

Accelerated Misconduct Hearing: Finding and Outcome

Officer Name: PS Asif Syed
Warrant No: P241196
Date of Hearing: 23rd February 2026
Alleged Standards Breached: Use of Force; Duties and Responsibilities and
Discreditable Conduct.

Finding

I have had the benefit of receiving the papers in advance of today and read them carefully before the hearing started. 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 **Private**

PS Asif Syed did not attend the hearing before me but I am satisfied that he had notice of the proceedings and has voluntarily absented himself. I was therefore of the view that it was reasonable to proceed to hear the matter in his absence.

The AA was represented by Adam Smith of Counsel.

The Allegations

The allegations against PS Asif Syed are that:

“On 3rd January 2026, you used excessive force on a detained person (DP) who appeared to be unconscious in the back of a police van.

The particulars are:

- a) You placed your foot onto the DP’s left ankle and applied your body weight directly onto that ankle.

- b) You used unapproved pain compliance techniques, which involved pushing into the pressure points around the DP’s ear and throat/neck which are not compliant with either OST or ELS training.

- c) You placed your knee around the chest area of the DP then pinched the DP's nose and held his mouth shut, closing off both airways and preventing any breathing.
- d) You instructed more junior officers to repeat the behaviour you subjected the DP to, encouraging them to block his airways.
- e) You slapped the DP in the face multiple times.

Standards of Professional 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:

- (i) Use of Force
- (ii) Duties & Responsibilities
- (iii) 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 are whether the Appropriate Authority has proved on the balance of probabilities that PS Asif Syed:-

On 3rd January 2026, used excessive force on a detained person (DP) who appeared to be unconscious in the back of a police van.

The particulars are:

- a) He placed his foot onto the DP's left ankle and applied his body weight directly onto that ankle.
- b) He used unapproved pain compliance techniques, which involved pushing into the pressure points around the DP's ear and throat/neck which are not compliant with either OST or ELS training.
- c) He placed his knee around the chest area of the DP then pinched the DP's nose and held his mouth shut, closing off both airways and preventing any breathing.
- d) He instructed more junior officers to repeat the behaviour he had subjected the DP to, encouraging them to block his airways.
- e) He slapped the DP in the face multiple times.

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

- (i) Use of Force – Police officers only use force to the extent that it is necessary, proportionate and reasonable in all the circumstances.
- (ii) Duties & Responsibilities – Police officers are diligent in the exercise of their duties and responsibilities.
- (iii) 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 burden of proving breach of Professional Standards rests on the AA also to the civil standard (balance of probabilities).

PS Syed has provided a Regulation 54 Police (Conduct) Regulations response, denying that his actions breach the Standards of Professional Behaviour. In relation to each allegation, he responds:

(a) Placing foot on DP's ankle: This was an accident due to restricted space and was not intentional.

(b) Using unapproved pain compliance techniques: PS Syed accepts that some of the techniques he used had not been taught and had the effect of temporarily restricting DP's airways. He did so to test whether DP was feigning unconsciousness. He did not restrict DP's neck and any contact with the neck was accidental.

(c) Placing knee on chest and then pinching DP's nose: He did not deliberately place his knee on DP's chest, and only did so due to a lack of space in the van. The pinching of the nose was an improvised technique. He acted in good faith.

(d) Instructing other officers to repeat the behaviour: He accepts he instructed other Officers to repeat the improvised technique. He acted in good faith, and was not challenged.

(e)Slapping DP's face: He accepts lightly tapping DP's face to encourage him to keep awake. Whilst perhaps not best practice, the officer does not accept that this breached the standards of professional behaviour.

Decision on Finding

I find the facts proved in their entirety both on the documents provided, by admission from the Officer concerned and having viewed the relevant Body Worn footage.

Breach of Professional Standards

I find that the AA has discharged the burden placed on them and that these proven in their entirety.

I go on to make a provisional assessment of seriousness

Culpability – High

- (i) PS Syed's conduct was deliberate. Conduct that is intentional, deliberate, targeted or planned will generally be more culpable than conduct that has unintended consequences, although the consequences of an officer's actions will be relevant to the harm caused.
- (ii) It is unacceptable for police officers, who are responsible for enforcing the law, to break the law themselves
- (iii) PS Syed was holding a position of trust or responsibility at the relevant time. PS Syed was both a higher-ranking Officer and gave commands to the Officers present to copy his actions.
- (iv) Offences of violent crime are particularly serious and likely to terminate an officer's career
- (v) Accordingly, PS Syed's culpability can properly be assessed as **high**.

Harm – High

PS Syed physically assaulted the DP in various different ways.

It is proper to consider the risks attached to the behaviour too, including the likelihood of harm occurring and the gravity of harm that could have resulted. There was a very high risk to the DP in preventing him from breathing. PS Syed instructing other Officers to engage in misconduct could have led to very serious consequences.

He caused alarm to his colleagues who felt unable to challenge him at the time because of his more senior rank. There is harm to public trust and confidence, should this behaviour become known.

I assess the overall seriousness of the conduct as High

Gross Misconduct

I then go on to consider whether these breaches of standards amount to Gross misconduct. I remind myself that gross misconduct is a breach of the standards of professional behaviour individually or cumulatively which are so serious that dismissal would be justified. Applying that definition I find the matter **proven** as 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.

First Stage - Assess the seriousness of the misconduct.

Seriousness is assessed by reference to:

- i. The officer's culpability.
- ii. The harm caused.
- iii. Aggravating factors.
- iv. Mitigating factors

Second Stage -Keep in the 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

Third Stage – 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. As stated already I have found these provisionally but adopt them again here:-

Culpability

- (i) PS Syed's conduct was deliberate. Conduct that is intentional, deliberate, targeted or planned will generally be more culpable than conduct that has unintended consequences, although the consequences of an officer's actions will be relevant to the harm caused.
- (ii) It is unacceptable for police officers, who are responsible for enforcing the law, to break the law themselves
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Aggravating factors

A list of aggravating factors is set out at 4.76 of the Guidance, including:

- a. vulnerability of the victim
- b. significant deviation from instructions, whether an order, force policy or national guidance
- c. leadership responsibility, where there is an expectation of acting as a role model
- d. multiple proven allegations and/or breaches of the Standards of Professional Behaviour

Mitigating factors

PS Syed raises the following mitigating factor - acting pursuant to a legitimate policing purpose or in good faith (ie, a genuine belief that there was a legitimate purpose but getting things wrong)

Conclusion on Seriousness

Having taken all these matters into consideration I assess the seriousness of the conduct as High.

Personal Mitigation

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 so 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.

As I have found Gross Misconduct and as this matter came to the attention of the Appropriate Authority after 28th May 2025 there is a presumption of dismissal without notice unless I can find an exceptional circumstance for not doing so. I cannot.

Outcome

My decision is that PS Syed is dismissed without notice and placed on the College of Policing's Private Barred List until the conclusion of any criminal investigations.

Commander Andy Brittain

Metropolitan Police Service

23rd February 2026