

Accelerated Misconduct Hearing Finding and Outcome

Officer Name: PC Ben Armstrong

Warrant No: P257302

Date of Hearing: 5th June 2026

Alleged Standards Breached: Discreditable Conduct, Confidentiality, Authority, Respect and Courtesy

Findings

I have had the benefit of the papers in advance of today and read them carefully before the hearing started, along with viewing both the edited and unedited digital material. I am satisfied that the required notices under the Police (Conduct) Regulations 2020 have been served. These are matters which have not, in any case, been disputed before me.

The hearing was held in **Public**.

PC Armstrong did attend the hearing and provided a Regulation 54 response.

PC Armstrong is represented by his federation representative, PC Lisa Hayden. The Appropriate Authority was represented by Mr Aaryan Sattani.

I am satisfied PC Armstrong has been properly served with the papers and Regulations 51 to 53 of the Police (Conduct) Regulations 2020 have been complied with.

The Allegation

It is alleged that on 8 August 2024, whilst on duty at Lewisham Police Station, you used your personal mobile telephone to take an image of a detainee and subsequently shared that image, together with derogatory and abusive commentary, without any lawful policing purpose.

Particulars:

- i) CARMS records confirm that you were on duty between 10:00 hours and 23:15 hours on 8 August 2024, including overtime for duties assigned to a constant watch at Lewisham Police Station.
- ii) The custody record for the detainee confirms their detention on that date and records that you were assigned to conduct a constant watch.
- iii) CCTV footage from Lewisham Police Station shows you positioned outside Cell 28 whilst performing that constant watch.
- iv) At approximately 17:44 hours, CCTV footage shows you holding a mobile phone in your hand, which is raised and directed towards the cell door before being lowered.
- v) Screenshots provided by the complainant evidence that you sent an image of the detainee accompanied by the message: "this bitch has just fucked up our whole plan!!! I blame him".
- vi) The taking and sharing of this image was not for a lawful policing purpose and involved the inappropriate disclosure of a detainee's image and the use of offensive and unprofessional language and contrary to Metropolitan Police Service ICT Policy.

Standards of Professional Behaviour

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

- Discreditable Conduct
- Confidentiality
- Authority, Respect and Courtesy

In that your conduct may bring the police service into disrepute and damage the relationship of trust and confidence between the police and the public.

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

The Hearing

I have listened to the case presented on behalf of the Appropriate Authority by Mr Sattani and the representations made on behalf of PC Armstrong by his federation representative, PC Hayden.

Facts

The main issues of fact which I have to decide is whether the Appropriate Authority has proved on the balance of probabilities the allegations against PC Armstrong, namely that

- PC Armstrong took an image of a detainee and sent it via WhatsApp to his partner (a member of the public) whilst on duty at Lewisham Police Station.
- PC Armstrong captured the image with the message: “this bitch has just fucked up our whole plan!!! I blame him”.
- PC Armstrong took and shared the image without any proper policing purpose.

The Officer’s position

- PC Armstrong admits to the conduct alleged. He accepts that he took the image, captured it with the message as outlined above and sent it to his partner via WhatsApp.
- PC Armstrong accepts that he took the image without any proper policing purpose.
- PC Armstrong avers that the conduct only amounts to misconduct.

If these allegations are proven, then I must decide whether it amounts to breach of the following standards of behaviour:

- **Discreditable Conduct** – Police officers behave in a manner which does not discredit the police service or undermine public confidence in it, whether on or off duty
- **Confidentiality** - Police officers treat information with respect and access or disclose it only in the proper course of police duties.
- **Authority, Respect and Courtesy** – Police officers act with self-control and tolerance, treating members of the public and colleagues with respect and courtesy.

In line with Regulation 61(7) and Regulation 61(8), I have carefully considered submissions from the Appropriate Authority and from those representing PC Armstrong.

Decision on Finding

I have listened to the case presented by the Appropriate Authority and carefully considered the documentary evidence provided to me, including the submissions on behalf of PC Armstrong that accepts the conduct alleged to the level of misconduct and is remorseful of his actions.

Accordingly, I have found the facts proven as outlined above.

Breach of Professional Standards

I bear in mind that the burden of proving Breach of Standards rests upon the Appropriate Authority and that it must satisfy me on the balance of probabilities.

I am satisfied that the Appropriate Authority has discharged that burden and the conduct did breach the standards of professional behaviour as outlined previously.

Gross Misconduct

I have reminded myself that gross misconduct is a breach of the *Standards of*

Professional Behaviour so serious to justify dismissal. Applying that definition and having carefully considered the submissions on PC Armstrong's behalf that the conduct amounts to misconduct, I am satisfied that the breach of professional standards does in fact amount to gross misconduct.

Outcome Decision

In making my decision on outcome I adopt the three-stage process, as outlined in the College of Policing's Guidance on Outcomes in Police Misconduct Proceedings to determine the appropriate sanction.

The first stage is to assess the seriousness of the conduct.

This is assessed by reference to:

- i. The officer's culpability
- ii. The harm caused by the misconduct
- iii. The existence of aggravating factors
- iv. The existence of mitigating factors

The second stage is to keep in mind the purpose of the police misconduct regime.

I remind myself this has three elements:

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

I further remind myself that the police misconduct regime is not designed to punish police officers – it is about the reputation and standing of the profession as a whole.

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

Stage 1: the seriousness of the conduct

I start by assessing the seriousness of the conduct.

Culpability is high – PC Armstrong's conduct was intentional and deliberate. He made a conscious choice to take an image of a detainee in his custody, capturing it with mocking and insulting words.

PC Armstrong breached the individual's confidentiality and privacy by taking the image and sharing it with a member of the public.

Harm – is high. Whilst PC Armstrong's actions may not have caused direct harm to the public, the general public would be rightly concerned at a serving police officer acting in this manner. PC Armstrong's conduct causes serious harm to the reputation of the Metropolitan Police Service.

His conduct undermines public confidence in policing at a time when the police and specifically the Metropolitan Police are aiming to demonstrate how seriously it is tackling higher standards over the last few years following highly publicized and damaging incidents.

Aggravating features – I do consider it aggravating that PC Armstrong had safeguarding responsibilities towards the individual in his custody and chose to mock him over being unable to go on a dinner date.

Mitigating features – PC Armstrong acknowledged his wrongdoing and expressed remorse for his actions.

Conclusion on Seriousness

Taking all these matters into consideration, I assess the seriousness of the conduct as high.

Personal Mitigation

On behalf of PC Armstrong I have received a character bundle, containing numerous references from colleagues and members of the public attesting to his kind, calm, considerate and helping nature.

I am mindful of the limits to the weight I should attach to personal mitigation as identified in the College of Policing's Guidance on Outcomes in Police Misconduct Proceedings, and that the interests of the police service, and the protection of the public, are more important than those of the individual officer.

Stage 2: the purpose of the misconduct regime

I have reminded myself of the threefold purpose of the police misconduct regime carefully in considering the appropriate outcome in this case.

I further remind myself that the police misconduct regime is not designed to punish police officers – it is about the reputation and standing of the profession as a whole.

I do acknowledge that the outcome imposed can have a punitive effect: accordingly,

the outcome should be no more than necessary to satisfy the purpose of the proceedings.

Stage 3: the appropriate outcome

I have considered the officer's record of service.

I have reminded myself to consider the least punitive outcome first. I then considered whether there were any exceptional circumstances which would justify a sanction less than dismissal without notice.

This case is based upon what amounts to irrefutable evidence, coupled with careful consideration of the professional standards.

I considered whether a reduction in rank would be appropriate. I have considered the Home Office Guidance [3.17-3.22] and *R (on the application of Commissioner of Police of the Metropolis) v Fletcher* [2025] EWHC 93 (Admin). A reduction in rank is not available to me due to PC Armstrong's status as a police constable.

I have then considered whether a final written warning would be appropriate. I remind myself that each case turns on its own facts and have carefully considered the representations on behalf of PC Armstrong. I do find that PC Armstrong's conduct was highly unprofessional, he has acknowledged and accepted that his actions did not accord with the standards expected of a serving police officer.

[REDACTED]

Accordingly, due to the seriousness of the misconduct a final written warning would not do justice to the conduct displayed. I cannot find any circumstances that would have justified a sanction less than dismissal without notice.

OUTCOME:

Having considered the matter fully and having regard to the nature and severity of the breach of the Standards of Professional Behaviour, PC Armstrong is **dismissed without notice** and is to be placed on the College of Policing's barred list.

Commander Andy Brittain
Metropolitan Police Service
5th June 2026