

Officer A

**Accelerated Misconduct Hearing
Regulation 63(1) Report**

1. This matter comes before me as an accelerated misconduct hearing under Part 5 of the Police (Conduct) Regulations 2020.
2. The hearing was conducted by me, Commander Colin Wingrove, on 11 August 2026 in person at Patrick Dunne House, Chalk Pit Way, SM1 4RD.

Hearing in Public

3. The hearing was held in public pursuant to Regulation 59(1) of the Police (Conduct) Regulations 2020, as amended. I have already made a decision that the Officer's details and any information which may reveal her identity be anonymised, pursuant to Regulation 59(2)(c) of the Regulations.

Representation

4. The Appropriate Authority ("AA") was represented by Ms Nairn.
5. **Officer A** was not present and represented by **[REDACTED]**, her Police Friend.
6. I was advised by Mr Olphert who provided his advice on the record. I delegated responsibility for preparing this report to Mr Olphert pursuant to regulation 63(1B). Mr Olphert submitted a draft report to me on 11 August 2026 pursuant to regulation 63(1C)(a). Having considered that draft, I have satisfied myself, as required by regulation 63(1C)(b)(ii), that I am content with the draft report prepared by Mr Olphert.

Preliminary issues

7. An application to adjourn the substantive hearing under Part 5 has already been determined by me, and a separate written determination dated 6 August 2026 was circulated. In that decision I refused an application to adjourn. The reasons for that decision are in the aforementioned written determination.

8. At the hearing, it was brought to my attention that the officer was not attending. I therefore considered proceeding in absence.
9. As **Officer A** did not attend as required under Regulation Rule 57(1), I went on to consider whether notice had been properly served and whether I ought to proceed in the absence of the officer.
10. The AA confirmed that the notice had been served on 21 July 2026. Having received legal advice from Mr Olphert, I was satisfied that the requirements regarding notice had been complied with and that the matter had been listed in compliance with Regulation 52.
11. Following submissions from the AA and **Officer A's** Federation Representative, I considered whether or not to proceed in the absence of the officer consistent with Regulation 57(3)(b). **[REDACTED]** read out an email from **Officer A** regarding her absence at the hearing.
12. I received legal advice from Mr Olphert regarding exercising my discretion to proceed in absence and was taken by him to the relevant points from *R v Hayward [2001] EWCA Crim 168* and *R v Jones [2002] UKHL 5* and *GMC v Adeogba; GMC v Visvardis [2016] EWCA Civ 162*.
13. Consistent with the principles from the above cases, and mindful of the criteria from *Jones*, I concluded that proceeding was in the interest of the public and the expeditious resolution of proceedings, that an adjournment would be unlikely to result in the attendance of **Officer A**, and that **Officer A** had voluntarily waived her right to attend. In the interests of fairness, I also considered whether or not there would be any impact on the proper presentation **Officer A's** case. Having heard from **Officer A's** Federation Representative, I have concluded that there was not any such impact.

Allegations

14. The allegations in this matter concern **Officer A's** failure at the time of her initial application and upon renewal to declare various pieces of relevant information within her vetting forms.

15. The regulation 51 notice served on **Officer A** provided as follows:

“Initial Vetting Application (2015)

It is alleged that, during your initial vetting application submitted in 2015, you failed to declare:

- *The previous surnames **[REDACTED]** and **[REDACTED]**.*
- *Previous police contact, including arrests for criminal damage and assault, both of which resulted in no further action.*
- *A First Instance Harassment Warning issued in 2005.*
- *A Penalty Notice for Disorder (PND) for shoplifting issued in 2006 **[REDACTED]**.*
- *Declarable associations, including your former partner **[REDACTED]** and his son **[REDACTED]**, both of whom were known to police in connection with criminality.*
- *The use of alternative names and aliases, including "**[REDACTED]**", recorded on police systems.*

It is alleged that the above information was readily identifiable through police records, including but not limited to the Police National Computer (PNC), CRIS and intelligence systems, and could be attributed to you through consistent personal identifiers.

Vetting Renewal Application (2024)

It is further alleged that, during your vetting renewal application submitted in 2024, you failed to disclose:

- *The previously used surname **[REDACTED]**.*
- *Previous police contact and disposal history.*
- *Accurate and complete personal information, including details relating to family members and residential addresses.*

Conduct

It is alleged that your failure to disclose the above information amounted to a deliberate and/or reckless omission of material information relevant to the vetting process.

It is further alleged that, by failing to disclose this information in your initial vetting application, you obtained employment with the Metropolitan Police Service without providing full and accurate details required for vetting purposes. The repetition of similar omissions during your 2024 vetting renewal is alleged to demonstrate a continuing failure to provide full and frank disclosure when required to do so.

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, namely:

- *Honesty and Integrity*
- *Orders and Instructions*

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.”

Response

16. **Officer A** served a regulation 54 response dated 30 July 2026. Her position in respect of the allegations was that:

- a. She accepts that she was under an obligation to disclose the relevant information at the point of her 2015 vetting application and 2024 renewal, but that the failure to disclose the information was an honest mistake borne out of a combination of misunderstanding the forms and instructions, [REDACTED].
- b. She relies on the account which she gave in her MG14 submitted during the investigation, dated 23 June 2026.
- c. She consequently denies any breach of honesty or integrity.
- d. She accepts a breach of the 'orders and instructions' standard, but only at the level of misconduct.

Evidence

17. I have been provided with a 128-page hearing bundle by the AA which, significantly, includes:
- a. The investigator's report of PC [REDACTED] dated 15 June 2026
 - b. The vetting questionnaire completed by Officer A dated 3 February 2015
 - c. The vetting renewal application from 2024
 - d. A dissemination report (5020) from the vetting unit to DPS dated 16 June 2025
 - e. An undated report from the vetting unit
 - f. Officer A's MG14 response dated 23 June 2026
18. It was noted by me in reading and considering the material that some of the dates above must be incorrect. The report of PC [REDACTED] is dated 15 June 2026, and Officer A's MG14 is dated 23 June 2026, however it is clear from the report of PC [REDACTED] that he was in possession of Officer A's MG14 at the time the report was prepared. It is clear from the statement of PC [REDACTED] that Officer A submitted her MG14 on 26 May 2026.
19. [REDACTED]
20. I have considered all this material.

Factual findings

2015 Conduct

21. Within **Officer A's** closing submissions, made on her behalf by her Federation Representative, reference was made to the 2015 Vetting Form submission amounting to pre-attestation conduct, and directed me to *Gareth Watson v PSNI [2024] NICA 7* and referred to a further authority on this point.
22. After an adjournment, we reconvened in the hearing room so that Mr Olphert could provide some advice on this authority, and indeed on the case of *R (Chief Constable of Thames Valley Police v A Legally Qualified Chair and Ors [2024] EWHC 1454 (Admin)* and also so that the AA could materially respond to the suggestion that the 2015 Vetting Form allegation could not be made out because, as conduct which occurred prior to the Officer joining the Service, it could not amount to a breach of the Regulations.
23. I received advice that *R (TVP)* above was authority for the proposition that if I concluded that the form was submitted prior to the Officer joining the Service, that such conduct could not be caught by the Regulations. I am conscious of the Court's conclusions in *R(TVP)* as follows:

“In Watson the Court also analysed a number of English decisions on other disciplinary regimes in which it had been held that they applied to conduct prior to a person joining a profession [47] to [50]. Counsel made helpful submissions on those decisions. I agree with Mr. Baumber that firstly, they are decisions on materially different statutory schemes and secondly, they do not demonstrate that the construction adopted in Watson of the scheme there under consideration was untenable or plainly wrong.

The Code of Ethics in England and Wales and relevant Guidance make it plain that an applicant seeking to become a police officer must answer questions in the application and vetting forms honestly and completely, that is without omitting any relevant information. However, that obligation

does not alter the analysis of how the misconduct regime is to be interpreted or applied. A failure to make a material disclosure before a person becomes a police officer cannot in itself amount to misconduct as a police officer. Such conduct took place before the applicant became a police officer. But as Watson makes clear, once a person becomes a police officer, their ongoing duty to correct an earlier material non-disclosure, or an incorrect statement or declaration in the information they provided as part of the application, is plainly capable of amounting to misconduct as a police officer (see above). In addition, any such omission or misinformation may result in the removal of vetting clearance and a finding of gross incompetence (see below)."

24. On the basis of those conclusions, I find that conduct arising from the 2015 vetting form therefore cannot fall under the ambit of the Regulations as the conduct occurred prior to the Officer formally joining the force. I therefore find that the 2015 vetting allegations are not within the jurisdiction of the Regulations and I therefore make no findings in respect of those allegations.
25. The allegations outside this jurisdiction are therefore:
 - a. It is alleged that, during your initial vetting application submitted in 2015, you failed to declare: The previous surnames [REDACTED] and [REDACTED]; Previous police contact, including arrests for criminal damage and assault, both of which resulted in no further action; A First Instance Harassment Warning issued in 2005.; A Penalty Notice for Disorder (PND) for shoplifting issued in 2006 [REDACTED].; Declarable associations, including your former partner [REDACTED] and his son [REDACTED], both of whom were known to police in connection with criminality; The use of alternative names and aliases, including "[REDACTED]", recorded on police systems.
 - b. It is alleged that the above information was readily identifiable through police records, including but not limited to the Police National Computer (PNC), CRIS and intelligence systems, and could be attributed to you through consistent personal identifiers.

- c. It is further alleged that, by failing to disclose this information in your initial vetting application, you obtained employment with the Metropolitan Police Service without providing full and accurate details required for vetting purposes.
- 26. I therefore make no findings in respect of those allegations, and they have not been progressed any further by me in my determination. I note the findings of the Court above regarding a duty of ongoing disclosure, and that **Officer A** did not make any such disclosures up to and including in 2024, but that is not the way that the allegation is drafted.

Findings on the Remaining Allegations

- 27. I am required by Regulation 61(15) to review the remaining facts of the case and decide whether or not the conduct of **Officer A** amounts to gross misconduct. Regulation 61(16) states that I must not find that the conduct of **Officer A** amounts to gross misconduct unless (a) I am satisfied on the balance of probabilities that this is the case, or (b) **Officer A** admits it is the case.
- 28. I find the following factual allegations in the Regulation 51 notice **proved**:
 - a. It is further alleged that, during your vetting renewal application submitted in 2024, you failed to disclose: The previously used surname **[REDACTED]**; Previous police contact and disposal history; Accurate and complete personal information, including details relating to family members and residential addresses.
 - b. It is alleged that your failure to disclose the above information amounted to a deliberate and/or reckless omission of material information relevant to the vetting process.
 - c. The repetition of similar omissions during your 2024 vetting renewal is alleged to demonstrate a continuing failure to provide full and frank disclosure when required to do so.

29. I have concluded that **Officer A** failed to disclose the factual information set out in the above allegations, and note that this was not materially disputed by her. She accepts that the information at (a) above was not provided, but gives explanations as to why the information was not provided, therefore effectively submitting that the failure to provide the information was reckless rather than deliberate for the purposes of (b) above.
30. Given the absence of the officer, I have taken account of her admissions but have not solely treated the factual allegations at (a) above proven on the basis of those admissions. I have gone on to consider whether they are proved to the required standard. I find that they are. The absence of the surname **[REDACTED]**, the absence of complete family information and the failure to disclose previous police contact are – I conclude, clear on the face of the 2024 vetting renewal form. I therefore find those particulars proved.
31. I am asked by allegation (b) above to conclude whether the conduct was a deliberate and/or reckless. As the allegations are expressed in this way, for the purposes of proving the allegation it does not make a material difference whether the breaches were deliberate or reckless, but I have nonetheless reached factual findings as to this so as to assist in fairly and properly categorising the conduct.
32. In doing so, I have had particular regard to the guidance contained in the vetting forms themselves and the vetting guidance included in the bundle at pages 111-126. I have had particular regard and attach more weight to the guidance within the body of the 2024 form, completed by **Officer A**, where on the first and final pages contains clear guidance about the importance of completing the form accurately or risking disciplinary action. In respect of the vetting guidance document, I place less weight on it than otherwise I might, because the guidance is dated May 2026 and it is unclear how much of this information would have been available to **Officer A** at the times when she completed the initial application and renewal documents. Nonetheless it provides some useful context. I have also had particular regard to **Officer A's** MG14.
33. **Officer A** did not attend and did not give oral evidence.

34. [REDACTED] I have – of course – had regard to her previous circumstances in reaching my decision.
35. I cannot accept her explanation that either she did not understand what was required of her in completing the renewal form, [REDACTED]. It is particularly significant in this context that she disclosed the surname [REDACTED] on her renewal form. That appears to stand at odds with her explanation as to why she had not materially included this information, and her MG14 and Regulation 54 documents do not give a cogent explanation for this. Further, in her Regulation 54 response, she does not give a cogent explanation for the failure to disclose the police contact. She mentions that she has no recollection of the incidents, save for the shoplifting where she gives an explanation relating to having a pressing need to steal because she was in challenging circumstances. In spite of this, the vetting records suggest that in fact, the theft was of cosmetics.
36. Additionally, it is clear from the forms that Officer A was asked specific questions relating to all of the information which she was required to provide, and it is particularly notable – in respect for example of her previous history with the police – that she is asked about arrests and penalty notices, and not simply convictions and cautions. This is express on the face of the form and leaves no room for interpretation given the wording. In spite of that, she was not forthcoming with the required information.
37. I therefore find that her failures to disclose her previous police contact was deliberate. Officer A, by the time of the 2024 renewal, had been an officer for the best part of a decade, and as a Sergeant had a supervisory function over other officers. She would, I conclude, by this point, have been well-aware of the importance of disclosures regarding previous police interactions, and yet definitively answered ‘no’ on the renewal form when asked.
38. I also cannot accept that the reason for not declaring her previous names is linked solely to her trauma. As I have highlighted above, she disclosed the surname [REDACTED] on the 2024 form, which appears to contradict her explanation. It is notable that two of the criminal matters highlighted in the evidence are linked to the surname [REDACTED]. The decision to disclose

[REDACTED] in 2024, having previously not brought it to the attention of the service, but continue to obfuscate her use of the name [REDACTED], appears only to have been contradicted by her son's vetting form in his application to be a PCSO. Absent a cogent and satisfactory explanation for the inclusion of her surname [REDACTED], but not [REDACTED], I am bound to conclude that the decision was deliberate.

39. As I have highlighted briefly above, it is significant that by the time of her renewal in 2024 Officer A had been with the Service for around a decade and had been promoted to Sergeant. In spite of that, and the increased experience not just with the nature of the Service, but also a greater familiarity with the policies, Officer A still was not forthcoming about both her previous police involvement and her use of the surname [REDACTED].
40. I do not find that that information which she disclosed incorrectly or failed to disclose in respect of her parents was intentional and deliberate. Nor do I find that her inclusion of her son's details in the section on co-residents, rather than under children was deliberate or intentional. It is clear that the information relating to her mother and father and their residential addresses could only be reported with limited accuracy given the nature and circumstances of the information which she had been provided with by her mother. In respect of her son, I find that it was an oversight.
41. I do find that her failure to disclose associations with [REDACTED] son were deliberate. It is again notable that she had not brought these matters to the attention of the Service at any point during her career, and notwithstanding the form discusses relationships running back to around 3 years prior, the general questions on Page 85 relating to Criminal Associates or Other Persons Criminal Involvement clearly warrant disclosure regarding [REDACTED]. In spite of the questions being posed in the present tense, it is clear that an experienced officer would have recognised the need for transparency in answering those questions. I do not accept her account in her MG14 that all she knew of [REDACTED] was that there had been some police involvement at the school-level, but even if that were accurate, I conclude that it should properly have been included.

42. Finally, the wording of the conduct allegations also implies that it is as a result of these failures that **Officer A** obtained employment with the Metropolitan Police Service. I have limited evidence in respect of this suggestion, and the wording of the allegation is vague. As a result I have not gone so far as to make a finding to this effect but have found that **Officer A** gained employment with the Service when she had not disclosed all of the information required of her and that had she disclosed that information it may have had an impact on her application to join the Service.

Breach of Standards of Professional Behaviour findings

43. Having found the factual allegations proved, I must go onto consider whether they amount to breaches of the relevant standards. There is a dispute as to whether **Officer A's** behaviour amounted to a breach of the Standards of Honesty and Integrity and Orders and Instructions. I note that **Officer A** has accepted a breach of Orders and Instructions, but to the level of Misconduct only.
44. The wording of the allegation in respect of standards further states that “*you behaved in a manner likely to bring discredit upon the police service and undermine public confidence*” – as a result I received advice from Mr Olphert on the question of discreditable conduct because whilst not specifically pleaded, the description is consistent with the definition. I therefore concluded that it would be proper for me to make a finding on whether the conduct was likely to bring discredit on the police force and undermine public confidence.
45. I was advised by Mr Olphert that:
- a. The definition of Discreditable Conduct, per Schedule 2 of the Conduct Regulations, is as follows: “*Police officers behave in a manner which does not discredit the police service or undermine public confidence in it, whether on or off duty.*”
 - b. The definition of Orders and Instructions, per Schedule 2 of the Conduct Regulations, is as follows: “*Police officers only give and carry out lawful orders and instructions. Police officers abide by police regulations, force policies and lawful order*”.

- c. The Standard of Honesty and Integrity in Schedule 2 to the Conduct Regulations provides: *"Police officers are honest, act with integrity and do not compromise or abuse their position."*
- d. A finding can be made on either the 'honesty' limb, or the 'integrity' limb, or both limbs. The AA seek a finding only on the integrity limb here.
- e. With respect to dishonesty, in *Ivey v Genting Casinos (UK) Ltd t/a Crockfords* [2017] UKSC 67, [2017] 3 WLR 1212 the test for dishonesty was described by Lord Hughes at [75] as follows:

"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 defendant must appreciate that what he has done is, by those standards, dishonest."
- f. With respect to integrity, in *R (Chief Constable of Thames Valley Police) v (1) Police Misconduct Panel (2) White* [2017] EWHC 923 (Admin), McGowan J said at [15]:

"...A lapse of integrity is very serious but can fall short of the quality of a lapse of honesty. Integrity in this context is not used in the sense of freedom from moral corruption rather in the sense of a failing to act in the right way, not behaving as the totally correct police officer would, in some way falling short of the whole. It is explained for police officers as "doing the right thing"."
- g. In *Wingate v Solicitors Regulation Authority* [2018] EWCA Civ 366, [2018] 1 WLR 3969 Jackson LJ considered the difference between honesty and integrity in professional disciplinary proceedings and said that:

"[95] As a matter of common parlance and as a matter of law, integrity is a broader concept than honesty..."

...

[97] In professional codes of conduct, the term "integrity" is a useful shorthand to express the higher standards which society expects from professional persons and which the professions expect from their own members. See the judgment of Sir Brian Leveson P in *Williams* at [130]. The underlying rationale is that the professions have a privileged and trusted role in society. In return they are required to live up to their own professional standards.

...

[100] Integrity connotes adherence to the ethical standards of one's own profession. That involves more than mere honesty. To take one example, a solicitor conducting negotiations or a barrister making submissions to a judge or arbitrator will take particular care not to mislead. Such a professional person is expected to be even more scrupulous about accuracy than a member of the general public in daily discourse.

...

[102] Obviously, neither courts nor professional tribunals must set unrealistically high standards, as was observed during argument. The duty of integrity does not require professional people to be paragons of virtue. In every instance, professional integrity is linked to the manner in which that particular profession professes to serve the public. ..."

46. I do find a breach of honesty and integrity in this case. As set out above, I have rejected **Officer A's** suggestion that she was unaware that she was required to disclose the information required of her, even taking account of her history of trauma. I cannot therefore conclude that her purported belief was honesty held. I have also concluded that an ordinary person would conclude that her conduct was dishonest. This is because of her experienced role at the time the renewal was submitted, and the nature of the missing information. Again, the chronology of events leading up to the submission of the 2024 form bear repeating, including her son's vetting application in April 2024 which made express reference to the surname **[REDACTED]**, which appeared on his birth certificate and at a time

when they were living together as mother and son. I am particularly conscious of her inclusion of the surname [REDACTED] in the renewal, but not the surname [REDACTED]. In my view, that chronology significantly reduces the likelihood that the omission of [REDACTED] was inadvertent and, for the reasons already set out above, I have concluded that this, and other failures, were a deliberate attempt to avoid disclosure of material. Officer A's explanation for the same does not provide a sound basis for concluding that she honestly believed she was being truthful. As has already been explored, the wording of the questions on the renewal were clear, as was the guidance on the form, and one would expect someone in Officer A's position to be acutely cautious of missing clearly relevant information.

47. I have also concluded that the conduct amounts to lack of integrity. I have reminded myself of the definition in *Wingate*, and the comments of the Court in *White* above. I have concluded that Officer A's deliberate and/or reckless failures to disclose information on the 2024 renewal in circumstances where – in the approximately 10 years since she joined the Metropolitan Police Service – she did not bring these matters to anyone's attention either, demonstrate a fundamental falling short of what is to be expected of a police officer, and did not amount to 'doing the right thing'.
48. I find a breach of orders and instructions on the basis that "*Police officers abide by police regulations, force policies and lawful order*". The need to complete the relevant form in the utmost good faith would have been clear to Officer A as a Sergeant and experienced officer, but even were it not clear to her on the basis of her experience, the vetting form contains regular reminders about the importance of such an approach. In particular, I have considered the initial blurb included on the form, where it says:

"All questions must be completed on this form to the best of your knowledge and belief. If there is any doubt in your mind as to the relevance of the information, please declare it anyway as failure to provide full information may result in your application being returned to you and delays in the process of your clearance."

Deliberately withholding information or making false, misleading or inaccurate statements will be taken as an indication of unreliability and clearance will be refused and if already been granted, you may face disciplinary action.”

49. By inaccurately completing the form, I conclude that such a failure was a failure to follow the policies in place regarding vetting.

50. Finally, I am satisfied that the proven conduct is capable of bringing discredit to the police service and capable of undermining public confidence in the police service for the reasons set out above. As set out above, whilst a breach of the particular standard was not pleaded, the wording of the allegation was such that it seemed to me I was being asked to make a comparable finding, and I have done so. In reaching this decision, I have had particular regard to the fact that I have found a number of the non-disclosures to be deliberate, and relating to matters which are capable of having a real bearing on the confidence in the Service.

51. I therefore find that all of the alleged breaches of standards are proved.

Severity finding

52. Regulation 2 defines:

- a. Misconduct as a breach of the Standards of Professional Behaviour that is so serious as to justify disciplinary action;
- b. Gross misconduct as a breach of the Standards of Professional Behaviour that is so serious as to justify dismissal.

53. In assessing severity, I have considered **Officer A's** culpability and harm.

54. Culpability: **Officer A** is responsible for her actions. I recognise that trauma may have played a role in her decisions, but they are her decisions alone. I have concluded that a number of her non-disclosures, and those which were particularly material, were deliberate. I am satisfied that these deliberate

omissions had the effect of concealing matters which the officer knew, or ought reasonably to have known, were material to the vetting process, that she recognised would have impacted her ongoing employment with the Service. It is significant, of course, that within the bundle there is evidence of the previous 2015 form. I have expressly not made factual findings in respect of that given the points raised above, but the presence of the form, and indeed the passage of time since it was submitted and she gained employment with the Service are clearly relevant to culpability in that they demonstrate an ongoing failure to disclose.

55. Harm: There has been no harm to an individual, but there is plainly harm to the public confidence in this case. The public expect police officers to uphold proper standards. The public confidence is also harmed by her decision not to declare information which could call into question her suitability to be an officer with the Metropolitan Police Service. I also conclude that public confidence in the process for vetting and ensuring the integrity of police officers and police recruitment is of real importance in a case such as this. A member of the public would rightly expect that, and such a process is undermined by **Officer A's** actions here. I am satisfied that a hypothetical member of the public aware of all of the facts of this case would have their confidence in the police service impacted knowing that **Officer A** had been employed by the service for some ten years in circumstances where she had not been forthcoming about her background.

56. For these reasons I consider that the allegation has been proved at the level of gross misconduct.

Disciplinary action

57. As I have made a finding of gross misconduct, pursuant to Regulation 62(1) I must impose disciplinary action.

58. Because this is a case where the allegation came to the attention of the AA after 28 May 2025, pursuant to Regulation 64 of the Police (Conduct, Performance and Complaints and Misconduct) (Amendment) Regulations 2025, regulation

62(1) of the Conduct Regulation applies in its amended form. The only disciplinary action available following a finding of gross misconduct in this case is:

- a. dismissal without notice, or
- b. if I am satisfied that there are exceptional circumstances which justify it, a reduction in rank or final written warning.

59. In considering the question of disciplinary action, regulation 62(10) provides that:

- a. I must have regard to **Officer A's** record of police service as shown on the officer's personal record. I confirm that I have done so.
- b. I may consider such documentary evidence as would, in my opinion, assist me in determining the question of disciplinary action. I have had regard to the character evidence from **[REDACTED]** and **[REDACTED]** supplied by **Officer A** through her Police Friend, **[REDACTED]** today, and the medical information which I have already had sight of.
- c. I must give **Officer A**, her lawyer or Police Friend and the AA the opportunity to make oral or written representations. I confirm that I have done so.

60. The AA's submission was that dismissal was the only appropriate sanction. They submitted that a lesser sanction would require me to be satisfied that exceptional circumstances justified it, and there were no exceptional circumstances in this case.

61. **[REDACTED]**'s submission was that a sanction less than dismissal would be appropriate. He relied upon the Officer's previous service record, the character references and invited me to take account of all of the existing points which he had made on behalf of **Officer A** at this stage as mitigation. I was also asked to take account of the case of *A Taxpayer v The Commissioners for His Majesty's Revenue and Customs [2025] EWCA Civ 106*. I have done so, and received legal advice from Mr Olphert on the record relating to the same. The Federation Representative sought to persuade me that the cumulative circumstances were such that the circumstances here were indeed exceptional.

62. I have had regard to the College of Policing's *Guidance on Outcomes in Police Misconduct Proceedings*, which has not been updated to reflect the recent amendment to the Conduct Regulations.
63. On page 15 of the *Guidance* the College of Policing sets out the approach that I must take in reaching a decision as to disciplinary action, which is to:
- a. assess the seriousness of the misconduct by reference to:
 - (1) the officer's culpability for the misconduct;
 - (2) the harm caused by the misconduct;
 - (3) the existence of any aggravating factors;
 - (4) the existence of any mitigating factors;
 - b. keep in mind the purpose of imposing disciplinary action, which the *Guidance* explains on p.4 are (i) to maintain public confidence in, and the reputation of, the police service; (ii) to uphold high standards in policing and deter misconduct; and (iii) to protect the public.
 - c. choose the disciplinary action which most appropriately fulfils that purpose for the seriousness of the conduct in question.

Stage 1

Culpability

64. On page 16 of the *Guidance* the College of Policing states that "*Culpability denotes the officer's blameworthiness or responsibility for their actions. The more culpable or blameworthy the behaviour in question, the more serious the misconduct and the more severe the likely outcome.*"
65. I have addressed culpability above, which I do not repeat. I assess **Officer A's** culpability as high.

Harm

66. On page 27 of the *Guidance* the College of Policing explains that "*Harm does not need to be suffered by a defined individual or group to undermine public confidence. Where 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 police service, even if it does not result in harm to individual victims.”

67. I have addressed harm above, which I do not repeat. I assess the harm caused by **Officer A's** conduct as high.

Aggravating factors

68. I have considered the non-exhaustive list of aggravating factors in the *Guidance* at p.29.
69. I have reminded myself not to ‘double count’ matters that I have already considered with the respect to culpability or harm.
70. The bulk of the aggravating factors in the case have already been assessed when making findings on culpability and harm, however, I have concluded that the following further factors apply here:
- a. regular, repeated or sustained behaviour over a period of time
 - b. leadership responsibility, where there is an expectation of acting as a role model

Mitigating factors

71. I have considered the non-exhaustive list of mitigating factors in the *Guidance* at p.30-31.
72. The mitigating factors that I find relevant to the submissions made on behalf of the Officer are:
- a. mental ill health, disability, medical condition or stress that may have affected the officer's ability to cope with the circumstances in question
73. I accept that there is some mitigation to be applied in this case by reference to this factor, which in the context of the present case is significant.

74. However, I do not conclude that it mitigates the proven conduct significantly in the circumstances of the present case.

Overall

75. Overall, I assess the seriousness of **Officer A's** conduct as high.

Stage 2

76. I have born in mind the purposes of imposing disciplinary action.
77. I find that all following purposes for imposing disciplinary action are engaged in this case:
- a. **to maintain public confidence in, and the reputation of, the police service.** The impact on the Police Service is, for the reasons set out above in my preliminary severity assessment, a central factor in this case. The public confidence is likely to be significantly undermined by an officer dishonestly misleading the vetting process which is designed to ensure that only appropriate persons work within the Police Service.
 - b. **to uphold high standards in policing and deter misconduct.** In order to do so, findings made by misconduct panels and by me as a Commander conducting accelerated misconduct hearings must be such as to mark the seriousness of the misconduct and show to other officers that misconduct of the type considered in this hearing will result in disciplinary action of a certain severity.

Stage 3

78. I was advised by Mr Olphert that that:
- a. I must have regard to **Officer A's** personal mitigation.
 - b. Personal mitigation in terms of character statements and the officer's record of service should be taken into account only after the assessment of seriousness has been concluded: *R (O'Connor) v Police Misconduct Panel Chair & Mason* [2025] EWCA Civ 27 at [52]; [62] – [65].
 - c. The weight that can be given to personal mitigation depends on the extent to which the misconduct imperils the public confidence.

79. I have had regard to **Officer A's** record of service, her personal mitigation and her character evidence, and note particularly the care with which her colleagues have written about her.
80. Regrettably, this only attracts limited weight given the extent to which I consider that her misconduct impinges on public confidence.
81. In order to give disciplinary action short of dismissal, I would have to be satisfied that there were truly exceptional circumstances that justify it. I have considered the officer's history of **[REDACTED]**, trauma, previous good service, character evidence and the absence of previous misconduct findings, both individually and cumulatively. Whilst these are significant mitigating factors, regrettably I do not find that they amount to exceptional circumstances. For all these reasons, the only appropriate outcome is dismissal without notice.

Publication

82. I received no submissions on publication. FI require the AA to publish this report pursuant to regulation 63(5). As previously indicated, I have already made a decision that the Officer's details and any information which may reveal her identity be anonymised, pursuant to Regulation 59(2)(c) of the Regulations. I direct that those redactions be applied to the decision pursuant to Regulation 63(8)(b).

Conclusion

83. In conclusion:
- a. I find the allegations proved.
 - b. I find that **Officer A's** conduct breaches the Standards of Professional Behaviour of Orders and Instructions and Honesty and Integrity, and that the conduct was capable of bringing discredit to the police service and undermining public confidence.
 - c. I find that **Officer A's** conduct amount to gross misconduct.
 - d. The disciplinary action I impose is that **Officer A** is dismissed without notice and added to the barred list.

Colin Wingrove

Commander

14/08/2026