**, the Panel considered the following factors as mitigating its finding of this Officer's breach of the Standard of Professional behaviour.

- The Panel recognised this conduct was of brief duration.
- The Panel accepted the Officer suffered from [REDACTED] (pg 2 of OH report) at the material time and the consequences highlighted in the reports provided.

“[REDACTED] that may have affected the Officer's ability to cope with the circumstances in question”

And finally, regarding overall **mitigating factors** The Panel considered the Officers 3 years of good service at the point of the proven misconduct, his two good character references and the medical and Occupational Health reports.

In respect of personal mitigation, the COP Guidance stated:

6.2 Purely personal mitigation is not relevant to the seriousness of the misconduct. Tributes and testimonials should not be confused with the mitigating factors relating to the misconduct itself. Consider any personal mitigation after forming an assessment of the seriousness of the misconduct.

6.3 Consider any personal mitigation advanced by the Officer when deciding on the appropriate outcome. Such mitigation may include whether the Officer has shown remorse, acted out of character or made a significant contribution to the police service.

6.4 However, due to the nature and purpose of disciplinary proceedings, the weight of personal mitigation will necessarily be limited, particularly where serious misconduct has been proven.

6.6 The primary consideration for the Panel or Chairperson is the seriousness of the misconduct found proven. If the misconduct is so serious that nothing less than dismissal would be sufficient to maintain public confidence, personal mitigation will not justify a lesser sanction.

6.8 Although personal mitigation may carry more weight where lesser outcomes are being considered, the case law confirms that the interests of the profession, and the protection of the public, are more important than those of the individual Officer.

6.9 Nonetheless, personal mitigation is always relevant and should always be taken into account.

Due to the nature and purpose of disciplinary proceedings, the weight attributed to the Officer's character references was necessarily limited, particularly having found serious Misconduct. (Refer COP Outcome guidance Para 6.4 and *Salter v Chief Constable of Dorset* [2012] EWCA Civ 1047 Para 23).

Having found the Officer's Misconduct was serious, stage 2 of the structured approach required the Panel to remind itself of the purpose for which sanctions are imposed.

The purpose of the police misconduct regime is unequivocally identified in the *Outcomes Guidance*:

"Police Officers exercise significant powers. The misconduct regime is a key part of the accountability framework for the use of these powers. Outcomes should be sufficient to demonstrate the individual accountability for any abuse or misuse of police powers if public confidence in the police service is to be maintained. They must also be imposed fairly and proportionately."

19. Purpose of sanctions

The three-fold purpose of sanctions is explained in the *Outcomes Guidance* as:

- i. Maintain public confidence in and the reputation of the police service.
- ii. Uphold high standards in policing and deter misconduct.
- iii. Protect the public.

Paragraph 4.4 of the COP Guidance stated:

... “The most important purpose of imposing disciplinary sanctions is to maintain public confidence in and the reputation of the policing profession as a whole. This dual objective must take precedence over the specific impact that the sanction has on the individual whose misconduct is being sanctioned”.

Finally, having reminded itself of the purpose of these proceedings, the Panel is required to determine, given the seriousness of the Misconduct, the sanction that most appropriately meets the purpose.

The College of Policing Guidance on Outcomes Para 2.8 states:

“However, the outcome imposed can have a punitive effect, which should therefore be no more than is necessary to satisfy the purpose of the proceedings. Consider less severe outcomes before more severe outcomes”

Policing by consent remains a fundamental tenet of the relationship that the service and Officers have with members of the public. That consent is granted by the trust and confidence that the wider public have in police Officers who choose to serve them.

The impropriety of a single Officer can tarnish the reputation of a force and the service as a whole and undermine the trust and confidence that members of the public have in the Metropolitan police service.

The public have a right to expect that when an Officer commits acts of serious misconduct that such behaviour will be challenged and dealt with to ensure that public trust and confidence in the behaviour of our Officers is maintained.

The panel considered whether or not in the circumstances of this case, it was appropriate to impose disciplinary action and determined that given the severity of the Panel’s findings disciplinary action must be imposed.

20. Former PC Fellowes

In order to avoid any discrimination arising from the subject Officer being a ‘former Officer’ the Panel briefly considered available sanctions had he still been serving in ascending order of severity. The Panel determined, having considered all the issues, including the three principles highlighted and the serious nature of the Officer’s Misconduct, the outcome that appropriately fulfils the purpose of these principles is disciplinary action and the Panel concluded that **Former PC Fellowes would have been dismissed had he still been a serving Officer.**

21. PC Olajide

Having considered all the issues, including the three principles highlighted and the serious nature of the Officer's misconduct.

The Panel determined that a Final written warning was insufficient to meet the very serious conduct found because:

- A Final written warning would not mark the seriousness of the dishonesty found proven nor deter others from repeating the behaviour.
- The Officer's proven dishonesty would significantly curtail the Officer's operational functions going forward.
- The proven conduct of PC Olajide is not conducive to the duties of a serving Officer within the Metropolitan Police.

The outcome that appropriately fulfils the purpose of these principles **is dismissal without notice.**

These sanctions are a proportionate means of achieving the legitimate aims of these proceedings, which are the purposes of the police disciplinary process as set out in the College of Policing's Guidance on Outcomes in Police Misconduct Proceedings.'

22. DECISION ON PUBLICATION

The Panel heard no representations as to why the Panel's decision should not be published. The Panel decided that the decision should be published in accordance with the requirement in Reg. 43(6) 2020 Regulations since it was important that misconduct hearings and decisions were transparent. Due to references throughout the hearing to personal data/medical issues the Chair indicated that the Final Outcome Report would be shared with both parties, prior to publication and any requests for redactions would be considered and determined at that point.

Former Commander Katie Lilburn (Chair)

Ms Yvonne Walsh and Ms Karen Townsend (IPMs)

Judith Seaborne (LQA)

8th July 2026

