

Notice of Outcome of Police Misconduct Hearing
(Regulation 43 Police (Conduct) Regulations 2020) as amended by the Police
(Conduct) (Amendment) Regulations 2024

CHAIRPERSON'S ACCOUNT

Officer concerned: Officer X

Date of hearing: 3rd – 5th June 2026

Name of person chairing: Rebecca Bee

Name of panel members:

IPM – Chiew Yin Jones

IPM – David Scott

LQA – Oliver Thorne

The Decisions of the Hearing

Allegation 1 - On 29th July 2023 you attended Female A's home address and asked for some of your belongings. Whilst there, you pulled Female A out of the property by her arm. This caused reddening to her arm.

Finding Proven/ Not proven – Not proven

Outcome - N/A

Background

1. The panel received legal advice from the LQA which we accepted.
2. The LQA retired with us to help with the drafting of this report but played no part in the decision-making process.

Findings on Gross Misconduct/Misconduct

3. Allegations

- a. The R30 sets out "On 29 July 2023 you attended Female A's home address and asked for some of your belongings. Whilst there, you pulled Female A out of the property by her arm. This caused reddening to her arm." AA put the case on the basis that the Officer grabbed Female A by the arm, that is said to be unlawful conduct, and therefore discreditable. We were grateful to the AA for clarifying that at the hearing.
- b. The Officer's case is that he did not grab Female A's arm. He accepts there was some physical contact as he attempted to enter the house to obtain a set of keys for a vehicle and Female A sought to prevent him.

4. We are conscious of the fact that this was a property that Officer X had some legal rights over. The same point can be made about the car that was owned by the Officer, but which Female A had the use of. The way the AA have sensibly put the case means that we can set that largely to one side.

Evidence

5. On 29th July 2023 Female A made a 999 call. We have the CAD log of that call in the bundle. It is clear that the parties have both had access to the recording of the call. The recording itself was not in evidence.
6. The call is timed at 19:34. At 19:38 the call handler made the following log entry "Officer X has stopped living at the address but has turn up today and put his foot in the door to stop the inf [informant] closing it and then grabbing the infs upper arm- there was a mark on her arm but is going down."
7. There were a series of agreed facts between the parties that related to the 999 call.

999 Recording (No Times)

- 5 minutes and 15 seconds into the 999 audio, Female A can be heard to say, "he's walking off now, I don't know where he is going but he is a police officer".
- 10 minutes and 15 seconds into the 999 audio, Female A can be heard to say, "he has now walked off, I don't know where he's gone".
- 11 minutes and 6 seconds into the 999 audio Female A can be heard to say, "I don't know where he is, I don't see his car".

Cad Report of 999 Call

- The 999 call started at 19:34:34.
 - At 19:41:03 Female A reported that Officer X is in front of her, filming her.
 - At 19:45:04 Female A states that Officer X has walked off and she does not know where he has gone.
8. The next day Female A had a video call with the Safeguarding Hub for Kent Police. There is a video of that call and a transcript. The account of the incident itself starts on [52] and describes Officer X arriving at the property and asking for items of his property. She says at 18:14 of the video (time from transcript):

I didn't give him the car key. I just said, please leave. Just please leave. But, 'cause I wouldn't give him the car key, he then back in the door, he wouldn't move it. I tried to close the door. He sort of put his hands up like he was trying to come through the door. So I went to shut the door even though I, I couldn't have anyway, but that's when he's grabbed my right upper arm and sort of pulled me out. I dunno if his intention was to pull me outside so he could come

inside, I dunno. Pulled me onto the front doorstep and I said to him, you've, Officer X, you're hurting me. Take your hands off of me. And he then did let go of me and he walked to the gate, the garden gate. And he didn't say anything else that I can remember.

9. Female A also gave an MG11 witness statement dated 13th November 2024, some 14 and ½ months after the incident. In that statement Female A sets out a number of things that were highlighted to us during the hearing:

- a. [89] As she sat down to eat “I heard banging on the living door. Whoever it was clearly was angry so I suspected it was Officer X due to his past behaviours.” She continues that she could see it was Officer X and “His banging on the door told me that he was ‘pissed off’, I was anticipating some form of aggression.”
- b. She goes onto describe that he was furious saying “I could see the anger in his face and his body was tensed up. He looked like he was about to explode”.
- c. “He was demanding to come in and shouting “I want my safe. I want my car keys.”
- d. After being given the safe, he continued to demand the keys to the car. “He kept shouting, “This is what you get.’
- e. She described being grabbed. “He then grabbed hold of the top part of my right arm. His grip was hard and he was pulling me upwards. It hurt me. He was squeezing my arm and I kept telling him to let me go as he was hurting me but he ignored me. It was like he was in a “Red mist” episode. He was not hearing me and not taking into consideration that he was hurting me. There are 3 steps leading from the living door and he was practically lifting me over them. Had he not been pulling me upwards and just dragging me I would have fallen down the steps. I can't remember when he let go...”
- f. At a stage where they were both outside “...he kept shouting at me “I know where you've been. I know what you've done and I know where you went when you left my parents.”

10. Female A attended the hearing and gave evidence. She maintained her account. We noted that she said that she repeatedly said you are hurting me- please let go and that she thought she said that the officer should imagine this was one of the children and that he didn't let go. In cross-examination she was challenged about this and said that she was repeatedly asking Officer X to let her go, told him that he was hurting her, and that he should imagine the children. She emphasised that she had said this several times.

11. Officer X also gave evidence to us. He had provided a written statement during the investigation and had attended an interview in which, having given the prepared statement, he exercised his right not to answer questions. He gave a brief MG11 witness statement after the interview dealing with some of the matters raised in the interview. He provided a R31 Response in which he denied the allegations in full.

12. In evidence to us he said that he had wanted the car back earlier than originally arranged because he realised that he was likely to incur substantial legal fees to obtain 'contact' with his children.

13. He has maintained throughout that he did not assault Female A.

14. Officer X submitted an audio recording of the incident itself. We observe that this was provided in May 2026. It follows that the Officer has been in possession of a recording of the incident itself throughout the entire investigation and has not previously disclosed that. We have not been told why, the answer may well be privileged, but it is, on the face of it, a remarkable decision.

15. We start by observing that we are fully aware of the concerns about covert recording of incidents. This is a recording of the incident we are concerned with. It is, in our view, a central piece of evidence.

16. We were also asked to admit a second recording of an incident that took place on 5th February 2024. The Defence sought to rely on it as showing that Female A had accepted, in the course of another argument, that she had made a false allegation as she said words to the effect that it didn't matter what had happened on the 29th July 2023 as she would attend a hearing and Officer X would be lucky to keep his job.

17. We admitted that recording and allowed Female A the opportunity to listen to both recordings before giving evidence. The second recording is also unedifying, both because it is a covert recording and also because of the conduct of both Officer X and Female A. In the end, the panel did not think the meaning of the words sufficiently clear to assist us in determining the allegation on the R30 notice, we therefore attached no weight to this recording.

18. We also admitted emails between the two of them about childcare arrangements.

Investigation

19. Many allegations of Domestic Abuse take place where the only two direct witnesses of fact are the complainant and alleged perpetrator. In this case there was a third-party present, a friend of the complainant visiting the house. That has been clearly understood since the 30th July 2023 [42]. There was a request for disclosure of any account given in the Officer's R31 (paragraph 25 (4)) [97]. There is an agreed fact about this which reads:

In response to a request for disclosure from Officer X, the previous investigating officer stated on 31 October 2025: 'No account was given by [named friend], and no efforts were made to obtain one. [The friend] was not mentioned by name until the Officer's regulation 31 response, as far as I am aware.'

20. The failure to seek an account from the friend seems to us to leave a substantial gap in the evidence. This would have been a step well within the terms of reference at 4.2 of the IO report. Female A refers to the friend in her witness statement of November 2025. The suggestion that it was for the Officer to name them, rather than the investigation to take the obvious and simple steps of asking Female A who the friend was is no answer at all.

Discussion

21. We have been reminded of the importance of inherent probability. We accept that it is inherently improbable that a police officer of good character would commit a serious act of misconduct. In our view, this is balanced against the fact that it is equally improbable that a Female A would make a false allegation of domestic abuse.

22. In respect of Officer X's evidence, the panel note the criticisms levelled by the AA. We are persuaded that the decision to attend the jointly owned property risked confrontation. That has to be balanced against the fact that he was understandably concerned about what appeared to him to be the sudden and unilateral decision that he could not see the children for the foreseeable future. Further, whilst Female A has suggested that she was simply trying to return property, it seems to us that this was at least capable of being perceived as confrontational, involving an unarranged visit to the Officer's parents house and leaving clothes in bin bags, but also an expensive (on the Officer's evidence) coffee machine outside where it could be taken.

23. There was some confusion about whether the Officer had a foot inside the property at any stage. In answer to questions initially he seemed to us to contradict his notices which say that he had a foot on the doormat. In re-examination he accepted that he had a foot on the mat. The audio recording shows clearly (through what is said) that he had a foot inside the property. We didn't think it was a significant discrepancy.

24. We note the AA's submission that the suggestion that he wanted to sell the car to fund legal fees appears to be a late addition to his evidence. Whilst we see the basis for that concern, that does not seem to us to have been explored with the Officer. In any event, we take the view that his conduct during the conversation was unedifying. He was repetitive, it was obvious he was unwelcome, and the request to give the car back then (whatever the legal position) was unreasonable. We keep in mind that he knew throughout that he was recording the incident. The motivation for asking for the car is a credibility point but not one we attach significant weight to. We keep in mind that this is the kind of self-justification that is common when people remember events from some time ago.

25. As we have said we are alive to the dangers of covert recording. It means the recorder is conscious of the recording and the need to behave, and in control of it afterwards, but also there is a real danger of trying to push the buttons of the 'recordee' to get a reaction. In this case, however, the recording is deployed not to show the bad behaviour of the person being recorded but to show that their account is inaccurate. Here, we are satisfied that it does so. The account given by Female A is of a grab that went on for a 'long time'. She has been entirely clear that she repeatedly asked to be let go, complained that she was being hurt and probably referred to the children. The recording clearly captures the sound of a scuffle in the door, and Female A saying, "get off me". There is then a period of silence, with the background noise of a gate being shut etc. which shows that the recording continued. Saying 'get off me' is as consistent with the Officer's case as it is with Female A's but we accept the Officer's submission that the recording demonstrates that Female A's account of what happened is inaccurate.

26. We are therefore left to decide whether there might have been a grab of brief duration. We cannot see reliable evidence that there was. There is no account from a third party, having found Female A to be inaccurate, we can give her account on that point limited weight. We have to

balance that evidence against the account of the Officer. He is of good character, and took into account all the character references, including the reference from MI in assessing his credibility.

27. The question for us is whether the AA have proved it is more likely than not that Officer X grabbed Female A, as alleged in the R30 notice. Our finding is that the AA have not proved their case. We make clear that we make no finding that this was a malicious account.

28. The case has been put squarely on the basis of the grab. The panel have gone on to consider whether we feel that Officer X's conduct, for example in simply attending the property, breached the standard of Discreditable Conduct. Whilst we are critical of his decision to attend, and the way that he acted when he was there, we do not think the AA have proved that this would cause a right-thinking person, aware of all the facts, to think less of the force or the profession.

29. We were cognisant of the dynamics of violence against women and girls (VAWG) cases when we reached the conclusion that we did.

30. It follows that the AA have not proved their primary factual case and have not proved a breach of the standards of professional behaviour.

31. That is our decision.

Finding on outcome, including any aggravating or mitigating factors affecting the seriousness of the failures in standards

N/A

Decision on publication

In the interests of the children and female A anonymity orders to remain in place going forward.

Learning identified - This section should be used each time; you identify an opportunity for the MPS to improve. The potential learning could be: Individual, local, and organisational

Please document any learning opportunities for either the AA, any individual involved with the case and/or the organisation. In your opinion what was the most likely reason(s) for the concerns identified & how could an understanding of the contributory factors help improve the handling of future events.

Chairperson's Signature: *R Bee* **Date:** 09.06.2026

Panel Member's Signature: *Chiew Yin Jones* **Date:** 09.06.2026

Panel Member's Signature: *David Scott* **Date:** 09.06.2026

Explanatory Notes

In all cases, the officer concerned will be informed in writing of the outcome of the misconduct hearing. This will be done as soon as practicable and in any case within 5 working days beginning with the first working day after the conclusion of the misconduct hearing. It is essential that sufficiently clear and full reasons be provided. Where there is a finding of misconduct or gross misconduct the written notice will include notice of the officer's right of appeal to a Police Appeals Tribunal (see below) and the name of the person to whom the appeal should be sent. In cases involving a public complaint, the MPS will be responsible for informing the complainant of the outcome.