Misconduct Hearing of PC Charanjit Ubhi held on 9 - 16 October, 2026

Panel: Ms Katie Lilburn (chair), Mr David Scott, Mr Pradeep Agrawal,

Legally Qualified Person ("LQP"): Ian Comfort

Hearing: Public hearing held on 9-16 October 2026

Appropriate Authority ("AA"): represented by Mr Russell Wilcox, Counsel

Officer: in attendance and represented by Mr Charles McCombe, Counsel

OUTCOME: The allegations of misconduct and gross misconduct are not proved.

INTRODUCTION

1. This is the Panel's written determination following a public misconduct hearing concerning PC Charanjit Ubhi ("the Officer"). The hearing was convened under the Police (Conduct) Regulations 2020 (the "Regulations") and proceeded on the basis of the allegations particularised in the Regulation 30 notice.
2. This determination sets out the legal advice provided to the Panel, the Panel's findings of fact, its assessment as to breaches of the Standards of Professional Behaviour, and the outcome determined under Regulation 43.

BACKGROUND

3. PC Ubhi joined the Metropolitan Police Service ("MPS") in January 2019 and completed his probationary period in January 2021.
4. At the material time he was a response officer attached to Response Team A based at Romford Police Station.
5. These proceedings arise from events which occurred on 3 August 2022 and concern PC Ubhi's involvement in the restraint of Person Y at Queen's Hospital, Romford.

6. Earlier on that day, police officers in Romford responded to reports concerning Person Y. Information received by officers indicated that Person Y was experiencing a mental health crisis and that concerns existed for the safety of both Person Y and others.

7. As the incident developed, officers received reports that Person Y had assaulted his mother and entered a neighbouring property. It was further alleged that Person Y assaulted the occupier of that address. A number of officers attended and the incident developed into a significant police response.

8. Officers encountered Person Y outside a residential address. During attempts to detain him, officers reported that he resisted their efforts to control him. Additional resources were requested and a number of officers became involved in the detention.

9. During the course of the incident, Person Y spat towards police officers and further force was used in order to secure and restrain him. Handcuffs, leg restraints and a spit hood were subsequently applied.

10. Person Y was arrested and later detained pursuant to section 136 of the Mental Health Act 1983. Arrangements were thereafter made for him to be conveyed to Queen's Hospital, Romford, for mental health assessment.

11. A number of police officers remained responsible for Person Y whilst he awaited assessment at the hospital. It was during that period that the events giving rise to these proceedings occurred.

12. At approximately 18:50 hours an urgent assistance request was transmitted from the hospital. PC Ubhi and PC Gondalia, who were crewed together, responded to that request and attended Queen's Hospital.

13. Upon arrival, PC Ubhi and PC Gondalia entered a treatment room where a number of officers were already engaged in restraining Person Y. PC Ubhi became involved in that restraint shortly after entering the room.

14. The events which followed, and in particular the force used by PC Ubhi during his involvement in the restraint, form the subject matter of these proceedings.

15. The Appropriate Authority alleges that Person Y was vulnerable, that PC Ubhi failed adequately, or at all, to assess the risks presented by Person Y and that

he used force, which was not necessary, reasonable or proportionate in all the circumstances.

16. The allegations include two knee strikes, a strike to Person Y's torso, the application of force to Person Y's neck and continuing involvement in the restraint whilst another officer used a baton.

17. PC Ubhi accepts that he attended the hospital in response to the urgent assistance request, became involved in the restraint and used force. However, he denies that he failed adequately to assess risk and maintains that the force used by him was necessary, reasonable and proportionate in the circumstances as he honestly perceived them to be.

APPLICATIONS

18. Before considering the applications made during the hearing, the LQP advised the Panel that under Regulation 41 of the Police (Conduct) Regulations 2020 the Chair has responsibility for the conduct and management of the proceedings. Those powers include giving directions, determining procedural and evidential issues, regulating the course of the hearing and taking such steps as are necessary to ensure that proceedings are conducted fairly and efficiently. In exercising those powers, the Chair must act throughout in accordance with the overriding objective of dealing with the case justly.

Application to amend

19. At the commencement of the hearing Mr Wilcox, on behalf of the Appropriate Authority, applied to amend allegations (vi) and (vii).

20. As originally drafted, allegation (vi) alleged that PC Ubhi pressed his forearm onto the "head and/or neck area" of Person Y for approximately ten seconds whilst saying, "Playing silly games, yeah"; and allegation (vii) alleged that PC Ubhi continued to press his forearm onto the head / neck area of Person Y while PC Walmer struck Person Y with a baton.

21. Mr Wilcox sought to amend the allegations by removing the reference to the head so that the allegations referred solely to the neck.

22. Mr Wilcox submitted that the amendment reflected more accurately the manner in which the Appropriate Authority intended to advance its case. Mr McCombe, on behalf of the Officer, confirmed that the application was not opposed.

23. Having consulted the other members of the Panel, considered the submissions of the parties and the legal advice received, the Chair was satisfied that the proposed amendment did not materially alter the nature of the allegation, introduced no new factual issue and caused no unfairness or prejudice to the Officer.

24. The application was therefore granted. Allegations (vi) and (vii) were amended so that each allegation referred solely to the neck and no longer referred to the head and/or neck area.

Application to adjourn

25. During the course of the hearing, the Appropriate Authority applied for an adjournment of the part-heard proceedings in order to obtain supplementary expert evidence.

26. In support of the application, Mr Wilcox accepted that the proposed evidence was being sought to address an oversight in the preparation of the Appropriate Authority's case. He submitted, however, that the evidence was relevant to issues which the Panel would ultimately be required to determine and that fairness favoured the admission of all relevant expert evidence before the proceedings were concluded.

27. Mr McCombe opposed the application, submitting that the proceedings were already some four years old, that the hearing was part-heard and that the Appropriate Authority had had ample opportunity to prepare its case and obtain any expert evidence upon which it wished to rely.

28. Having heard the parties' submissions and consulted with the other members of the Panel, the Chair considered the age of the proceedings, the fact that the hearing was part-heard, the reasons for the application, the significance of the proposed evidence, the potential prejudice to the Officer and the public interest in the timely determination of misconduct proceedings.

29. The Chair was not persuaded that fairness required an adjournment. Particular weight was attached to the fact that the application arose from an oversight in the preparation of the Appropriate Authority's case, the age of the proceedings, the stage reached in the hearing and the delay and prejudice which would result from permitting further evidence to be obtained at that stage.

30. The Chair was satisfied that the issues before the Panel could properly be determined on the evidence already available.

31. The application was therefore refused and the hearing proceeded. As a consequence, the statement of PC Matthew Iles was disregarded by the Panel.

ALLEGATIONS

32. The allegations of fact and misconduct made against the Officer are set out in the Regulation 30 Notice, as amended :

"On 3rd August 2022, PC Charanjit Ubhi attended Queen's Hospital, Romford in order to assist police officers who had detained a male, Person Y, under Mental Health Act 1983, s.136.

(i) Person Y was vulnerable in the circumstances

(ii) PC Ubhi failed to assess the risk presented by Person Y, adequately or at all.

(iii) PC Ubhi delivered a knee strike to the upper right side of Person Y's torso.

(iv) PC Ubhi delivered a second knee strike to the upper back of Person Y, while contemporaneously shouting "Get your fucking hands behind your back, alright".

(v) PC Ubhi pressed his forearm on the neck of Person Y and punched the midriff of Person Y.

(vi) PC Ubhi pressed his forearm onto the neck area of Person Y for approximately ten seconds while also saying "playing silly games, yeah".

(vii) PC Ubhi continued to press his forearm onto the neck area of Person Y while PC Walmer struck Person Y with a baton .

By the reason of the matters set out above, individually or collectively, PC Ubhi contravened the Standards of Professional Behaviour as to Use of Force in that the force used by PC Ubhi against Person Y was not necessary, proportionate and reasonable in all the circumstances.

PC Ubhi's behaviour amounts to gross misconduct."

EVIDENCE

33. In preparation for the hearing, the Panel was provided with an electronic hearing bundle comprising 324 pages. The bundle included witness statements, use of force records, expert evidence, other documentary material relied upon by the parties and the Officer's Regulation 31 response.

34. The Panel was provided with extensive body worn video footage recorded by officers present during the incident.

35. Additionally, the Panel received the following documents: (i) agreed speech of audio captured on BWV between 18:56:06 and 18:58:29 (ii) agreed facts (iii) statement from IO DC Ben Kirkham concerning background matters.

36. The Panel received oral evidence from A/PS Christopher Constantinou, PC Kunal Gondalia, PC Luke Murrell, Mr Kenneth Nigel Carvalho and the Officer.

37. The Panel has considered all of the evidence placed before it, whether specifically referred to in this determination or not. References to particular items of evidence should not be taken to indicate that other evidence has been disregarded.

38. In addition to the evidence, the Panel received six character statements and a certificate of commendation.

LEGAL ADVICE AND THE PANEL'S APPROACH

39. In reaching its findings and conclusions, the Panel has considered all of the evidence, the submissions advanced by Mr Wilcox on behalf of the Appropriate Authority and Mr McCombe on behalf of the Officer, together with the legal advice received throughout the proceedings.

40. The Panel accepted and applied the legal advice which it received. The Panel particularly reminded itself that the burden of proving the allegations rests

throughout upon the Appropriate Authority and that the Officer is not required to prove his innocence, justify his actions or establish any fact relied upon in his account. The applicable standard of proof is the balance of probabilities.

41. The Panel further reminded itself that its task is to address three questions in sequence. First, whether the factual allegations are proved. Secondly, whether any facts proved amount to a breach of the Standard of Professional Behaviour relating to Use of Force. Thirdly, if a breach is established, whether that breach amounts to misconduct, gross misconduct or neither.

42. In determining the facts, the Panel considered all of the evidence presented during the hearing, including the oral evidence of witnesses, contemporaneous records, witness statements, body worn video footage, documentary exhibits, expert evidence and the submissions advanced by the parties.

43. The Panel considered the evidence both individually and collectively. It assessed the reliability of witnesses by reference to the evidence as a whole, the contemporaneous records and the extent to which individual accounts were consistent with other evidence accepted by the Panel. The Panel bore in mind that the events under consideration occurred approximately four years ago and that differences in recollection do not necessarily indicate dishonesty or unreliability.

44. Particular consideration was given to the body worn video footage. The Panel recognised both the value and limitations of such evidence. Whilst the footage captured significant parts of the incident, it did not necessarily record everything known, perceived or experienced by officers at the time. The footage was therefore considered alongside the oral and documentary evidence and not in isolation.

45. The allegations concern the use of force by a police officer in the execution of his duties. The Panel reminded itself that the legality and propriety of force must be assessed by reference to the circumstances as they existed at the time and as they reasonably appeared to the Officer, and not with the benefit of hindsight.

46. The Panel had regard to the applicable legal principles governing police use of force, including the common law, section 3 of the Criminal Law Act 1967 and

the principles identified by the Supreme Court in *R (W80) v Director General of the Independent Office for Police Conduct* [2023] UKSC 24. The Panel recognised that the issue was not simply whether force was used, but whether any beliefs held by the Officer were honestly and reasonably held and, if so, whether the force used was necessary, proportionate and reasonable in the circumstances as he believed them to be.

47. The Panel also had regard to the allegation that the Officer failed adequately, or at all, to assess the risks presented by Person Y before using force. In considering that issue, the Panel did not approach risk assessment as requiring a formal or exhaustive exercise. Rather, the Panel considered whether the Officer identified and assessed the risks presented by the circumstances confronting him and whether those assessments informed the decisions he subsequently made.

48. The Panel further had regard to the National Decision Model, which featured prominently in the evidence. The Panel recognised that the National Decision Model is a framework for operational decision-making rather than a mandatory checklist. Compliance with the Model does not of itself establish that a decision was reasonable, nor does a failure expressly to articulate each stage of the Model establish that a decision was unreasonable. Nevertheless, the Panel found the Model a useful framework when assessing PC Ubhi's evidence and the accounts given by other officers.

FINDINGS OF FACT

Allegation (i): - Person Y was vulnerable in the circumstances.

49. The Panel first considered whether Person Y was vulnerable in the circumstances.

50. PC Ubhi accepted that Person Y was vulnerable. The evidence establishes that Person Y had been detained pursuant to section 136 of the Mental Health Act 1983 and conveyed to Queen's Hospital for mental health assessment.

51. The Panel is satisfied that Person Y was experiencing a mental health crisis and was vulnerable at the material time. The fact that he may also have presented risks to officers does not detract from that vulnerability. Vulnerability and risk are not mutually exclusive concepts.

52. Accordingly, the Panel finds **allegation (i) is proved**.

Allegation (ii) - PC Ubhi failed adequately, or at all, to assess the risks presented by Person Y.

53. The Panel next considered whether PC Ubhi failed adequately, or at all, to assess the risks presented by Person Y.

54. The Panel accepts that Person Y was vulnerable by reason of his detention under section 136 of the Mental Health Act 1983. However, vulnerability did not remove or diminish the risks which Person Y was perceived to present. The Panel has therefore considered vulnerability and risk as distinct, albeit related, concepts.

55. The evidence of A/PS Constantinou, PC Gondalia and PC Murrell consistently demonstrated that officers understood Person Y to present a high level of risk. Before attending the hospital, officers were aware of reports that Person Y had assaulted his mother and a neighbour, spat at police officers, attempted to headbutt an officer whilst in transit and required the involvement of multiple officers to control him.

56. A/PS Constantinou described the incident as presenting a very high level of risk and requested additional resources at an early stage. He later responded to the urgent assistance request from Queen's Hospital, having heard officers sounding distressed over the radio and reports that Person Y was actively resisting. He described Person Y as violent, volatile and difficult to restrain. Of particular relevance, he explained that he consciously applied the National Decision Model when assessing the situation, taking account of the reports of violence, the spitting incidents, the attempted headbutt and the repeated requests for assistance.

57. PC Gondalia gave similar evidence. Prior to attending the hospital, he was aware of the reports of assault, the incidents of spitting, the section 136 detention and the urgent assistance request. On arrival, he observed four officers already engaged in restraining Person Y despite Person Y being handcuffed and wearing a spit hood. He stated that those matters heightened his assessment of risk. PC Gondalia further explained that he consciously applied the National Decision Model throughout the incident, continually

gathering information, assessing threat and risk, considering options and reviewing the situation as it evolved.

58. PC Murrell's evidence was consistent with those assessments. He described undertaking a dynamic risk assessment at the outset of the incident, requesting additional resources because of concerns regarding public and officer safety and considering tactical options, including the deployment of a Taser. He regarded the number of officers required to restrain Person Y as unusual and reflective of the difficulties officers were encountering.

59. The Panel also considered the evidence of PC Ubhi. He explained that, before attending the hospital, he was aware from radio transmissions that a male detained under section 136 had spat at officers, was being actively restrained and had required the deployment of multiple police units. He heard the urgent assistance request and believed it related to the same individual. He described such requests as rare and indicative of a situation officers could not safely manage without further assistance. He also recalled hearing distressed voices and shouting in the background of the radio transmissions whilst on route to the hospital.

60. PC Ubhi’s evidence was that, on entering the room, he observed four officers engaged in restraining Person Y. He stated that this was unusual in a hospital setting and reinforced his assessment that he was dealing with a volatile and potentially dangerous situation. His evidence was that Person Y was thrusting backwards, attempting to move his head and body and continuing actively to resist restraint.

61. The Appropriate Authority submitted that PC Ubhi did not have sufficient time to conduct any meaningful risk assessment before using force and that his account of the decision-making process contained within his January 2023 statement represented a reconstruction produced months after the event. Particular reliance was placed upon inconsistencies concerning when PC Ubhi became aware that PAVA (synthetic pepper spray) had been deployed and upon inaccuracies within the January 2023 statement and Use of Force Form.

62. The Panel accepts that there are inconsistencies in PC Ubhi’s evidence concerning the timing of his awareness of the deployment of PAVA. The Panel

also accepts that elements of his January 2023 account involved a degree of reflection upon events after the incident. However, the Panel does not consider those matters sufficient to undermine the central proposition that PC Ubhi was undertaking an assessment of threat and risk.

63. The Panel notes that the National Decision Model was a recurring feature of the evidence. The Model requires officers to gather information and intelligence, assess threat and risk, consider powers and policy, identify options, take action and keep decisions under review. The Panel accepts that it is a framework for decision-making rather than a mandatory checklist and that it does not require an officer to articulate every stage of the process before taking action in a rapidly developing situation.

64. The Panel further considered the evidence of Mr Carvalho. Whilst the ultimate issue is a matter for the Panel, the Panel accepts his evidence that the information available to PC Ubhi, including the urgent assistance request, the reported violence, the incidents of spitting and the ongoing difficulties in controlling Person Y, was capable of supporting a high-risk assessment. The Panel also accepts his evidence that risk assessment in such circumstances is a dynamic and continuous process.

65. Having considered all of the evidence, the Panel is not satisfied that PC Ubhi failed to assess risk. The evidence demonstrates that, before arriving at the hospital, he possessed information indicating that Person Y presented a significant and continuing challenge to officers. Upon arrival he encountered a situation which reinforced that assessment.

66. The Panel accepts that any assessment undertaken by PC Ubhi was necessarily brief and formed in rapidly evolving circumstances. However, adequacy does not require a formal or prolonged assessment. The question is whether PC Ubhi took account of the material information available to him, assessed the threats and risks presented and used that information to inform his actions. The Panel is satisfied, on the balance of probabilities, that he did.

67. Accordingly, the Panel finds that allegation (ii), namely that PC Ubhi failed adequately, or at all, to assess the risks presented by Person Y, is **not proved**.

The Panel finds that PC Ubhi undertook an ongoing and dynamic assessment of risk before and during his involvement in the restraint.

Allegation (iii) - PC Ubhi delivered a knee strike to the upper right side of Person Y's torso.

68. The Panel next considered allegation (iii).

69. The fact that PC Ubhi delivered a knee strike is not in dispute. The Officer accepted that he delivered the strike and the body worn video footage confirms that it occurred.

70. Having considered PC Ubhi's evidence, the witness evidence and the body worn video footage, the Panel is satisfied that PC Ubhi delivered a knee strike to the torso area of Person Y during the restraint.

71. Accordingly, the Panel finds **allegation iii proved as a matter of fact**.

72. Whether the force used was necessary, proportionate and reasonable, and whether it amounted to a breach of the Standards of Professional Behaviour, is considered later in this determination.

Allegation (iv) - PC Ubhi delivered a second knee strike to the upper back of Person Y whilst shouting, 'Get your fucking hands behind your back, alright'.

73. The Panel next considered allegation (iv).

74. PC Ubhi accepts that he delivered a second knee strike and accepts using the words alleged. The body worn video footage is consistent with that account.

75. Having considered PC Ubhi's evidence and the body worn video footage, the Panel is satisfied that PC Ubhi delivered a second knee strike during the restraint and contemporaneously said, "Get your fucking hands behind your back, alright".

76. Accordingly, the Panel finds **allegation (iv) proved as a matter of fact**.

77. Whether the force used was necessary, proportionate and reasonable, and whether it amounted to a breach of the Standards of Professional Behaviour, is considered later in this determination.

Allegation (v) - PC Ubhi pressed his forearm on the neck of Person Y and punched the midriff of Person Y.

78. The Panel considered the two elements of this allegation separately.

79. The Officer accepts that he delivered a strike to the torso area of Person Y. The body worn video footage is consistent with that account. The Panel is therefore satisfied that PC Ubhi struck Person Y in the torso area during the restraint.

80. The Officer denies that he pressed his forearm onto the neck of Person Y. His evidence was that he maintained control of the side of Person Y's head and jaw area in order to control movement and reduce the risk of spitting, biting or headbutting.

81. The Panel carefully reviewed the body worn video footage and considered the evidence of PC Ubhi and Mr Carvalho. Whilst the Panel is satisfied that physical contact occurred between PC Ubhi's forearm and the head area of Person Y, although the precise point of contact cannot be determined with confidence from the footage, the Panel is not satisfied on the balance of probabilities that PC Ubhi applied pressure to Person Y's neck as alleged.

82. The Panel accepts that the footage is more consistent with PC Ubhi maintaining control of the head area than applying pressure to the neck.

83. Accordingly, the Panel finds **allegation (v) proved in part**. The Panel finds that PC Ubhi delivered a strike to the torso area of Person Y. The allegation that PC Ubhi pressed his forearm onto Person Y's neck is **not proved**.

84. Whether the force used was necessary, proportionate and reasonable, and whether it amounted to a breach of the Standards of Professional Behaviour, is considered later in this determination.

Allegation (vi) - PC Ubhi pressed his forearm onto the neck of Person Y for approximately ten seconds whilst saying, 'Playing silly games, yeah'.

85. The Panel next considered allegation (vi).

86. The Officer accepts that he said the words, "Playing silly games, yeah". He also accepts that he maintained physical contact with the head area of Person Y for a period of time during the restraint.

87. The issue for the Panel is whether PC Ubhi pressed his forearm onto the neck of Person Y as alleged.

88. The Officer denied applying pressure to Person Y's neck. His evidence was that he maintained contact with the side of Person Y's head and jaw area in order to control head movement and reduce the risk of spitting, biting or headbutting.

89. The Panel carefully considered the body worn video footage together with the evidence of PC Ubhi and Mr Carvalho. The footage does not provide a clear and unobstructed view of the precise position of PC Ubhi's forearm throughout the relevant period.

90. The Panel is satisfied that PC Ubhi maintained physical contact with the head area, as opposed to the neck, of Person Y during the restraint and that he made the comment alleged. However, for the reasons already set out in relation to allegation (v), the Panel is not satisfied on the balance of probabilities that PC Ubhi applied pressure to Person Y's neck.

91. Accordingly, the Panel finds **allegation (vi) not proved**

Allegation (vii) - PC Ubhi continued to press his forearm onto the neck area of Person Y whilst PC Walmer struck Person Y with a baton.

92. The Panel next considered allegation (vii).

93. The Panel accepts that PC Ubhi remained involved in the restraint whilst PC Walmer delivered baton strikes to Person Y.

94. The Panel also accepts that PC Ubhi maintained physical contact with the head area of Person Y during part of this period.

95. The Officer denied that he applied pressure to Person Y's neck. His evidence was that he maintained control of the side of Person Y's head in order to reduce the risk of spitting, biting or headbutting.

96. The body worn video footage demonstrates that baton strikes were delivered by PC Walmer whilst a number of officers, including PC Ubhi, remained involved in the restraint. The footage also records both PC Gondalia and PC Ubhi addressing PC Walmer during the incident and telling him to stop.

97. The Panel has carefully considered the footage together with the evidence of PC Ubhi, PC Gondalia and Mr Carvalho. For the reasons already set out in relation to allegations (v) and (vi), the Panel is not satisfied on the balance of

probabilities that PC Ubhi was applying pressure to Person Y's neck during this period.

98. The Panel is satisfied that PC Ubhi maintained contact with the head area of Person Y whilst baton strikes were taking place. However, following amendment of the allegation, the issue for the Panel is whether he pressed his forearm onto the neck of Person Y. The Panel is not satisfied that this has been established.

99. Having considered the evidence as a whole, the Panel is not satisfied that the Appropriate Authority has proved that allegation.

100. Accordingly, the Panel finds **allegation (vii) not proved**.

Summary

101. The Panel therefore finds:

a) Allegation (i) proved.

b) Allegation (ii) not proved.

c) Allegation (iii) proved.

d) Allegation (iv) proved.

e) Allegation (v) proved in part.

f) Allegation (vi) not proved.

g) Allegation (vii) not proved.

BREACH OF STANDARD

102. The Appropriate Authority alleges that the conduct found proved amounts to a breach of the Standards of Professional Behaviour relating to Use of Force.

103. The Panel reminds itself that the Standard requires police officers only to use force to the extent that it is necessary, proportionate and reasonable in all the circumstances.

104. The Panel further reminds itself that the fact that force was used does not of itself establish a breach of the Standard. It is common ground that force was used by PC Ubhi. The task for the Panel is to determine whether the force used

was necessary, proportionate and reasonable in the circumstances as PC Ubhi honestly and reasonably believed them to be.

105. The Panel has found that Person Y was vulnerable in the circumstances. The Panel has also found that PC Ubhi delivered two knee strikes and a strike to the torso area of Person Y. The allegations that PC Ubhi applied pressure to Person Y's neck, either generally or during the baton strikes delivered by another officer, have not been proved. The Panel has also found that the allegation that PC Ubhi failed adequately, or at all, to assess risk has not been proved.

106. The Panel therefore approaches the issue of breach on the basis of the factual findings already made and by applying the approach identified by the Supreme Court in *W80*.

107. The Panel first considered what PC Ubhi honestly believed about the circumstances confronting him at the time force was used.

108. PC Ubhi was responding to an urgent assistance request from Queen's Hospital. Prior to his arrival, he was aware from radio transmissions that Person Y had been detained pursuant to section 136 of the Mental Health Act 1983, that he had allegedly assaulted others, that he had spat at police officers and that multiple officers had already been required to manage him. The urgency of the assistance request was apparent from the evidence of those who heard it. PC Gondalia described the officers requesting assistance as sounding distressed. A/PS Constantinou gave similar evidence and considered the absence of further updates from the scene to be a matter of concern.

109. The Panel accepts that PC Ubhi arrived at the hospital carrying this information and with genuine concerns regarding the safety of colleagues who had requested urgent assistance. The Panel accepts his evidence that urgent assistance calls are rare and generally signify a situation that officers are unable to manage safely without immediate support.

110. The Panel also accepts that, on entering the room, PC Ubhi observed what he perceived to be a serious and deteriorating situation. He saw four officers actively engaged in restraining Person Y. He observed officers using

substantial physical effort to maintain control and regarded the presence of that number of officers as highly unusual within a hospital setting.

111. The Panel further accepts PC Ubhi's evidence that, when he took over from colleagues already involved in the restraint, he immediately felt muscular tension and physical resistance from Person Y. The Panel accepts that PC Ubhi believed Person Y was continuing actively to resist restraint, that he remained capable of assaultive behaviour and that control had not yet been fully achieved. The Panel noted that at the point that PC Ubhi applied physical contact to Person Y, two other officers (PC Cain and PC Shamsher) were rotated and stepped away. Thereby leaving PC Ubhi to control a wider span of Person Y (effectively the head and upper torso area) than had previously been the case.

112. The Panel has considered the criticisms advanced by the Appropriate Authority concerning PC Ubhi's January 2023 statement and the contention that aspects of his account represented reconstruction after the event. The Panel accepts that certain aspects of that statement, particularly concerning the timing of his awareness of the deployment of PAVA, contain inconsistencies and involve retrospective explanation of events. The Panel also accepts that some aspects of the January 2023 account were explanatory in nature rather than purely recollective. However, the Panel does not regard those matters as undermining the central aspects of his account concerning the circumstances confronting him on entering the room or the risks he perceived at the time.

113. The Panel notes that PC Ubhi accepted matters which did not necessarily assist his case, including inaccuracies concerning the timing of his awareness of the deployment of PAVA. The Panel also notes that he referred to the National Decision Model in his contemporaneous statement, which is consistent with his evidence that considerations of risk, threat and available options formed part of his thinking at the time.

114. Taking these matters together, and having regard to the evidence as a whole, the Panel is satisfied that PC Ubhi honestly believed that Person Y continued actively to resist restraint, presented a significant risk to officers, himself and others and required ongoing physical control.

115. The Panel next considered whether those beliefs were reasonably held.

116. In doing so, the Panel had regard to all of the information available to PC Ubhi and all of the circumstances confronting him. The Panel has already found that he undertook an adequate and dynamic assessment of risk. That finding is relevant to the reasonableness of his beliefs.

117. The Panel accepts that the incident was fast moving, multi-factorial and developing over a short timescale. PC Ubhi was required to make decisions in circumstances which were incomplete, uncertain and potentially dangerous. He was responding to an urgent request for assistance, was entering a situation he had not previously witnessed and was required to form views rapidly based on the information available.

118. The Panel finds considerable support for PC Ubhi's account in the evidence of A/PS Constantinou, PC Gondalia and PC Murrell. Their evidence consistently described Person Y as presenting a high level of risk, actively resisting restraint and requiring the involvement of multiple officers. The evidence of Mr Carvalho was similarly that the information available to PC Ubhi was capable of supporting a high-risk assessment.

119. The Panel also notes the evidence concerning Person Y's presentation both before and after the period in which force was used. Officers described continuing resistance, spitting, biting, clawing and attempts to move against restraint. The Panel further notes that Person Y ultimately required sedation. Whilst these matters do not justify force by themselves, they provide context for the reasonableness of PC Ubhi's beliefs at the material time.

120. The Panel has also considered the body worn video footage. Whilst the footage has limitations, it is consistent with a challenging and dynamic restraint involving multiple officers. The footage does not undermine the reasonableness of PC Ubhi's assessment of risk and, in several respects, supports it.

121. The Panel is therefore satisfied that PC Ubhi's belief that Person Y continued to present a significant and ongoing risk was reasonably held.

122. The Panel therefore turns to the final question, namely whether the force used was necessary, proportionate and reasonable in light of those honestly and reasonably held beliefs.

123. The Panel first considered necessity. PC Ubhi's evidence was that the knee strikes and torso strike were delivered as distraction techniques intended to interrupt resistance and assist officers in obtaining control and occurred in a matter of seconds after he became involved in the restraint. The Panel accepts that evidence. The force occurred immediately after PC Ubhi became involved in the restraint and at a time when he believed Person Y continued actively to resist and remained capable of assaultive behaviour. The Panel is satisfied that PC Ubhi honestly believed such force was necessary and that the belief was reasonably held.

124. The Panel has also considered the significance of Person Y's vulnerability. The Panel accepts entirely that vulnerability was an important feature of the circumstances confronting officers and should have been taken into account. However, the Panel does not accept that vulnerability precluded the use of force. Nor does the Panel accept that vulnerability and risk were mutually exclusive. The question is whether the force used remained necessary notwithstanding that vulnerability. The Panel is satisfied that it did.

125. Turning to proportionality, the Panel has considered both the amount of force used and the manner in which it was deployed.

126. The Panel notes that the force proved consisted of two knee strikes and a strike to the torso area. The allegations that PC Ubhi applied force to the neck have not been proved and play no part in the Panel's assessment of proportionality.

127. The evidence of Mr Carvalho, which the Panel accepts, was that the strikes observed on the footage were consistent with recognised distraction techniques within police officer safety training and did not display the characteristics ordinarily associated with full-force strikes. Although the Panel recognises that compliance with training and recognised tactics does not of itself establish that force was reasonable, it is relevant context.

128. The Panel notes that the force used was limited in duration. The strikes did not result in any significant injury to Person Y. The footage discloses no obvious reaction from Person Y indicative of the application of substantial force. The areas targeted were areas of substantial muscle mass rather than vulnerable regions of the body.

129. The Panel has also considered the tactical alternatives available to PC Ubhi. The evidence accepted by the Panel was that the hospital environment was confined, that multiple officers and medical staff were present and that options such as PAVA or baton use were capable of carrying disadvantages within the hospital environment and were not realistic tactical options. The Panel accepts that PC Ubhi was required to make decisions in a matter of seconds and in a highly dynamic environment.

130. The Panel further notes that PC Ubhi did not escalate force as the incident progressed. The body worn video footage demonstrates repeated verbal communication with Person Y both before and after the force was used. It also demonstrates that PC Ubhi later questioned Person Y, reassured him and attempted to engage with him verbally. The Panel regards those matters as consistent with a continuing process of risk assessment and review rather than aggression, frustration or punishment.

131. The Appropriate Authority submitted that the force was borne out of anger or frustration. The Panel does not accept that submission. Having considered PC Ubhi's words, tone, actions and conduct throughout the incident, the Panel is not satisfied that the force was motivated by anger, frustration or retaliation. The Panel instead finds that PC Ubhi was attempting to obtain and maintain control of Person Y in circumstances which he perceived to be high risk.

132. The Panel has also considered the cumulative effect of the force used. Standing back and considering the incident as a whole, the Panel is not satisfied that the overall level of force exceeded that which was reasonably available to PC Ubhi. The force used was brief, occurred during an active restraint and formed part of a broader attempt to obtain and maintain control.

133. Drawing all of these matters together, the Panel is not satisfied that the Appropriate Authority has discharged the burden of proving that the force used by PC Ubhi was unnecessary, disproportionate or unreasonable.

134. The Panel therefore finds that the Appropriate Authority has failed to prove a breach of the Standards of Professional Behaviour relating to Use of Force.

135. **MISCONDUCT**

136. The Panel has found that the Appropriate Authority has failed to prove a breach of the Standards of Professional Behaviour relating to Use of Force.

137. It follows that the issues of misconduct and gross misconduct do not arise for determination.

138. Accordingly, the allegations of misconduct and gross misconduct are not proved and are dismissed.

Katie Lilburn
Chair
16 October 2026