PC DOMINIK JOHN

(P255461)

ACCELERATED MISCONDUCT HEARING

REGULATION 63(1) REPORT

Introduction

1. This matter comes before me as an accelerated misconduct hearing under Part 5 of the Police (Conduct) Regulations 2020 ("the Conduct Regulations"), as amended.

2. The hearing was conducted by me, Assistant Commissioner Rachel Williams, on 5 October 2026 at Palestra House, 197 Blackfriars Road, London, SE1 8NJ.

Public / Private Hearing

3. The hearing was conducted in public.

4. I directed that particular medical information concerning PC John should not be unnecessarily recited in public and should be redacted from material published following the hearing. I was satisfied that the medical evidence could properly be considered without publication of details going beyond those necessary to explain my decision.

Representation

5. The Appropriate Authority ("AA") was represented by counsel, Miss Rushnay Sikander.

6. PC Dominik John was represented by counsel, Miss Amanda Bostock. He was also accompanied by PC Hayden, Federation Representative and DS Freeman, Welfare Officer.

7. I was advised by counsel, Mr James Lloyd, Legally Qualified Adviser ("LQA"), who provided his advice on the record. I delegated responsibility for preparing

this report to Mr Lloyd pursuant to regulation 63(1B). Mr Lloyd submitted a draft report to me pursuant to regulation 63(1C)(a). Having considered that draft, I have satisfied myself, as required by regulation 63(1C)(b)(ii), that I am content with the report.

Preliminary Issues

Amendment (1)

8. The Regulation 51 notice describes the alleged conduct as having occurred on 16 October 2026. The hearing took place on 5 October 2026.

9. The evidence, the investigation report, the witness statements and PC John's own account all concern events which occurred on 16 October 2025. The AA's opening note likewise proceeds factually upon the basis that the relevant incident occurred on 16 October 2025.

10. At the outset of the hearing, Miss Sikander on behalf of the AA applied to amend the Regulation 51 notice so that the date "16 October 2026" should read "16 October 2025".

11. The application was not opposed.

12. Regulation 51(2)(a) requires the notice to describe the conduct which is the subject matter of the case and how that conduct is alleged to amount to gross misconduct. Regulation 54 thereafter requires the officer to identify the allegations disputed and provide his account. The officer must know the case he is required to meet and have a proper opportunity to answer it.

13. The Regulations do not detail provisions for the amendment of a Regulation 51 notice. Regulation 61(1), however, affords the person conducting the accelerated hearing a degree of procedural discretion, subject to the Regulations and the requirements of fairness.

14. I am satisfied that the reference to 2026 is an obvious typographical error. PC John's Regulation 54 response addresses the incident of 16 October 2025 in detail and there is no suggestion that he has prepared his case on any other

factual basis. The amendment alters neither the nature nor substance of the allegation.

15. I am satisfied that the amendment causes no prejudice to PC John. I therefore amend the Regulation 51 notice by substituting 16 October 2025 for 16 October 2026.

Amendment (2)

16. A further application was made by the AA to amend the Regulation 51 notice so that the alleged breach of the Standard of Honesty and Integrity was no longer confined to integrity only, but alleged a breach of both honesty and integrity.

17. The application was opposed. Miss Bostock on behalf of PC John submitted that amendment at the door of court was unsavoury, and that the regulations stipulate for good reason a clear timetable for the disclosure of the AA's case. There was necessarily prejudice and at least the appearance of unfairness in suggesting such a late amendment which was plainly of a different sort to the correction of a typographical error.

18. I received legal advice from the LQA that the governing consideration was fairness: in particular, whether the proposed amendment could be permitted without injustice to PC John, having regard to the case of which he had been given notice and the opportunity he had had to answer it.

19. While I agree with Miss Bostock's submission that the timing of the application left something to be desired, I am satisfied that the amendment does not materially alter the factual case which PC John was required to meet. The underlying conduct remained precisely the same: the deliberate creation of a false JRFT entry, the representation that he had undertaken and passed the test, and the production of the altered Form 250C in support of that representation. No new factual allegation was introduced. Further, PC John had himself expressly accepted in his Regulation 54 response that his conduct was dishonest.

20. I am satisfied that PC John had had a fair opportunity to address the substance of the allegation, understanding precisely what that allegation was; that the amendment therefore caused no material prejudice or injustice. I therefore amend the Regulation 51 notice to allege breach of both the honesty and integrity limbs of the Standard of Honesty and Integrity, omitting the words "Integrity only."

The Allegation

21. The Regulation 51 notice, as amended, alleges that:

> On 16 October 2025, whilst attending an Officer Safety Training session at Jack Brown House, PC John falsely represented that he had completed a Job-Related Fitness Test at Empress State Building on 9 October 2025 and, in support of that representation, produced a Form 250C containing a handwritten JRFT pass entry dated 9 October 2025 which had been falsified.

22. The particulars allege that:

a) during the OST session an instructor identified officers who were required to complete a JRFT;

b) when PC John's name was called he stated that his JRFT was in date and that he had completed it at ESB on 9 October 2025;

c) he produced a Form 250C bearing a handwritten entry recording a JRFT pass on that date;

d) enquiries established that no such test had been completed at ESB on 9 October 2025;

e) PC John was recorded as sick on 9 October 2025; and

f) PC John subsequently admitted that he had completed the training record himself despite knowing that he had not undertaken the test.

23. The AA contends that the conduct breached the Standards of Professional Behaviour relating to:

    a) Discreditable Conduct;

    b) Duties and Responsibilities; and

    c) Honesty and Integrity.

24. The AA further contends that the conduct amounts to gross misconduct.

Regulation 54 Response

25. PC John served a written response pursuant to regulation 54 dated 22 September 2026.

26. He accepts that his conduct breached the Standards of Professional Behaviour but denies that the breach reached the level of gross misconduct. His case is that the conduct amounted to misconduct and that he should remain in the police service.

27. PC John joined the MPS in November 2019. He has worked on Response, Gangs and, since February 2024, Proactive Investigations dealing with serious and organised crime. He relies upon his professional record and character evidence and has no previous disciplinary finding.

28. As to the incident itself, PC John admits that he amended the Form 250C. His case is that he did so when confronted with the prospect of undertaking the JRFT in front of colleagues and while experiencing anxiety concerning **[REDACTED]** the possibility of failing.

29. He relies in particular upon:

    a) **[REDACTED]**

    b) **[REDACTED]**

    c) **[REDACTED]**

d) a previous failed JRFT and his recollection of being told that he was **[REDACTED]**;

e) concern about being judged by colleagues if he failed;

f) concern about the employment consequences of being unable to undertake the JRFT; and

g) his assertion that the decision was impulsive and made in panic rather than being part of any developed plan.

30. PC John expresses remorse and says that he has reflected upon his conduct, undertaken treatment and fitness work and would seek advice and support if faced with comparable circumstances again.

31. His alternative case is that, if I find gross misconduct, the combination of the circumstances of the misconduct, his health, his professional record, remorse and insight amount to exceptional circumstances justifying an outcome other than dismissal.

Evidence

32. I was provided in advance of the hearing with a principal accelerated misconduct hearing bundle of 55 pages. I read that material before the hearing. It included:

a) the Special Case Certificate signed by Commander Daniel Ivey on 31 August 2026;

b) the Regulation 51, 52 and 54 notice;

c) the investigation report;

d) the Regulation 17 notice;

e) witness statements from **[REDACTED]**;

f) the Form 250C relied upon by the AA;

g) material concerning PC John's previous JRFT history;

h) PC John's MG14 response dated 10 March 2026;

i) his further MG14 response dated 26 March 2026; and

j) the AA's decision that the special conditions were met.

33. I was additionally provided with:

a) the AA's opening note;

b) PC John's Regulation 54 response;

c) an Occupational Health report dated 27 October 2025;

d) **[REDACTED]** dated 8 January 2026;

e) subsequent NHS **[REDACTED]** material;

f) **[REDACTED]**

g) **[REDACTED]**

34. I was additionally provided with character references and service material.

35. I have considered all of the material provided to me. If I do not mention a particular document or passage below, that should not be taken as suggesting that I have not considered it.

36. I have also considered the submissions made by the AA and on behalf of PC John and the legal advice provided by the LQA.

Events of 16 October 2025

37. PC **[REDACTED]** was one of the instructors conducting PPST on 16 October 2025.

38. At the beginning of the course he established which officers were required to undertake their annual JRFT. When PC John was called forward, he said that he was in date and had recently completed his JRFT at ESB.

39. He produced his Form 250C. It contained a handwritten entry recording "09/10/25", "JRFT" and level "5.4". The handwritten nature of the entry caused PC **[REDACTED]** concern because such results would ordinarily have been stamped.

40. PC **[REDACTED]** asked PC John to check his training record. The system then available displayed JRFT entries only from 2021 and 2022.

41. PC **[REDACTED]** gave PC John a number of options. He could undertake the JRFT and continue with PPST; undertake the JRFT and then withdraw from PPST; or withdraw from both and return on another occasion. PC John elected to withdraw.

42. Further enquiries established that there was no record of PC John having undertaken a JRFT at ESB on 9 October 2025. His duty records showed that he had been absent sick on that date.

PC John's written account

43. PC John provided a detailed written response under caution on 10 March 2026.

44. He admitted that he had not completed the JRFT by the time he attended PPST on 16 October 2025. He said:

> "I knew I would not be able to pass JRFT and made a rash stupid decision to complete the training record myself to state that I had completed JRFT on 9th October 2025. This was not correct and on 9th October 2025 I was off work **[REDACTED].**"

45. He described feeling fear and panic at the prospect of undertaking the test in front of colleagues and explained his concerns about his **[REDACTED]**, previous experience of failing the JRFT and **[REDACTED]**.

46. On 26 March 2026 he was specifically asked when he had written the false entry. He responded:

> "I confirm I wrote the date on the card on the day of the OST session."

Medical evidence

47. **[REDACTED]**

48. **[REDACTED]**

49. **[REDACTED]**

50. **[REDACTED]**

51. **[REDACTED]**

52. I am satisfied that PC John's **[REDACTED]** difficulties were genuine.

53. **[REDACTED]**

54. **[REDACTED]**

55. **[REDACTED]**

PC John's evidence at the hearing

56. PC John gave evidence at the hearing. **[REDACTED].** He described having passed the JRFT previously, although he had failed on one occasion before subsequently passing, and said that the experience of that failure, the comments **[REDACTED]** and the temporary removal from frontline duties had affected his confidence and caused him to question his physical ability.

57. **[REDACTED]** He accepted that on 16 October 2025 he deliberately falsified the Form 250C by recording a JRFT pass which had not occurred. He said that he acted out of panic and fear. He accepted in cross-examination that at the time he believed his fitness would not allow him to pass the test and that this was why he falsified the record. He said that he was also concerned about failing his team and colleagues.

58. PC John disputed, when the proposition was put to him by Miss Sikander in cross-examination, that he had thereby placed the public at risk, explaining that he considered himself capable of undertaking the remainder of the training and of carrying out frontline duties; that his particular difficulty concerned running

and turning, and that within his team other officers would often undertake the more physically demanding roles. He nevertheless accepted that the entry was dishonest, accepted that accurate information must be provided and that his conduct was capable of undermining the service, and acknowledged that he had let the public down. He said that he had never acted in this way before and would not do so again, and that if faced with similar circumstances he would seek appropriate support and explore available alternatives to the bleep test. **[REDACTED]**

Submissions and Legal Advice

59. On behalf of the AA, Miss Sikander submitted that the admitted conduct amounted to gross misconduct. The AA relied particularly upon the deliberate falsification of an official police training record, the false representation to an instructor, the deliberate dishonesty involved and the importance of integrity in policing.

60. The AA submitted that the conduct created a risk both to colleagues and members of the public because PC John sought to present himself as having satisfied a mandatory fitness requirement which he had not completed.

61. The AA further submitted that public confidence would be seriously damaged if it became known that an officer had falsified an official police training record in order to avoid a required fitness assessment.

62. Counsel relied upon the intentional nature of the conduct and submitted that PC John's health difficulties provided context but did not justify the deliberate decision to falsify the record.

63. On behalf of PC John, Miss Bostock submitted that his conduct amounted to misconduct but not gross misconduct. She relied upon the limited and situational nature of the incident, the absence of planning, **[REDACTED]**, his anxiety concerning the test, the absence of “operational dishonesty” and the fact that the false entry was detected before it produced any operational consequence.

64. Miss Bostock further relied upon PC John's admissions, remorse and insight and submitted that the incident did not demonstrate any deep-seated attitudinal concern or continuing lack of integrity.

65. I received advice from the LQA before retiring to consider my findings. I was reminded that the burden of proving the case rested upon the AA and that the applicable standard was the balance of probabilities.

66. I was advised that gross misconduct is defined by regulation 2 as a breach of the Standards of Professional Behaviour so serious as to justify dismissal. The distinction between misconduct and gross misconduct is therefore ultimately one of degree.

67. I was advised to proceed sequentially: first to determine the relevant facts; then whether those facts breached the Standards alleged; and finally whether the breach was sufficiently serious to amount to misconduct, then gross misconduct.

68. I was advised that honesty and integrity are related but distinct. In considering honesty, I should first determine PC John's actual knowledge or belief as to the relevant facts and then determine whether, in light of that state of mind, his conduct was dishonest by the standards of ordinary decent people. Integrity is broader and requires adherence to the ethical standards properly expected of a police officer. I was referred in that regard to *Wingate and Evans v SRA* [2018] EWCA Civ 366 and the authorities applying those principles in the policing context.

69. In assessing seriousness, I was referred to the College of Policing Guidance on Outcomes in Police Misconduct Proceedings and *R (O'Connor) v Panel Chair (Police Misconduct Panel)* [2025] EWCA Civ 27. I was advised to assess culpability, harm, aggravating features and mitigating features relating to the misconduct, avoiding double counting and keeping personal mitigation distinct from the assessment of the seriousness of the conduct.

70. As to culpability, I was advised that the deliberate nature of the falsification was plainly important. Deliberate conduct will ordinarily attract greater culpability

than accidental conduct. I was nevertheless entitled to assess the degree of planning, the officer's motivation and any medical or other circumstances which materially affected his ability to cope with the situation.

71. **[REDACTED]**.

72. As to harm, I was advised that harm may include actual harm, risk of harm and harm to public confidence. I was entitled to consider any safety risk created by falsely representing that a fitness requirement had been met, but should identify the evidential basis and degree of that risk rather than assume it.

73. Finally, I was advised that the opinion reached by the investigator that the matter amounted to misconduct rather than gross misconduct did not bind me. Equally, the subsequent Special Case Certificate did not determine the matter. Regulation 61 required me to make my own assessment of whether the admitted conduct was so serious as to justify dismissal.

Factual Findings

74. The burden of proving the allegation rests upon the AA. The applicable standard is the balance of probabilities.

75. I am required by regulation 61 to review the facts and decide whether PC John's conduct amounts to gross misconduct.

76. The essential factual allegation is admitted.

77. I find that on 16 October 2025 PC John knowingly wrote onto his Form 250C an entry which falsely represented that he had completed and passed the JRFT at level 5.4 at ESB on 9 October 2025.

78. He knew that entry was false. He had not undertaken the JRFT on 9 October and had in fact been absent from work **[REDACTED].**

79. He then told PC **[REDACTED]** that he was in date and had recently undertaken the JRFT at ESB and produced the altered Form 250C in support of that representation.

80. I find that his purpose was to cause PC **[REDACTED]** to accept that he had already satisfied the JRFT requirement so that he would not be required to undertake the test as part of the process confronting him that morning. The conduct was plainly deliberate. It was neither an administrative mistake nor borne of misunderstanding.

81. I accept that PC John **[REDACTED]** had been **[REDACTED]** not working on 9 October 2025 when his private fitness test had been scheduled.

82. I also accept that he experienced anxiety concerning the prospect of undertaking and potentially failing the JRFT in front of colleagues. I accept that those matters formed part of his motivation.

83. I do not find that his anxiety deprived him of the ability to understand the nature of his conduct. His own written account demonstrates that he appreciated that he had not undertaken the test and knew that the entry he made was false.

84. I find that between 9 October 2025 and 16 October 2025, PC John had ample opportunity to:

    a) tell somebody that he had been unable to attend or complete the test on 9 October 2025 because he had been unwell;

    b) seek advice or support;

    c) explain his physical difficulties;

    d) arrange another test; or

    e) defer his PPST.

85. He did none of those things. Instead, the course he chose was to create a false record of a test which had never taken place and to deploy that record as genuine when challenged about his fitness-test status.

86. I accept that the false entry was identified before PC John completed either the JRFT or PPST. No operational deployment occurred in reliance upon the false document.

Standards of Professional Behaviour

Duties and Responsibilities

87. The Standard requires police officers to be diligent in the exercise of their duties and responsibilities.

88. PC John had a responsibility to comply honestly with the processes by which the MPS records mandatory training and satisfies itself that officers meet the fitness requirements applicable to their role. He was also responsible for ensuring that those charged with his training and deployment were provided with accurate information upon which to make decisions.

89. Instead, PC John deliberately falsified an official training record designed to record completion of and performance in mandatory police training and then produced that record to an instructor as genuine.

90. The JRFT forms part of the arrangements by which the MPS establishes that officers possess the physical capability required of them and by which it manages training, deployment and operational risk. By deliberately circumventing that process, PC John did more than provide false information: he frustrated the proper functioning of a system which depended upon him complying with his own responsibilities as an officer.

91. In particular, his conduct deprived those responsible for his training and deployment of accurate information which they were entitled to receive and upon which they were entitled to act. That represented a serious failure to discharge his own duties and responsibilities.

92. I am therefore satisfied that PC John's conduct breached the Standard of Duties and Responsibilities.

Honesty and Integrity

93. The Standard requires police officers to act with honesty and integrity.

94. PC John knew that he had not undertaken the JRFT on 9 October 2025. He nevertheless deliberately entered a pass result onto an official police training

record, told PC **[REDACTED]** that he had undertaken the test, and produced that record in support of what he knew to be a false representation.

95. There is no ambiguity as to his state of mind. He knew that the entry and his representation were false and intended PC **[REDACTED]** to accept them as true. PC John himself accepted both in his Regulation 54 response and before me that his conduct was dishonest. I am satisfied that by the standards of ordinary decent people, plainly it was.

96. Integrity is fundamental to the proper discharge of the office of constable. The MPS must be able to rely upon the accuracy of official records created and maintained by its officers, and officers must be able to rely upon information provided by their colleagues.

97. Deliberately creating and deploying a false training record as genuine was fundamentally inconsistent with those obligations and demonstrated a lack of integrity.

98. I therefore find both the honesty and integrity limbs of the Standard breached.

Discreditable Conduct

99. The Standard requires police officers to behave in a manner which does not discredit the police service or undermine public confidence in it.

100. A properly informed member of the public would be entitled to expect an officer to provide truthful information about his compliance with mandatory training requirements, and not to falsify an official police record in order to avoid undertaking a test or to avoid scrutiny.

101. Members of the public are entitled to the assurance that officers' conduct and ability is subject to meaningful oversight, given the significant authority exercised by officers. Scrutiny and accountability are part of the price of being an officer. Any member of the public would rightly be significantly concerned to learn of any officer seeking to avoid such scrutiny, particularly by falsifying a record of compliance. Such conduct is plainly capable of undermining confidence in the Metropolitan Police Service

102. I am satisfied that PC John's conduct was capable of discrediting the police service and undermining public confidence and therefore breached this Standard.

Severity (provisional assessment)

103. Having found breaches of the Standards of Professional Behaviour, I must determine whether those breaches are so serious as to justify dismissal and therefore amount to gross misconduct.

104. In light of the 2025 amendments, and the presumption of dismissal without notice which follows a finding of gross misconduct unless exceptional circumstances are established, I considered it appropriate at this stage to undertake a fuller assessment of seriousness than would historically have been necessary simply to distinguish misconduct from gross misconduct. That assessment was nevertheless directed at the threshold question of whether the conduct amounted to gross misconduct. I remained open to further submissions on culpability, harm and the other relevant factors before determining disciplinary action.

105. Miss Sikander submitted that the conduct attracted high culpability. It involved deliberate dishonesty, the falsification and use of an official training record and a conscious attempt to circumvent a mandatory fitness requirement. She relied upon the risk thereby created to PC John, fellow officers and members of the public, together with the corresponding harm to public confidence. She submitted that the **[REDACTED]** circumstances relied upon by PC John provided context but did not reduce the conduct below gross misconduct.

106. Miss Bostock submitted that the conduct should properly be characterised as misconduct rather than gross misconduct. She emphasised its isolated and panicked nature, PC John's **[REDACTED]**, the absence of sophisticated planning, the fact that this was not dishonesty committed during an operational deployment and the absence of any actual operational consequence. She relied additionally upon his admissions, remorse and the fact that the false entry was detected before it was acted upon operationally.

107. I received legal advice from the LQA on the assessment of seriousness. I was reminded that the Guidance requires a structured assessment by reference to culpability, harm, aggravating factors and mitigating factors relating to the misconduct. The exercise is not mechanical, but each of those matters must be properly evaluated before the overall statutory question is answered.

Culpability

108. PC John bears full responsibility for the falsification.

109. The conduct was intentional and dishonest. He knew that he had not undertaken the JRFT on 9 October 2025. He nevertheless inserted a false pass result onto an official police record and produced that document when asked by an instructor whether he was required to undertake the test.

110. That conduct carries substantial culpability. It involved a conscious attempt to cause another officer to accept something which PC John knew was untrue, including the manipulation of independent training records in a conscious and dishonest attempt to cause another officer to accept something which PC John knew was untrue, for the purpose of avoiding a fitness test which he believed he would not pass.

111. I do not accept that the conduct can fairly be characterised as a moment of madness or a split-second decision. During the period between 9 and 16 October PC John had ample opportunity to explain that he had been unwell, to seek support, to disclose his physical difficulties, to rearrange the test or to defer PPST. Instead, when confronted with the requirement on 16 October, the course he chose was to falsify the record. Having done so, he then repeated the falsehood to the instructor and produced the record in support of it. I do not find sophisticated planning, but nor was this merely a single involuntary or instantaneous act.

112. **[REDACTED]**

113. Those circumstances do not excuse his decision. They may provide context for his decision, but they do not materially diminish the seriousness of the

dishonesty. PC John had proper alternatives readily available to him. Instead, faced with a test which he believed he would not pass, he deliberately chose to create and deploy a false official record.

114. I provisionally assess culpability as high.

Harm

115. No actual physical injury resulted. The falsification was detected before PC John completed PPST or was operationally deployed in reliance upon the false record.

116. I do not, however, regard the absence of actual injury as materially reducing the seriousness of the risk which the conduct created. The deception was detected before that risk crystallised; but that does not retrospectively make the conduct safe.

117. The JRFT forms part of the means by which the MPS satisfies itself that officers possess the physical capability required of them, resources its officers appropriately and identifies and manages operational risk. Those functions are integral to the safety of officers and members of the public.

118. PC John sought deliberately to circumvent that safeguard in circumstances in which he himself accepted that he believed his fitness would not allow him to pass the test. Had the false information been accepted, those responsible for his training and deployment would have been entitled to proceed upon the false premise that he had demonstrated the required level of fitness.

119. I was particularly concerned by PC John's evidence that he did not consider his conduct to have placed the public at risk. He suggested that other officers within his team would ordinarily undertake some of the more physically demanding tasks. In my judgment that does not answer the concern. His colleagues and managers were entitled to accurate information upon which to make decisions about deployment and risk. It was not for PC John privately to decide that others could compensate for a limitation which he had chosen to conceal by means of a false official record.

120. I therefore regard the potential safety consequences as significant. The dishonesty undermined, or was at least capable of undermining, the MPS's ability to resource appropriately and manage risk, thereby affecting the safety of PC John himself, fellow officers and members of the public.

121. There is additionally significant reputational harm. Public confidence in policing depends upon officers being truthful with one another, maintaining accurate official records and complying with systems designed to ensure that they are properly trained and fit for the duties they may be required to perform. A properly informed member of the public would be seriously concerned to learn that an officer who believed himself unable to pass a mandatory fitness test had falsified an official police record and then relied upon it in an attempt to persuade an instructor that the requirement had already been satisfied.

122. The concern extends beyond the particular record falsified in this case. Police officers are routinely entrusted to make accurate records, prepare witness statements, give evidence in court, record information upon police systems and provide accounts upon which colleagues, prosecutors, courts and members of the public may have to rely. A demonstrated willingness to deliberately create a false official record and then present it as genuine necessarily gives rise to a wider concern as to whether that officer can be relied upon to act honestly. A member of the public would reasonably ask why an officer prepared to lie in order to avoid a fitness test should nevertheless be assumed to be wholly reliable when completing a witness statement, recording evidence or giving an account in another professional context.

123. That does not mean that I find PC John has been dishonest in any other aspect of his police work; there is no evidence before me that he has. The reputational harm lies in the damage which this proven dishonesty does to the confidence that must ordinarily be placed in a police officer's word and records. It is capable of undermining confidence not only in PC John personally, but in the reliability of police records and in the MPS's ability to assure the public that officers upon whose evidence and judgment others depend can be trusted to tell the truth.

124. PC John's conduct is corrosive of public confidence. I provisionally assess harm to be high.

Aggravating features

125. I have been careful not to double count features already taken into account under culpability and harm. I identify the following aggravating features:

a) the particular nature of the document falsified – being a document of particular MPS and National significance;

b) the fact that the record was actually produced and relied upon in an attempt to persuade an instructor that the JRFT had already been completed; and

c) that the instances of deception were, necessarily therefore, multiple.

126. I do not treat the fact that the same underlying conduct engages three Standards as three separate aggravating acts.

Mitigating features

127. Relevant mitigating features concerning the misconduct itself include:

a) **[REDACTED]**

b) PC John subsequently made an unequivocal admission of the central conduct;

c) he has expressed remorse and accepted responsibility; and

d) he has demonstrated developing insight.

128. I have not characterised his admission as having been made at the earliest possible opportunity. His detailed admission was provided during the investigation in March 2026.

129. I accept PC John's apology as genuine. I accept also that he now understands the impropriety of falsifying the record and says that he would seek proper

support if faced with comparable circumstances again. I do, however, harbour concerns about the extent to which he yet appreciates the wider consequences of his actions. In particular, he continued in his evidence to deny that his conduct created a significant risk to members of the public. In my judgment, his insight into the dishonesty itself is materially more developed than his insight into the risk which that dishonesty created.

Overall assessment of seriousness

130. I have weighed those matters carefully.

131. The conduct was a deliberate and dishonest falsification of an official police record followed by its use to mislead a police instructor about compliance with a mandatory fitness requirement. The officer created false evidence, and then sought to use it to deceive.

132. I have taken fully into account the circumstances in which PC John acted, **[REDACTED],** the anxiety which formed part of his motivation, his subsequent admissions and his apology.

133. Those matters cannot, in this case, reduce the conduct below the threshold of gross misconduct.

134. There was ample opportunity for PC John to explain that he had been unwell, to disclose his difficulties, to seek assistance or to rearrange the test. Instead, the course he chose was dishonestly to create a record designed to cause the MPS to believe that he had satisfied a requirement which he had not satisfied and which he himself believed he could not then pass.

135. In doing so, PC John placed his own immediate interests and convenience ahead of the legitimate interests of his colleagues and the public. He subordinated public and officer safety to his own interests. His dishonesty undermined, or was capable of undermining, the MPS's ability to resource appropriately and manage operational risk.

136. Trust in the honesty of police officers, the reliability of police records and compliance with requirements intended to protect colleagues and the public are

fundamental. What is particularly troubling in this case is the relative triviality of the immediate problem which prompted PC John's dishonesty. This was not a situation of extreme pressure or competing operational demands. It was a fitness test which PC John did not wish, and believed himself unable, to undertake. Yet, faced with that comparatively ordinary difficulty, he was prepared to compromise those fundamental obligations by creating a false record and then relying upon it as genuine. That readiness to abandon honesty and integrity in response to so routine a problem materially aggravates my assessment of the seriousness of the conduct. I cannot accept that the absence of "operational" dishonesty is therefore capable of cogent mitigation in this case.

137. Taking the conduct as a whole, I am satisfied that the breaches of the Standards of Professional Behaviour are so serious as to justify dismissal.

138. I therefore find that PC John's conduct amounts to gross misconduct.

Disciplinary Action

139. Having found gross misconduct, I considered disciplinary action separately.

Severity (finalised assessment)

140. Although I had already undertaken a provisional assessment of culpability and harm when deciding whether the conduct amounted to gross misconduct, I heard further submissions on those matters before determining disciplinary action. I have considered those submissions before reaching my final assessment of culpability and harm for the purpose of disciplinary action. I also received further legal advice from the LQA.

141. Miss Sikander relied upon the deliberate nature of the dishonesty and submitted that the culpability remained high. As to harm, she relied upon the fact that PC John had sought to circumvent a mandatory fitness requirement in circumstances in which he believed that he could not pass it. She submitted that the resulting risk extended beyond PC John himself to colleagues who might be required to rely upon him and to members of the public.

142. Miss Bostock emphasised that this was not dishonesty committed during an operational incident and that no particular operation had been affected. She submitted that PC John had not concealed his underlying physical condition from the managers and colleagues who actually worked with and deployed him, and that those colleagues understood the practical limitations upon him. She accepted that the conduct had a safety dimension but submitted that the risk was materially less than that contended for by the AA. She also relied upon the panicked and situational nature of the decision and PC John's physical and psychological circumstances

143. I have reconsidered my provisional assessments in light of those further submissions. They do not cause me to alter them.

144. As to culpability, I remain satisfied that it was high. I accept that the conduct was not the product of sophisticated planning and that PC John's **[REDACTED]** provide important context. But he had a number of proper alternatives available to him and consciously chose dishonesty instead. He then repeated the falsehood to the instructor and produced the altered record in support of it.

145. As to harm, I accept that PC John had not concealed**[REDACTED]** from those who worked closely with him and that no specific operational incident resulted. The MPS was nonetheless entitled to rely upon the JRFT process and its records when making decisions about training, deployment, resourcing and risk. The fact that individual colleagues may have known something of PC John's **[REDACTED]** could not substitute for the formal assurance which he dishonestly represented himself as having obtained. Those same colleagues would be entitled to assure themselves of his capability by virtue of his having passed the JRFT.

146. I also reject the suggestion that the availability of colleagues to undertake more physically demanding tasks materially reduced the risk. As I have already said, that proposition illustrates the importance of accurate information rather than diminishing it. Officers and managers must be able to make informed decisions about who can safely be relied upon to undertake particular duties.

147. I therefore confirm my provisional assessments of both culpability and harm as high. Those are my final assessments for the purpose of disciplinary action.

Purpose

148. The LQA advised me that the purposes of disciplinary action are to maintain public confidence in and the reputation of the police service, uphold high standards and deter misconduct, and protect the public. Misconduct proceedings are not primarily punitive.

149. I was referred to *Salter v Chief Constable of Dorset* [2012] EWCA Civ 1047, *Williams v Police Appeals Tribunal* [2016] EWHC 2708 (Admin) and *O'Connor*. I was advised that personal mitigation must be considered at this stage but cannot retrospectively reduce the seriousness of the misconduct already found. Its potential weight may be limited by the importance of public confidence.

Exceptional circumstances

150. I was further advised that, because this conduct matter came to the attention of the AA after 28 May 2025, the amended Regulation 62 applies.

151. The consequence of a finding of gross misconduct at an accelerated misconduct hearing is therefore dismissal without notice unless I am satisfied that there are exceptional circumstances which justify either a final written warning or reduction in rank.

152. As to the existence of exceptional circumstances:

a) Miss Sikander submitted that there were no exceptional circumstances justifying departure from dismissal. She relied upon the seriousness of the misconduct as I had found it, together with the applicable Home Office Guidance and the authorities to which she referred, including *Green* and *Redgrave***.** She submitted that the matters advanced in mitigation, although properly to be considered, were insufficient individually or cumulatively to displace the consequence prescribed by regulation 62.

b) Miss Bostock relied upon PC John's **[REDACTED]**, his remorse, **[REDACTED],** positive service and character evidence. She submitted that the particular combination of those matters, together with the situational nature of the offending and the absence of any actual operational consequence, was sufficiently exceptional to justify his retention

153. I was advised that "exceptional circumstances" is not defined by the Regulations and that there is presently no binding appellate authority exhaustively construing that expression in the amended Regulation 62.

154. I was advised not to equate exceptional circumstances simply with substantial mitigation. Equally, that I should consider all of the matters relied upon, individually and cumulatively, in light of the purposes of disciplinary action and decide whether their combined effect is sufficiently out of the ordinary to justify departure from dismissal.

155. I was referred to *Mohindru v Bar Standards Board* [2026] EWHC 1604 (Admin), and advised that the case arose under a different regulatory regime but that Johnson J emphasised that what amounts to exceptional circumstances is not prescribed, that each case depends upon its particular facts, and that the assessment must be undertaken with the purpose for which disciplinary sanctions are imposed firmly in mind. The test is therefore not to be applied in the abstract, but in the context of the regulatory objectives which the sanction serves.

156. I have had regard to that advice, to the Guidance, to PC John's record of police service, to the documentary material relied upon on his behalf and to the submissions made by both parties.

Purpose of disciplinary action

157. The purposes of maintaining public confidence and upholding proper standards are directly engaged. The public must be able to have confidence that police officers will provide truthful information about their professional training and fitness, will not falsify official police records and will not seek dishonestly to

circumvent requirements designed to enable the MPS to manage risk and protect officers and the public.

158. The outcome must also make clear to other officers that deliberate dishonesty involving official police records, particularly where directed at circumventing a safety requirement, is wholly incompatible with the standards expected in policing.

159. Protection of the public is also engaged. For the reasons set out in my assessment of harm, the conduct created a significant potential safety risk notwithstanding that no physical injury or operational incident ultimately resulted.

Personal mitigation

160. I have considered PC John's personal mitigation only after reaching my assessment of the seriousness of the misconduct.

161. PC John joined the MPS in November 2019. He has no previous disciplinary finding.

162. I have considered the character evidence produced, including the evidence concerning his knowledge and experience of gang violence, county lines, organised criminality and safeguarding and the reliance placed upon him by colleagues.

163. I have considered his wider contribution to the MPS, including his voluntary participation in campaigns intended to promote inclusion within the service.

164. I have also taken account of **[REDACTED]** his remorse and insight, along with the personal and professional consequences which dismissal would have for him.

165. Those are substantial matters to his credit.

166. I nevertheless remind myself that good character, valuable service, professional competence and the esteem of colleagues are forms of personal

mitigation commonly encountered in disciplinary proceedings and must be weighed consistently with the need to maintain public confidence.

Regulation 62 and exceptional circumstances

167. I have considered whether the matters relied upon by PC John, individually or cumulatively, amount to exceptional circumstances justifying a departure from dismissal.

Outcome

168. I give weight to the fact that the conduct occurred during a period when PC John was experiencing **[REDACTED]** difficulties, that the falsification was not the product of sustained planning, that no operational consequence ultimately occurred, and that he has since admitted his conduct and demonstrated remorse.

169. I have weighed PC John's otherwise positive service and the character evidence. I recognise that this was not a case of sophisticated dishonesty and that it did not result in an actual operational incident. Those matters must be weighed against the nature of the dishonesty and the risks which I have found it created.

170. Those matters do not, either separately or cumulatively, amount to exceptional circumstances justifying retention in the police service once I have found that the deliberate falsification and use of an official police record was itself sufficiently serious to justify dismissal.

171. The medical circumstances explain the context in which PC John acted. They do not demonstrate that he was unable to appreciate the nature of his conduct.

172. His previous good service, positive character evidence, remorse and the impact of dismissal are substantial personal mitigation, but are not sufficiently out of the ordinary to satisfy the exceptional circumstances threshold in this case.

173. I therefore do not find exceptional circumstances.

174. Regulation 62 requires the disciplinary action to be dismissal without notice.

175. That is the disciplinary action I impose.

Publication

176. I require the AA to publish this report pursuant to regulation 63(5), subject to redactions concerning sensitive medical information.

Right of Appeal

177. PC John has a right of appeal to a Police Appeals Tribunal. Under rule 9 of the Police Appeals Tribunals Rules 2020, notice of appeal must ordinarily be given before the end of 10 working days beginning with the first working day after the day on which he is first supplied with a written copy of this decision.

Rachel Williams
Assistant Commissioner

6 October 2026