

Accelerated Misconduct Hearing Finding and Outcome

Officer Name: PS Nicholas Bolton

Warrant No: P223151

Date of Hearing: 14th May 2026

Alleged Standards Breached: Discreditable Conduct, Orders & Instructions

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 Bolton attended the hearing and is represented by Counsel, Ms Rina Hill. Also present is PS Bolton's federation representative, PS Dan Pipes. I am satisfied PS Bolton has been properly served with the papers and Regulations 51 to 53 of the Police (Conduct) Regulations 2020 have been complied with.

The AA was represented by Counsel, Ms Osborne and Case Manager, Shane Hanna.

A Regulation 54 response was submitted on behalf of PS Bolton and I carefully considered the representations in advance of the hearing.

Preliminary Issues

Amendment of the charges

The Appropriate Authority applied to amend the wording of the allegation to better reflect the evidence in the case. The Appropriate Authority contend that the standards of professional behaviour breached are discreditable conduct and orders and instructions. The application was unopposed. Accordingly, I granted the application of the Appropriate Authority by agreement of both parties.

The Hearing

I have listened to the case presented on behalf of the Appropriate Authority by Ms Osborne and the representations made on behalf of PS Bolton by Ms Hill.

The Allegation

Following a full forensic examination of a Metropolitan Police Service (MPS)-issued mobile device allocated to you, it was identified on or before the 6th June 2024 you used your personal mobile telephone to display images of a sexual nature, which you then photographed and saved onto your MPS-issued work device.

The material stored on the MPS-issued device consisted of images depicting a woman in a sexualised manner, including material involving nudity and sexual acts.

This material had no legitimate policing purpose.

Your actions constitute a misuse of MPS information and communication technology systems and a clear breach of MPS ICT Policy, namely:

- Paragraph 2.6 – Misuse of MPS ICT Systems, and
- Paragraph 2.6.1, which states that users must not knowingly adapt, create, display, download, copy, store, transmit or view:

“Any material that could harm the MPS’s effectiveness or reputation, or its staff and officers.”

The creation and storage of sexualised material on an MPS-issued device is wholly inappropriate, undermines professional standards, and is incompatible with the responsibilities of a police officer.

Standards of Professional Behaviour

In the circumstances, the Appropriate Authority contends that PS Bolton’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, namely:

- Discreditable Conduct
- Orders and Instructions

In that your conduct was such that it could reasonably be perceived as bringing the police service into disrepute and undermining public confidence, in that you misused an MPS-issued device to store material of a sexual nature for personal purposes.

The Appropriate Authority considers that the conduct set out above, if proven, represents a serious departure from the standards expected of police officers. Individually or cumulatively, it is alleged to amount to gross misconduct and may justify dismissal without notice.

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 Bolton.

- An intelligence report completed by the digital exploitation team was disclosed to DPS on the 17th June 2024. The report suggest that PS Bolton had been recording sexually explicit images onto his MET-issued mobile phone.
- On manual review of the device no sexually explicit images could be located.
- On the 10th July 2024, PS Bolton was issued with a Regulation 17 notice. On the 26th July 2024, the mobile phone was seized for forensic examination.
- On the 13th August 2024, an examination of PS Bolton's work phone was requested. The report was returned on the 29th November 2024 and included a list of tagged files.
- On the 13th December 2024, the Investigating Officer received a comprehensive digital extraction report. Nine images were tagged as relevant to the investigation. Some depicted a female, A, in lingerie, while others featured nudity in poses that could be interpreted as sexually suggestive.
- A statement was obtained by the female, who explained that she had sent the images in a view-once format via Instagram. Therefore, the images were captured by PS Bolton and retained as contrary to what was intended by the woman.
- PS Bolton was interviewed on the 20th May 2025. He explained that the images were sent to him on his personal phone. He accepted that he used the camera on his work-issued mobile phone to capture the images for brief retention.
- PS Bolton accepted his conduct was unacceptable, inappropriate and

regrettable. He deleted the images within a few days and removed them from the device's deleted folder.

- PS Bolton accepts that there was no legitimate policing purpose for capturing the images.
- In March 2026, the matter was initially assessed as misconduct and reassessed in April 2026.
- On the 29th April 2026, PS Bolton was served with the papers in this case.

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
- **Orders and Instructions** - Police officers abide by police regulations, force policies and lawful orders.

The Officer's Position

- On behalf of the officer, I was addressed on the intention of the party sending it; whilst the function was for the images to be viewed once; it cannot be said on the evidence that this was the intention on the evidence available.
- Moreover, it cannot be said that the conduct caused the woman distress when considering the contents of her statement.
- PS Bolton submits his conduct amounts to misconduct rather than gross misconduct.
- PS Bolton accepts that the conduct was unacceptable and unprofessional. It was a lapse in judgement. The features of the admitted misconduct fall materially short of the gravity of the conduct.
- The seriousness of the conduct is a matter of degree – PS Bolton's actions are a one-off grave error in judgement. He attempted to rectify the mistake by

deleting the images and deleting them from the deleted folder. He was therefore unable to access the images again. It is a relevant consideration that the images were only accessible after recovery.

- The conduct took place off duty. Therefore, there is no evidence that he was prioritizing his personal life rather than his duties and responsibilities.
- Whilst his actions were deliberate, there is nothing from it that could properly be inferred as to him knowingly committing misconduct.
- Any resulting harm from the images being recovered is unintentional. He could not have reasonably foreseen the risk of harm in circumstances where he had deleted the images, which were captured by him privately. The images were not displayed to anyone nor forwarded to any other device.
- PS Bolton has been forthcoming in his wrongdoing and has not sought to minimise his actions. He is deeply embarrassed by his actions.
- PS Bolton has exercised his duties formidably over the years. Accountability is important but does not need to lead to removal from service.
- The fact that the allegation was initially assessed as misconduct is an important factor. It is a matter of judgement, considering the nature and circumstances of the case. A referral to Part 4 would be a proportionate response and give confidence to the public.

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

Decision on Finding

I have listened to the case presented by the Appropriate Authority and carefully considered the documentary provided to me, including the submissions on behalf of PS Bolton.

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).

Culpability is high – PS Bolton’s conduct was intentional and deliberate. PS Bolton knew that capturing such images onto his work phone would be a breach of MPS policy. The intention of the party sending the images was for PS Bolton to view the images once, not capture or retain them.

Harm – is high. PS Bolton’s actions caused direct harm to the woman in question as PS Bolton retained imagery, breaching her privacy. PS Bolton’s actions cause direct harm to the reputation of the police by misusing a MET-issued mobile phone to capture sexually explicit images.

Aggravating features – I have considered that there are additional aggravating factors, namely, there are multiple breaches and there is an expectation that PS Bolton would act as a role model by virtue of his leadership position as a sergeant. 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 have considered PS Bolton’s admissions to the conduct, the remorse and regret he expressed at his actions. However, in my view, there are some limitations to the remorse and regret expressed, as PS Bolton only made admissions following a full forensic download.

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.

Application for adjournment

On behalf of PS Bolton, an application to adjourn proceedings for 7 days is made for the

purposes of obtaining further mitigating material. It is conceded by Ms Hill that personal mitigation has limited weight. However, she submits that whilst mitigation material has been collated, in order to properly advance her submissions an adjournment is necessary. It would be unfair not to grant the adjournment. On behalf of the Appropriate Authority, Ms Osborne confirms that the officer was served with the papers on the 26th April 2026. He has therefore had 18 days to compile any relevant material ahead of the proceedings today. Ms Osborne invites me to proceed with the hearing today.

I have carefully considered the submissions by both parties and reminded myself of Regulation 61(3) and (4). I do not consider that it would be proper to adjourn these proceedings to a different date. However, I am willing to adjourn this matter until later this afternoon, to enable those representing PS Bolton to consider their submissions on mitigation and gather any additional information that they may wish to present to me.

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. As previously stated, I found these provisionally as above and adopt them herein but in summary

Culpability is high – PS Bolton’s conduct was intentional and deliberate. PS Bolton knew that capturing such images onto his work phone would be a breach of MPS policy. The intention of the party sending the images was for PS Bolton to view the images once, not capture or retain them.

Harm – is high. PS Bolton’s actions caused direct harm to the woman in question as PS Bolton retained imagery, breaching her privacy. PS Bolton’s actions cause direct harm to the reputation of the police by misusing a MET-issued mobile phone to capture sexually explicit images.

Aggravating features – I have considered that there are additional aggravating factors, namely, there are multiple breaches and there is an expectation that PS Bolton would act as a role model by virtue of his leadership position as a sergeant. 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 have considered PS Bolton’s admissions to the conduct, the remorse and regret he expressed at his actions. However, in my view, there are some limitations to the remorse and regret expressed, as PS Bolton only made admissions following a full forensic download. I also note that this is by all account a one-off incident although multiple images were captured and stored for a period of time.

Conclusion on Seriousness

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

Personal Mitigation

On behalf of PS Bolton I have received a character bundle, containing nine character references, which address his leadership skills and his empathetic approach as an officer and human being. I also note he received two commendations and a certificate for recognition of service. PS Bolton provided a written letter expressing great regret and is apologetic about his conduct.

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 Polis of the Metropolis) v Fletcher* [2025] EWHC 93 (Admin). I consider that a reduction in rank would not be appropriate where PS Bolton's conduct is not linked to his leadership position.

I have then considered whether a final written warning would be appropriate. I remind myself that each case turns on its own facts. Accordingly, I consider that I can draw a distinction between the case cited by Ms Hill and PS Bolton's conduct.

This case does not involve PS Bolton taking images of himself and sending them on. Here, PS Bolton was sent sexually explicit images by a female via an Instagram view-once feature. He was trusted with the images. Yet, despite the manner in which the images were sent, PS Bolton made a deliberate decision to take screenshots of the images with his MET-issued mobile phone. He retained the images before deleting them.

Overall, 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 justify 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 as well as the mitigation, 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
14th May 2026