Former Inspector Michael Richards
Accelerated Misconduct Hearing
Regulation 63(1) Report

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

2. The hearing was conducted by me, Stephen Clayman – a Metropolitan Police Commander. The hearing took place on 8 October 2026 in person at Palestra House, 197 Blackfriars Road, London, SE1 8NJ.

Hearing in public

3. The hearing was held in public pursuant to Regulation 59(1).

Representation

4. The Appropriate Authority ("AA") was represented by Molly Nairn.

5. Former Insp Richards was not present, but was represented by **[REDACTED].**

6. I was advised by Mr Jim Olphert who provided his advice on the record. I delegated responsibility for preparing this report to Mr Olphert pursuant to Regulation 63(1B). Mr Olphert submitted a draft report to me on 13 October 2026 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 draft report prepared by Mr Olphert.

Preliminary issues

7. As former Insp Richards did not attend as required under Regulation Rule 57(1), I went on to consider whether notice had been properly served and whether I ought to proceed in the absence of the officer.

8. The AA confirmed that the notice had been served on 22 September 2026. Having received legal advice from Mr Olphert, I was satisfied that the

requirements regarding notice had been complied with and that the matter had been listed in compliance with Regulation 52.

9. Following submissions from the AA, and the federation representative, I considered whether or not to proceed in the absence of the officer consistent with Regulation 57(3)(b). I have also considered the written response from **[REDACTED]**, the officer's Federation Representative, dated 29 September 2026, which states:

> "*Mr Richards wishes the Chair to be aware that he understands and respects the misconduct process. However, after careful consideration, he has made the difficult decision not to attend the hearing, he has formed the view that his attendance would not materially affect the outcome of the proceedings. This decision has not been made lightly.*
>
> *In light of Mr Richards's* ***[REDACTED]*** *we would respectfully ask the Chair to take an empathetic view of his decision not to attend*."

10. I received legal advice from Mr Olphert regarding exercising my discretion to proceed in absence and was taken by him to the relevant points from *R v Hayward [2001] EWCA Crim 168 and R v Jones [2002] UKHL 5* and *GMC v Adeogba; GMC v Visvardis [2016] EWCA Civ 162*.

11. Consistent with the principles from the above cases, and mindful of the criteria from *Jones*, I concluded that a delay was not in the interest of the public nor the expeditious resolution of proceedings, that an adjournment would be unlikely to result in the attendance of former Insp Richards, and that the former officer had voluntarily waived his right to attend. In the interests of fairness, I also considered whether or not there would be any impact on the proper presentation of former Insp Richards' case. I have concluded that whilst there is – of course – always some prejudice to an absent officer, this factor has ultimately been outweighed by the other factors in favour of proceeding in the absence of the officer for the purposes of the hearing. Former Insp Richards has recognised through his representative that his ability, at this stage, to materially challenge the allegation which is founded upon the verdicts of the Crown Court, is limited.

Allegations

12. The Regulation 51 notice served on former Insp Richards provided as follows:

> "*On 10 August 2026, at Southwark Crown Court, you were convicted of one count of Sexual Assault, contrary to section 3 of the Sexual Offences Act 2003. You are due to be sentenced on 25 September 2026.*
>
> *Particulars*
>
> *1. On 17 September 2024, at a colleague's leaving event held at The Long Acre Public House, you intentionally touched the buttocks of an off-duty Metropolitan Police Service officer without their consent.*
>
> *2. On 18 November 2024, having answered police bail, you were charged with Sexual Assault, contrary to section 3 of the Sexual Offences Act 2003.*
>
> *3. On 10 August 2026, following criminal proceedings at Southwark Crown Court, you were convicted of that offence.*
>
> *Standards of Professional Behaviour*
>
> *In the circumstances, the Appropriate Authority contends that your actions breached Standards of Professional Behaviour as set out in the Regulation 5 and Schedule 2 of the Police (Conduct) Regulations 2020 (as amended by the Police (Conduct) (Amendment) Regulations 2024 and 2025, namely:*
>
> *- Discreditable conduct*
>
> *In that you behaved in a manner likely to bring discredit upon the police service and undermine public confidence. As a result of that stated herein, if proven, your conduct amounts to gross misconduct and your dismissal may be justified*."

Response

13. Former Insp Richards has supplied a Regulation 54 response. Whilst not in the usual format, his Federation Representative has written on his behalf and indicated that the underlying offence remains denied and that the former officer is considering routes of appeal. It is right to say that former Insp Richards does not challenge the fact of the conviction itself. For the purposes of these proceedings I treat this document as former Insp Richards' Regulation 54 response.

Evidence

14. I have been provided with a 37-page hearing bundle by the AA which includes:
    a. The Investigation Report of PC Kuki Urwin, dated 9 September 2026;
    b. A number of witness statements from the underlying criminal proceedings; and
    c. A statement of DC Karen Thorniley confirming the outcome of the criminal trial.

15. I was also separately sent various online files, notably including Insp Richards' PACE interview, some body-worn video of his arrest and the CCTV from the Long Acre Public House.

16. On the morning of the hearing, I also received a further statement from DC Gemma Berryman dated 7 October 2026 which confirms the sentence which the former officer received. The witness statement confirms that "*On Friday 25th September 2026 at Southwark Crown Court Michael Richards was sentenced to a 12 month community order 15 days RAR, 150 hours of unpaid work and to pay £2500 court cost and victim surcharge. Following this conviction Michael Richards will be required to sign onto the Sex offenders register for 5 years*."

17. I have considered all of this material.

Factual findings

18. I am required by Regulation 61(15) to review the facts of the case and decide whether or not the conduct of former Insp Richards amounts to gross misconduct.

Regulation 61(16) states that I must not find that the conduct of the former Officer amounts to gross misconduct unless (a) I am satisfied on the balance of probabilities that this is the case, or (b) the former Officer admits it is the case.

19. There are no formal admissions in the present case and so I must assess whether I am satisfied on the balance of probabilities that the conduct is proved. I have reminded myself that it is the Appropriate Authority who bear the burden of proving the case to that standard. I have considered that former Insp Richards disputes the underlying factual conduct but not the fact of the conviction.

20. I have listened carefully to the case presented by the Appropriate Authority and considered in some detail the documentary evidence presented on behalf of the Appropriate Authority.

21. I received advice from Mr Olphert regarding the approach to convictions by other regulatory regimes, and the guidance of the High Court in the case of *Wray v General Osteopathic Council [2020] EWHC 3409 (QB)*.

22. I have read and considered the underlying material and have considered this in assessing the pleaded sub-particulars which frame the offence which former Insp Richards has now been convicted of and sentenced for. I am satisfied that former Insp Richards:

    a. Intentionally touched the buttocks of an off-duty Metropolitan Police Service officer without their consent;
    b. Having answered police bail, was charged on 18 November 2024 with Sexual Assault, contrary to section 3 of the Sexual Offences Act 2003; and
    c. On 10 August 2026, following a trial at Southwark Crown Court, was convicted of that offence.

23. Whilst I note that the evidence in respect of the conviction was not in the form of a certificate of conviction, which would – in line with the authorities – be conclusive proof of the conviction, I am nonetheless satisfied to the required standard that the conviction here is proved by the evidence of DC Thorniley.

Former Insp Richards' response does not challenge the fact of the conviction, and this was confirmed orally by his federation representative.

24. In line with the authority of *Wray* I conclude that former Insp Richards is not entitled to go behind the conviction and seek to relitigate those issues. In fairness to him, he has not sought to do so, and simply raises that he is considering whether there is any proper basis of appeal.

25. I find all of the factual particulars **proven** on the balance of probabilities.

26. I have concluded to the required standard that former Insp Richards was convicted at Southwark Crown Court, and has subsequently been sentenced for that offence.

Breach of Standards of Professional Behaviour findings

27. I then have to consider whether the facts proved amount to a breach of standards. It is for the AA to prove breach of standards on the balance of probabilities.

28. I was advised by Mr Olphert that:

    a. The definition of Discreditable Conduct, per Schedule 2 of the Conduct Regulations, is as follows: "*Police officers behave in a manner which does not discredit the police service or undermine public confidence in it, whether on or off duty*."

29. In respect of Discreditable Conduct, I am satisfied to the required standard that the proven conduct is capable of bringing discredit to the police service and capable of undermining public confidence in the police service. I am satisfied that a former Inspector, in the position which the officer was, sexually assaulting an off-duty female officer in the circumstances of an after work evening event, and the subsequent conviction and sentence which followed demonstrates a clear breach of this standard. By that conduct, and the conviction, former Insp Richards

has clear brought discredit to the police force and I am satisfied that the public confidence is undermined by the conduct.

Severity Assessment

30. Regulation 2 defines:

    a. Misconduct as a breach of the Standards of Professional Behaviour that is so serious as to justify disciplinary action;
    b. Gross misconduct as a breach of the Standards of Professional Behaviour that is so serious as to justify dismissal.

31. In reaching a decision as to whether the conduct amounts to misconduct or gross misconduct, I must form a preliminary view as to severity. Assessing severity on a preliminary basis, I have considered former Insp Richards' culpability and harm.

32. Culpability: former Insp Richards is wholly responsible for his actions. Whilst intoxicated at an after-work drinks event, he intentionally and sexually touched the bottom of a female officer. He was charged for this offence and ultimately convicted at Southwark Crown Court after a trial before a jury. I am satisfied that this intentional, and criminal, act demonstrates high culpability in the present case.

33. Harm: There was direct harm in the form of the underlying conduct, of which I take proper notice. It is clear from the statements provided that the conduct had a clear impact on the victim, as one might expect in the context of the facts as found proved. There is also plainly harm to the public confidence, in that an officer holding a senior rank of Inspector – as former Insp Richards held - was convicted of a criminal offence against a colleague in the context of drinks with wider work colleagues.

34. For these reasons I consider that the allegation has been proved at the level of gross misconduct.

Disciplinary action

35. As I have made a finding of gross misconduct, pursuant to Regulation 62(1) I must impose disciplinary action.

36. In considering the question of action disciplinary action, Regulation 62(10) provides that:
    a. I must have regard to former Insp Richards' record of police service as shown on the former Officer's personnel records. I confirm that I have done so.
    b. I may consider such documentary evidence as would, in my opinion, assist me in determining the question of disciplinary action.
    c. I must give former Insp Richards, his lawyer or Police Friend and the AA the opportunity to make oral or written representations. I confirm that I have done so.

37. Ms Nairn's submission was that disciplinary action in the form of a finding that the former officer would have been dismissed if still serving was the only appropriate outcome. She submitted that the case fell within the ambit of the 2025 amendment to the Police (Conduct) Regulations 2020 and as such the presumption of dismissal following a finding of gross misconduct applied. She also drew my attention to the *Guidance* sections on criminal convictions, and harm.

38. Former Insp Richards' representative invited me to consider the provided references but made no additional or specific submissions.

39. I have had regard to the College of Policing's *Guidance on Outcomes in Police Misconduct Proceedings* (2023) which has not been updated to reflect the new rules.

40. On p.15 of the *Guidance* the College of Policing sets out the approach that I must take in reaching a decision as to disciplinary action, which is to:

1) assess the seriousness of the misconduct by reference to:
    a. the officer's culpability for the misconduct;
    b. the harm caused by the misconduct;
    c. the existence of any aggravating factors;
    d. the existence of any mitigating factors;
2) keep in mind the purpose of imposing disciplinary action, which the *Guidance* explains on p.4 are (i) to maintain public confidence in, and the reputation of, the police service; (ii) to uphold high standards in policing and deter misconduct; and (iii) to protect the public.
3) choose the disciplinary action which most appropriately fulfils that purpose for the seriousness of the conduct in question.

Stage 1

Culpability

41. On page 16 of the *Guidance* the College of Policing states that *"Culpability denotes the officer's blameworthiness or responsibility for their actions. The more culpable or blameworthy the behaviour in question, the more serious the misconduct and the more severe the likely outcome."*

42. I have addressed culpability above, which I do not repeat. I am satisfied therefore that the culpability is high.

Guidance on Criminal Convictions

43. Additionally, I have considered the guidance from the *Guidance* in respect of Criminal Convictions or Cautions at Paras 4.17-4.25. Of particular relevance here is Para 4.20 which states:

> "*Offences of dishonesty, sexual offences (including possession of indecent images of children) and violent crime are particularly serious and likely to terminate an officer's career. Such offending involves a fundamental breach of the public's trust in police officers and inevitably brings the profession into disrepute*."

44. The proven conviction here relates to a sexual offence, which I have concluded engages the above guidance. It has led to former Insp Richards being made subject to notification requirements and subject to a current Community Order, imposed 25 September 2026. Those features alone are significant and increase the severity of the proven conduct.

45. Further, it is notable that the proven conduct and conviction relate to a colleague, which must – I conclude – further aggravate the severity of the proven conduct.

Sexual Conduct and Violence against Women and Girls

46. Given the above, I must also consider whether Paras 4.40-4.43 and/or 4.60-4.62 are engaged in the present case.

47. I have concluded that they are. This offence was committed against a female colleague at an after-work social event. It is clear that former Insp Richards was immediately challenged regarding his conduct. He was a senior officer present at the event. Whilst I accept that it does not appear that the conduct involved any long-term planning or grooming behaviour, it nonetheless must be treated seriously and the public confidence in the police service is bound to be significantly impacted by it.

Harm

48. On p.27 of the *Guidance*, the College of Policing explains that *"Harm does not need to be suffered by a defined individual or group to undermine public confidence. Where an officer commits an act that would harm public confidence if the circumstances were known to the public, take this into account. Always take misconduct seriously that undermines discipline and good order within the police service, even if it does not result in harm to individual victims."*

49. I have addressed harm above. I therefore assess the harm caused by former Insp Richards' conduct as high.

Aggravating factors

50. I have considered the non-exhaustive list of aggravating factors in the *Guidance* at p.29.

51. I have reminded myself not to 'double count' matters that I have already considered with the respect to culpability or harm. For that reason, given what is already set out above, I do not find any additional aggravating features present in this case.

Mitigating factors

52. I have considered the non-exhaustive list of mitigating factors in the *Guidance* at p.30 - 31.

53. I do not find that there are any specific mitigating features here.

Overall

54. Overall, I assess the seriousness of former Insp Richards' conduct as high.

Stage 2

55. I have borne in mind the purposes of imposing disciplinary action.

56. I find that all following purposes for imposing disciplinary action are engaged in this case:

    a. **to maintain public confidence in, and the reputation of, the police service.** For the reasons already set out above, an officer convicted of a sexual offence against a junior ranking colleague; and presently under a Community Order (for 12 months) and subject notification requirements (for 5 years) is likely to significantly and seriously impact the reputation of the police service and the public confidence in police and the force as a whole.

    b. **to uphold high standards in policing and deter misconduct.** In order to do so, findings made by misconduct panels and by me as Chair conducting accelerated misconduct hearings must be such as to mark the seriousness of the misconduct and show to other officers that misconduct of the type considered in this hearing will result in disciplinary action of a certain severity.

Stage 3

57. I was advised by Mr Olphert that that:
    a. I must have regard to former Insp Richards' personal mitigation.
    b. Personal mitigation in terms of character statements and the officer's record of service should be taken into account only after the assessment of seriousness has been concluded: *R (O'Connor) v Police Misconduct Panel Chair & Mason* [2025] EWCA Civ 27 at [52]; [62] – [65].
    c. When personal mitigation properly falls to be considered, it attracts limited weight in professional disciplinary proceedings in general, and police misconduct hearings in particular: *Bolton v Law Society* [1994] 1 WLR 512 at p.519B-D; *Salter* in [2012] EWCA Civ 2012 at [23]; *R (Williams) v Police Appeals Tribunal* [2016] EWHC 2708 (Admin) at [66] – [67]
    d. The weight that can be given to personal mitigation depends on the extent to which the misconduct imperils the public confidence.

58. I have had regard to former Insp Richards' record of service.

59. I have read and considered the references provided on behalf of the former Inspector. To the extent that they touch on factual matters, I have taken no account of that – the references appear to have been prepared within the context of his criminal proceedings. I note that all of the references speak highly of former Insp Richards' performance at work and his dedication to the Service and to the job.

60. I conclude, however, that the misconduct here is significant and imperils the public confidence significantly, for those reasons I must place less weight in his references.

Conclusion as to Outcome

61. In light of the above conclusions regarding severity, I do not accept that that any sanction less than dismissal would be proportionate and meet the public interest and do not conclude that there are any exceptional circumstances which apply.

62. I therefore move on to consider dismissal. Again, having considered all of the circumstances of the case, the severity of the proven conduct and the public interest, I am satisfied that the only appropriate outcome in this case would have been dismissal without notice, and that dismissal would have been both necessary and proportionate to the culpability and harm. This is because of the particularly serious conduct which led to a criminal conviction.

Publication

63. I received brief submissions on publication. I require the AA to publish this report pursuant to Regulation 63(5).

Conclusion

64. In conclusion:
    a. I find the allegations proved;
    b. I find that former Insp Richards' conduct breaches the Standards of Professional Behaviour set out in my decision above;
    c. I find that former Insp Richards' conduct amounts to gross misconduct; and
    d. The disciplinary action I impose is a finding that the former officer would have been dismissed if still serving; and should be added to the College of Policing Barred List.

Stephen Clayman
Commander
15 October 2026