

## Accelerated Misconduct Hearing Finding and Outcome

Officer Name: PS Kerwin Norley

Warrant No: P244802

Date of Hearing: 15<sup>th</sup> May 2026

Alleged Standards Breached: Discreditable Conduct

### 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**.

PS Norley did not attend the hearing. However, he was represented by his federation representative, DC Parminder Attwell. I am satisfied PS Norley has been properly served with the papers on the 28<sup>th</sup> April 2026 and Regulations 51 to 53 of the Police (Conduct) Regulations 2020 have been complied with.

I have also been provided with email correspondence from the Police Federation setting out correspondence received from PS Norley on the 14<sup>th</sup> May 2026, which confirms that he would not be attending the hearing.

The AA was represented by Case Manager, Aaryan Sattani.

Whilst PS Norley did not serve a formal Regulation 54 response, he provided comprehensive written representations on the 8<sup>th</sup> May 2026. I have carefully considered the representations in advance of the hearing.

### Preliminary Issues

#### Application to Adjourn

PS Norley through the Police Federation has made an application to adjourn the proceedings in written correspondence, dated the 14<sup>th</sup> May 2026. PS Norley

expresses that he is willing to fully engage with the proceedings and would attend [REDACTED].

PS Norley submitted an application on the 8<sup>th</sup> May 2026 to adjourn the proceedings, which I consider in full today alongside his further submissions dated the 14<sup>th</sup> May 2026.

I have carefully considered the application and representations made by his federation representative, DC Attwell and note the following;

- i) PS Norley has advanced that he is unfit to attend and participate in the proceedings, however, he has failed to provide any contemporaneous medical evidence, [REDACTED]. Accordingly, I am unable to make any determinations as to any diagnoses or medical unfitness. [*Lindsay v Solicitors Regulation Authority* [2018] EWHC 1275 (Admin)]
- ii) As to any underlying conditions, I recognise that PS Norley has set out in detail that he [REDACTED], including the impact on him. PS Norley has referenced his medical records in his written representations, however beyond a sick note confirming PS Norley [REDACTED], I have not been provided with any additional underlying material that outlines the impact of the condition and/or how it may affect his ability to participate in these proceedings. I consider that I am entitled to require such independent medical evidence on PS Norley's conditions. [*Lindsay v Solicitors Regulation Authority* [2018] EWHC 1275 (Admin)]
- iii) PS Norley asserts that he is awaiting [REDACTED] on the 29<sup>th</sup> June 2026. He contends it is directly relevant to his fitness to participate in the proceedings. Again, I have not been provided with any underlying medical evidence, [REDACTED].
- iv) I considered the overarching principles of fairness and the Equality Act 2010, and determined that on the evidence available to me, reasonable adjustments could be made to enable the effective participation of PS Norley in the proceedings today.

I have also considered the representations made on behalf of the Appropriate Authority, citing the lack of independent medical evidence upon which I can properly make a determination as to the officer's inability to attend. The Appropriate Authority referred me to Regulation 57(1) and the presumption that an officer must attend the

Accelerated Misconduct Hearing. I also remind myself of Regulation 57(2), where an officer expresses, they are unable to attend I may consider reasonable adjustments so the officer may attend the hearing. On behalf of PS Norley, no submissions were made as to any reasonable adjustments that may enable the officer's participation today, beyond the overarching request for an adjournment. Accordingly, there are no reasonable adjustments for me to consider.

Accordingly, I refuse the application to adjourn.

### Anonymity| Reporting Restrictions

The Appropriate Authority have addressed me as to Norley's submissions dated the 8<sup>th</sup> May 2026, requesting reporting restrictions on the basis of the risk of that public exposure would cause to his mental well-being. I have carefully considered the evidence before me and Regulation 59 of the 2020 Regulations. I have reminded myself of the principles of transparency that underly the police misconduct regime and determined in the absence of concrete independent medical evidence, that this hearing is to be conducted in public.

### Application to proceed in absence

The Appropriate Authority submit that under Regulation 57 of the 2020 Regulations, that the hearing may be proceeded with and concluded in the absence of the officer, whether he is represented or not. The Appropriate Authority invite me to exercise my powers under Regulation 57 to proceed with the hearing today.

I have carefully considered the correspondence from the Police Federation, dated the 14<sup>th</sup> May 2026, which sets out PS Norley's position.

Given my determination as to PS Norley's application to adjourn, I am of the view that PS Norley has voluntarily absented himself from the proceedings today.

I carefully considered Regulation 57 of the 2020 Regulations and am of the view, that without any underlying or supporting medical evidence, PS Norley's absence is not reasonable, and I can properly proceed in his absence today.

I also take into account that he is represented today by his federation representative, DC Attwell who can address me as to PS Norley's position on each aspect of the

proceedings today.

### 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 PS Norley by his federation representative, DC Attwell.

### The Allegation

On Tuesday 17 February 2026 at Colchester Magistrates' Court, you pleaded guilty to the offence of driving a motor vehicle while over the prescribed alcohol limit, contrary to section 5(1)(a) of the Road Traffic Act 1988 and Schedule 2 to the Road Traffic Offenders Act 1988 and were therefore convicted of this offence.

You were disqualified from driving for 36 months and fined £1500, together with the applicable surcharge and costs.

### *Particulars:*

- i. On 5 November 2025 in Colchester, Essex, you drove a motor vehicle whilst over the legal alcohol limit.
- ii. You were arrested by Essex Police following a road traffic collision.
- iii. You later provided a breath sample in custody which recorded 151 micrograms of alcohol per 100 milliliters of breath, substantially above the legal limit.
- iv. You were charged the same day and subsequently pleaded guilty at court.

### Standards of Professional Behaviour

In the circumstances, the Appropriate Authority contends that PS Norley'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

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.

### 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 PS Norley.

- On the 4<sup>th</sup> November 2025, PS Norley was arrested by Essex Police following a serious road traffic accident. He was found intoxicated and asleep in a stationary vehicle in the middle of the road.
- When PS Norley was approached, he drove off, colliding with a fence and other vehicles, causing injuries to members of the public.
- He was arrested. He resisted arrest, resulting in him being tasered.
- He provided a breath sample in custody which recorded 151 micrograms of alcohol per 100 milliliters of breath.
- PS Norley was charged with driving with excess alcohol.
- On the 17<sup>th</sup> February 2026, he pleaded guilty at Colchester Magistrates' Court. He received a 36 months' disqualification and was ordered to pay a £1500 fine.

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

### The Officer's position

- On behalf of PS Norley the facts as outlined by the Appropriate Authority are accepted. However, it is submitted that the conduct amounts to misconduct

not gross misconduct.

- [REDACTED]
- Had PS Norley been properly supported it would have made it less likely that he would have acted in the manner he did on the 4<sup>th</sup> November 2025.
- PS Norley has accepted his conduct as demonstrated by his early guilty plea.

In line with Regulation 61(7) and Regulation 61(8), I have carefully considered submissions from the Appropriate Authority and DC Attwell on behalf of PS Norley.

#### 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 PS Norley.

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 AA and that it must satisfy me on the balance of probabilities.

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

#### Provisional Assessment of Seriousness

I go on to make a provisional assessment of Seriousness by reference to Culpability and Harm, mitigating and aggravating factors. I have applied Regulation 61(15) and 61(16).

The Appropriate Authority addressed me on seriousness and contend that the conduct amounts to gross misconduct as the conduct is deliberate, intentional and causes serious harm to the public. On behalf of PS Norley, it is submitted that the mitigating factors directly underlying his [REDACTED] outweigh his culpability and the harm caused by his actions.

**Culpability** is high – PS Norley’s conduct was intentional and deliberate. He decided to drive a motor vehicle whilst heavily intoxicated causing a serious road traffic accident.

**Harm** – is high. PS Norley caused direct harm to members of the public. PS Norley resisted arrest, resulting in him getting tasered. PS Norley’s conduct was a risk to public safety and his colleagues and causes reputational harm to the police service.

**Aggravating features** – I have considered that there are no additional aggravating features as I am mindful not to double count or take to consideration any factors that have already featured in my determination of culpability and harm.

**Mitigating features** – I acknowledge that PS Norley has accepted his conduct and entered an early guilty plea. I also acknowledge PS Norley [REDACTED] and that it may have impacted on his ability to cope with the circumstances in question. However, in my view, there are limitations to the mitigating factors, as PS Norley [REDACTED] and made a conscious decision to drink and get behind the wheel of a vehicle, putting members of the public at risk.

### 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, I am satisfied that the breaches of professional standards do amount to gross misconduct.

### Outcome Decision

In making my decision on outcome I bear in mind that the Police (Conduct, Performance and Complaints and Misconduct) (Amendment) Regulations 2025 (“The 2025 Regulations”) came into effect on the 28<sup>th</sup> May 2025.

The 2025 Regulations amend Regulations 42 and 62 of the Police (Conduct) Regulations 2020 (“The PCR”) so that, where gross misconduct is proven against a serving officer, the panel must dismiss the officer unless there are exceptional circumstances.

I have considered the officer’s record of service.

This case is based upon what amounts to irrefutable evidence from the facts as outlined by the Appropriate Authority and the certificate of conviction.

I am reminded on behalf of PS Norley of his mitigation, however, no submissions are

advanced as to exceptional circumstances.

Accordingly, the only available sanction is 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, the sanction I impose is **dismissal without notice** and the officer should be placed on the College of Policing's **public** barred list.

Commander Andy Brittain  
Metropolitan Police Service  
15<sup>th</sup> May 2026

