

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

B E T W E E N:-

THE COMMISSIONER OF POLICE OF THE METROPOLIS

Appropriate Authority

- and -

XX XXXXXX XXXX

The Officer

**NOTICE OF OUTCOME
POLICE MISCONDUCT HEARING**

Officer concerned: XX XXXX XXXXX – “Officer X”

Date of hearing: 8 - 12 June 2026

Name of person chairing: Katie Lilburn

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

This misconduct hearing took place on the 8th to 12th June 2026 at Empress State Building.

The Panel comprised:

- Katie Lilburn – Panel Chair
- Bernadette Leverton – Lay Member
- Lesley Stephen – Lay Member

The panel was assisted by Darren Snow – Legal Advisor

The legal representation was as follows:

- Manus Egan – Counsel for the AA
- Campaspe Lloyd Jacob – Counsel for the Officer

Prior to the hearing the panel had read all of the evidence provided on behalf of the AA and the Officer. The Panel had also viewed the Complainant's ABE video recorded interview. Live evidence at this hearing was the Complainant for the AA and the Officer, his mother and sister for the Defence. Character evidence was relied upon by the Officer, agreed by the parties, and read by the Panel.

PRELIMINARY ISSUES

The Chair made an anonymity order in accordance with her case management powers at the outset of these proceedings in respect of the Complainant, the Officer and subsequently his mother and sister. The case involved sensitive allegations with the risk that if any party was named there was a risk of inadvertently identifying others involved including the Complainant and/or the parties' child. For the purposes of this decision therefore the Officer is referred to as Officer X and the Complainant as Miss A.

Upon determination of this case the anonymity order was confirmed. Names of those witnesses anonymised in this case are not to be published.

THE ALLEGATIONS

Officer X faces two allegations:

Allegation 1

Between 2015 and 2016, Officer X whilst personally connected to Miss A, engaged in behaviour that was coercive or controlling which had a serious effect, namely to cause Miss A to fear, on at least two occasions, that violence will be used against her at a time where Officer X knew or ought to have known that the behaviour will have a serious effect on her.

If proved, allegation 1 amounts to gross misconduct for the following reasons; a) The conduct amounts to discreditable conduct

Allegation 2

On a day, between April 2016 and July 2016, whilst Miss A was lying in bed with the couple's child next to her, Officer X entered the room and raped her. He intentionally penetrated her vagina, when she did not consent to the penetration and nor did Officer X reasonably believe she did.

If proved, allegation 2 amounts to gross misconduct for the following reasons; a) The conduct amounts to discreditable conduct

INTRODUCTION

At the outset of our deliberations the panel has reminded itself of the purpose of police misconduct proceedings which is set out in the College of Policing Guidance –

1. To maintain public confidence in, and the reputation of, the police service
2. To uphold high standards in policing and to deter misconduct
3. To protect the public

LEGAL ADVICE

The Panel has reminded itself of legal advice provided before it retired. That advice was shared with both counsel and was endorsed by both before being given to the Panel.

OTHER PROCEEDINGS

This case involves serious allegations against this officer of controlling and coercive behaviour and rape involving his former wife, Miss A, also a serving police officer. There has been no criminal prosecution. Nor were these allegations litigated in the underlying Family Court proceedings following the breakdown of their marriage dealing with child access and custody arrangements.

THE BURDEN & STANDARD OF PROOF

The burden of proof is at all times on the AA to prove its case on the two allegations brought in this case. The officer does not have to prove his defence nor is he required to give evidence or call evidence. In this case he gave evidence and called his mother and sister as witnesses to support his case.

The AA case on both allegations rests entirely upon the credibility of Miss A, the officer's former partner and wife and mother of his daughter.

The AA must prove its case on each allegation on the civil standard of proof, the balance of probabilities – that the actions alleged are more likely than not.

THE PANEL FINDINGS

Having carefully considered the evidence the panel decision is that the AA has failed to prove its case in respect of both allegations. The panel finds neither allegation proved against the officer, accordingly there is no breach of professional standards to consider here.

The panel's findings should not be read as findings against Miss A. The panel has made no finding she has intentionally misled or lied in this case. The panel has assessed her evidence and that of Officer X and all other witnesses to the same standard. It is for the AA to prove its case by satisfying the Panel on a balance of probabilities that the events and specific actions of Officer X as alleged by Miss A took place in the way Miss A has described.

The panel now sets out the reasons for reaching this decision.

ASSESSMENT OF THE EVIDENCE OF WITNESSES

Miss A's evidence

The AA case rested upon this witness's credibility to prove both allegations. On allegation 1, her evidence was that Officer X was controlling and coercive, verbally abusive towards her, put her in fear of physical violence on occasions, controlled and prevented her contact with friends and sought to pressure her to leave the police. There was also a specific allegation of rape. The entirety of these allegations were made on the 24th January 2024. That timing is important as it follows an exchange of emails (between Officer X and Miss A). Miss A had not formally reported this alleged serious behaviour to police previously. In January 2017 (exhibit SM/10) Miss A references coercive control allegations to her counsellor. It is also referenced in an email to her solicitor in the same month, in which she does not reference this as rape. Miss A in oral evidence states she was advised not to pursue the domestic violence issues in family court proceedings, and so withdrew these allegations. Given that Miss A stated in evidence that her focus was the safety of her child and that she was contesting the proceedings; it would appear to the Panel that the logical course would have been to pursue such allegations of domestic violence. The panel did not find it credible that Miss A dropped these allegations because of legal advice and the cost of pursuing. In its opinion they were serious allegations and would be of interest to the Family Court.

At 22:43 hrs on the 5th August 2016 following an altercation with Officer X, Miss A called the police who consequently attended the family home in East Sussex. In evidence Miss A described the events of this night as the worst example of Officer X's behaviour, which the Panel found surprising, given that this postdates the alleged rape which at this stage had not been reported. The fact Miss A called police on 5th August 2016 demonstrates that there was no fear or reluctance in calling the police on her part.

Allegation 1: Coercive and controlling behaviour

Factually the panel found no evidence from what Miss A said to support the contention that Officer X was controlling or coercive. Lack of detail, inconsistency on dates on the facts alleged have not satisfied the Panel on a balance of probabilities that it can accept they took place. Having carefully examined the evidence and the competing accounts between Miss A and Officer X the Panel found as follows :

- (i) **Bathroom allegation** – for the Panel a lack of evidence of the alleged bruising, or the damage to the door was significant. The Panel finds it difficult to accept a police officer, even if a victim, as alleged, would not have sought to retain evidence. The AA case is that this occurs in August 2015 and Miss A gave evidence that she was heavily pregnant; that cannot be correct. The panel was simply not satisfied on balance that this incident took place. In addition, the bathroom incident was not mentioned in the email to her solicitor of the 20th January 2017 and therefore the panel prefers the evidence of Officer X.
- (ii) **Spare Bedroom allegation** – on Miss A’s account this is roughly December 2015 when 7 months pregnant. Miss A alleges she is sat against the door and Officer X is pushing the door into her following an argument. Officer X is alleged to have unpacked her bag, thrown the contents around the room and had been trying to stop her leaving, goading her that she had nowhere else to go to. It is clear that Miss A does in fact freely leave on occasions: when Miss A went to stay with her friend Sarah on one occasion when she and Officer X had argued; when she travelled to Italy with her friend to visit the wedding location; when she socialised in London with their baby for a friend’s birthday. There was no corroborating evidence that supported the suggestion Officer X was or ever had been preventing her from leaving their home at any time. Weighing up the evidence as the Panel must do, it has again on balance found Miss A was not credible. Officer X denied this incident took place. The Panel again prefers on balance the evidence of Officer X that this incident did not happen.
- (iii) **Main bedroom** – alleged between May and August 2016 – asserted as the 9th July 2016 in the AA opening - It is alleged there is an argument in the main bedroom where Miss A is pushed back and bangs her leg on the bed. It is after the birth of her baby. This is detailed in her video interview in February 2024. Officer X says this simply did not happen. There is a lack of any evidence of any injury to the leg.

Again, the panel found the evidence insufficient to be satisfied on a balance of probability that this occurred. The panel preferred Officer X's evidence.

- (iv) **Breast Feeding and kneeling over her** – the allegation is that when the baby was very young, Miss A was breast feeding and Officer X kneeled above her shouting in her face. This incident was denied by Officer X. The Panel is not satisfied on the evidence presented that this allegation is proved on a balance of probabilities.
- (v) **London Trip** – it is agreed that this trip took place on the 5th August 2016. Miss A intended to walk home with her child independently from the train station. Miss A called Officer X on the walk home, as she feared she was lost. This led Officer X to drive to pick her up and a disagreement ensued. Miss A alleges that Officer X was confrontational when he arrived to pick her up, and was abusive on the journey home. Once home, Officer X picked the baby up, which Miss A interpreted as an attempt to take the baby away. On that basis, Miss A called 999. Prior to police arrival, the argument continued and Miss A states she used vile language towards Officer X and he recorded this on his phone. This account is contrasted with the Officer's recollection of events of that night. He states that he had grown increasingly concerned, having not heard from Miss A for a few hours. Once dark, he received a call from Miss A where she said she was walking home from the train station and was lost. His evidence was that she sounded incoherent through drink; he was concerned it was dark, and she was walking down an unlit country road with no pavements with their baby. The Panel finds it difficult to accept that Officer X offering to go and collect his wife and baby from the station under these circumstances demonstrates hostility, coercion or control towards Miss A. The Panel finds it a natural thing to offer to do. In oral evidence, Miss A stressed that generally she was only ever concerned for the safety of her child. The Panel therefore finds it particularly difficult to understand her behaviour that night as she described it, being the refusal to want to be collected and the anger that appears to follow towards Officer X.
- (vi) **Flinch incident** – it is alleged that after he had left the family home, on a visit to see his daughter Officer X shouted at Miss A and moved towards her smirking, which made her flinch. Officer X is alleged to have said "yeah you flinch". Miss A threatened to call the police but did not in fact do so. Officer X denies this incident took place. The Panel is not satisfied on balance of probabilities that the incident occurred.

- (vii) **Seeking Miss A to leave the police service** – The Panel heard no convincing evidence from Miss A in this regard to persuade them that this had in fact been the case. The Panel was of the view that a compliment from Officer X in relation to Miss A’s organising skills may have been wrongly interpreted. Furthermore, the Panel accepted Officer X’s evidence that he was risk averse when it came to finances, and therefore under no circumstances would he have suggested Miss A leave the Met to start up a new business, which would be extremely risky.

In conclusion, the Panel takes the view that even if it had been satisfied on balance that two or more of these alleged incidents took place as described by Miss A, it is not in any way satisfied that these incidents alone would have led to a finding that they were incidents consistent with a campaign of coercive and controlling behaviour by Officer X as alleged by the AA.

The Panel has considered the multi-factorial aspects of Miss A’s pre-existing psychological and medical factors on Miss A’s resilience during the material times of these allegations. The Panel has determined that she was in a particularly vulnerable state, especially after the birth of her child. Officer X was aware of this increased vulnerability. The Panel acknowledges that Officer X would have known that any type of hostile behaviour from him could have a serious effect on her due to her vulnerability at this time. The Panel concludes that Officer X did not engage in the behaviour as alleged; furthermore, he displayed cognisance of the effect of his actions (such as when he left the marital home for a weekend in May 2016 when the baby was a couple of months old, returning at the request of Miss A).

Allegation 2: Rape

Miss A alleges that there was non-consensual penetrative intercourse in July 2016. In the VRI she states that the sexual intercourse started consensually. Her evidence is that it started to hurt and she slapped Officer X on his side and repeated ‘*you are hurting me*’ and said ‘*I cannot get pregnant*’. She described being concerned that he ejaculated inside her and she was concerned about pregnancy in light of the midwife’s strict guidance to not get pregnant after a caesarean and traumatic birth. Miss A stated that she did not disclose this incident to anyone at the time.

The evidence in relation to contraception is rather unclear and Miss A's evidence was vague and obfuscated in the Panel's opinion. There is record in counselling notes that she was on the oral contraceptive pill in July 2016. However, Miss A maintained that whilst prescribed she was not taking it at that time. Her evidence is that Officer X ejaculated inside her – on her account, if that was true it would have raised a concern that she may get pregnant. There is no evidence that Miss A took any subsequent action – which seems inconsistent with the apparent concern about a possible pregnancy.

Miss A first raised the allegation of '*emotional abuse*' to her counsellor in August 2016 but did not mention a rape allegation. In January 2017, there is the first reference to the act of sexual intercourse described above in an email to her solicitor. Officer X became aware of a sexual allegation being made against him via the family court proceedings and brought this to the attention of his line managers. Miss A did not make any formal reports to police at this time. The formal reporting of this allegation occurred on the 24th January 2024.

The Panel has had legal guidance on the issue of delay in making sexual offence allegations and it has taken that advice on board. The Panel notes the coincidence of the time correlation of Miss A reporting these matters to authorities and significant events in the child custody and family divorce proceedings.

Officer X provided a contrasting account of planned and considered sexual intercourse, on the first occasion after the birth of their daughter. He gave compelling evidence about the discussions taking place downstairs, before they moved to the bedroom. He described that they approached the intercourse slowly and he continually checked on her. He could not recall if he ejaculated inside her but states he would not have done this if he had known she was not on contraception. He disputes that she hit his side (as described) or that she said she was in pain. He maintained that he believed she consented throughout the act, even showing enjoyment.

Weighing the two accounts and the surrounding circumstances, the Panel prefers the evidence of Officer X. This allegation is therefore not proved.

General observations

Miss A had the nickname XXXX at work – whilst her evidence was it was a term of endearment, the evidence the Panel has heard suggested it reflects people’s perception of Miss A being quick to anger. Whilst Officer X admits calling Miss A ‘*evil*’ and to raising his voice on occasion, the panel accepted the evidence presented whereby Miss A was said to be volatile and regularly used abusive and belittling language both to Officer X and about others. In addition, becoming physical by throwing things, an admission she made in oral testimony when she recalled throwing a hairbrush in frustration. This volatile behaviour is consistent with the evidence of Officer X’s mother and sister.

The Panel is also mindful of evidence from Miss A’s reaction to the marriage counselling session where the counsellor appears to have picked up on Miss A’s behaviour towards Officer X in the marriage. Miss A reacted negatively at her perception that she was being blamed. In that counselling there is also no evidence that Miss A had referred to Officer X as controlling or overbearing – it seems in fact her main criticism of him was being too laid back and easy going – which is contradictory to the description given in support of the alleged behaviour in this case. For the Panel, the effect of this broad evidence is to somewhat undermine Miss A’s description of herself as rather weak, vulnerable and dominated by Officer X. The evidence the panel heard suggested she was a strong willed and confident person, unafraid to confront people she did not agree with or who upset her. Clearly there was evidence of underlying issues with mental health both before and after the birth of their daughter but from the evidence, the Panel finding is that Officer X was supportive and trying his best to manage Miss A’s challenging behaviour.

Officer X’s evidence

The panel found that Officer X was a consistent and credible witness. He gave evidence in a measured and careful manner. Overall, on the key issues in this case, the Panel found his evidence believable and preferred it over that of Miss A.

Officer X conceded that there were regular two-way arguments with Miss A within their relationship, and silent periods often followed. He acknowledged that the wording of his email to her in January 2024 was petty and provocative, intended to cause a reaction in Miss A (sent in frustration to a dispute about arrangements regarding their daughter).

Significantly the allegations of domestic violence and rape are made following this email exchange. In his evidence, Officer X displayed self-reflection on his own behaviour (e.g. he admitted that he adopted the persona of the ‘child’ in the marriage counsellor’s analogy of the parent: child relationship between himself and Miss A).

The Panel’s conclusion from Officer X’s evidence was that the relationship between them whilst loving, was also strained. There was consistent and compelling evidence, supported by the Officer’s mother and sister, of Miss A struggling to manage her mood swings and particularly with anger management – little incidents appeared to be a regular trigger for disproportionate reactions.

Significantly for the Panel, Officer X provided credible explanations for events that put the relationship in a very different light than that alleged by Miss A. He gave multiple examples about the fallings out that Miss A had with his group of friends and their partners, which affected his own social life / friendships. The Panel concluded there was ample evidence to suggest it was Miss A, whether intentionally or otherwise, who was distancing and isolating Officer X from his friends. The Panel found no evidence of Officer X, as is alleged, having sought to isolate Miss A from her friends.

Officer X gave detailed and compelling evidence about the reasons why he felt ‘*excluded*’ at a crucial stage in Miss A’s pregnancy when she was overdue and medical advice was for her to be induced, yet Miss A’s desire was for the baby not to be induced, despite being told of the associated risks. His description of his own fear and upset (crying after the doctor’s appointment) was compelling. The medical evidence shows that Miss A was induced at 43 weeks. Miss A followed her own instincts at refusing to be induced earlier, despite this being in direct contrast to Officer X’s wishes and concerns. The Panel assesses this to be evidence that Officer X did not seek to control the induction of the birth.

Officer X’s description of Miss A’s reaction to the emergency caesarean being one of anger and blame towards him (as well as the hospital) resonates with Miss A’s articulated thoughts about being anti-vaccine, sceptical of interventions etc. This exclusion from medical decisions for child C was illustrated in Officer X’s oral testimony, where he expressed both doubt and concern that his daughter even now is potentially not receiving routine vaccinations.

Officer X's account of the events of 5th August resonated as more likely to be a true and accurate reflection. It was the first social event Miss A had been to since the birth; she was taking a 5-month-old baby into London; she was returning on public transport to a town that they had only lived in for a short period. It is understandable that he would feel some anxiety when she had not returned before it got dark (an agreed point). His account of being very worried when she called him saying she was lost, resonated as being credible. His wife and baby daughter were in country lanes in the dark. It is understandable that he cannot recall precise details around the pram, car seat or dog. If his account was fabricated, then logically these details could also be fabricated. His account of why he picked up his daughter (when back in the house) was also credible, in that he feared that Miss A was too unstable to be able to carry the baby up the stairs on a cushion bed, when she was under the influence of alcohol.

Officer X gave evidence to the Panel that displayed a lack of desire on his part to retaliate in 'tit for tat' allegations with Miss A. For example, there is an agreed point that he recorded Miss A using vile, verbal language towards him on the 5th August; he therefore had '*evidence*' that he could have used against her. However, he explained that he did not show this to the police (nor did he save the recording) which shows that he did not have a mindset of retaliation or the need to "*bank the evidence*".

Officer X's Mother's evidence

Officer X's mother gave evidence. The Panel found her to be a balanced, articulate and straight-talking witness. It found her credible and reject the suggestion by the AA that her evidence was unreliable because, as Officer X's mother, she would be unduly biased. She gave evidence of a strong family network – with frequent visits to Officer X and Miss A. She was also close to Miss A. Although there is an undisputable familial bond with her son, there was a detectable level of fondness and empathy towards Miss A still. That is evidenced by Miss A calling her mother-in-law on other occasions when she was upset with Officer X and his friends. Critically for the Panel, the mother gave corroborating evidence of Miss A's volatility and mood swings having directly witnessed several incidents herself. This reinforced the evidence of Officer X as being reliable and the Panel's overall findings on credibility.

Officer X's Sister's evidence

The Panel found this witness to be measured and fair minded in her evidence. It again rejected the AA suggestion that this witness was unreliable, being the sister of Officer X. The Panel found that, as a mother herself, she displayed empathy with Miss A's situation as a new mother.

Her evidence was in the Panel's view credible and was corroboration of the mother's evidence of a loving family home. There was an absolute denial of any violence or domestic abuse in the family growing up, as had been alleged by Miss A in family court papers.

The sister directly observed incidents where there was a flare up of Miss A's temper about inconsequential matters (e.g. Officer X making their dog's dinner wrongly). She also gave evidence to the Panel of Miss A being confident to speak up (described as forthright and direct) – examples included verbalising issues with friends of Officer X and calling her mother-in-law 'mum' on the first family dinner in Richmond.

Critically, this witness gave evidence of observing Miss A use foul language towards Officer X (during the move to Wadhurst). She also observed the effect on Officer X of the arguments and falling out with his friends. This was all consistent with Officer X's evidence.

The Panel found it significant that this witness stated that “*after the wedding all the filters came off; as though purpose had been served*” – this resonates with Miss A's own reflections that she immediately felt her mother-in-law was 'fake' straight after the wedding. There was a detectable change in behaviour by Miss A towards the family, notably the mother.

The evidence of the mother and sister provided no support at all for the suggestion that Officer X was aggressive, controlling, coercive or violent within the relationship with Miss A – in fact the evidence contradicted that entirely, suggesting instead that he was loving, caring and genuinely worried about Miss A's behaviour. Notably Miss A never raised the suggestion of such behaviour with them, and the Panel is satisfied that had she done so, they would not have tolerated Officer X behaving in that way.

CHARACTER EVIDENCE

The Panel received legal advice on how to approach character evidence relied upon by Officer X in the form of character references. It has taken that advice into consideration. The Panel has taken into account the Officer's good character. It has read his character references. There is nothing to support the credibility of these alleged misconduct allegations. It would appear to be totally out of character.

THE PANEL DECISION

For these reasons as set out, the Panel has not found the allegations proven in this case. This was a case where the evidence of Miss A and Officer X was in direct conflict on the key issues. Between them the Panel preferred the evidence of Officer X for the reasons set out, especially with the evidence from his mother and sister supporting much of what Officer X said in evidence.

12th June 2026