IN THE MATTER OF POLICE MISCONDUCT PROCEEDINGS UNDER THE POLICE (CONDUCT) REGULATIONS 2020

BETWEEN

THE COMMISSIONER OF THE POLICE OF THE METROPOLIS

APPROPRIATE AUTHORITY

AND

OFFICER A [REDACTED]

OFFICER CONCERNED

1. This hearing was held in public on 15-18 September 2026 at Empress State Building, London, SW6 1TR. The Panel comprised Former Commander Andy Brittain (Chair), Mr Vincent Walker and Dr Nigel Westwood Independent Panel Members. Ms Dale Simon was the Legally Qualified Person acting as Legal Advisor to the Panel.

2. The Appropriate Authority (the AA) was represented by Mr Manus Egan and the officer concerned was represented by his Police Federation representative Parminder Attwell.

PRELIMINARY ISSUES

3. In accordance with pre-hearing directions the following ciphers were used to protect the identity of the officer concerned wife and child:
    - [REDACTED] - Officer A
    - The wife of Officer A - 'S'
    - The child of Officer A and S - 'Y'

4. On the morning of the 16 September 2026 the case manager raised a possible concern about the composition of the panel, arising from the fact that the AA were no longer proceeding with one of the allegations that Officer A had been facing at the first listing

of this misconduct hearing on 20th October 2025. Redactions had been made to the hearing bundle to remove reference to the allegation no longer faced by Officer A. The original hearing had been stopped, due to ongoing proceedings against S, who was a witness at the original hearing. When the case was stopped it was agreed that, if possible, the original panel would hear the case once it resumed.

5. Mr Walker was the only member of the original panel who was available to sit on the resumed hearing. When asked by the Chair, on 16 September 2026, about his recollection of the first hearing, he confirmed that due to the passage of time he had no recollection of the matters that had been redacted from the original hearing bundle.

6. Officer A and his representatives had been informed of the names of the panel members prior to this hearing, and no objection had been raised. The Chair considered that Mr Walker was a professional panel member who was able to disregard irrelevant matters when considering the facts of a case. Nonetheless, in the interests of full transparency the Chair gave Officer A the opportunity to consider whether he had any objection to the composition of the panel for this hearing. No objection was raised.

THE ALLEGATIONS

7. The allegations facing Officer A are set out in the Regulation 30 Notice served upon him under the Police (Conduct) Regulations 2020. These are:

Factual Background

1. At all material times you were a police constable in the Metropolitan Police Service, having become a police officer on 8th February 2010.
2. In [REDACTED] you married 'S'
3. In [REDACTED] you and 'S' had a daughter

Allegations

1. On various dates between approximately 2019 and 2021 'S' behaved in an abusive manner towards your daughter, in particular by shouting and swearing at her and treating her roughly.

2. You were aware that ‘S’ was emotionally and physically abusing your daughter, but you failed to protect and safeguard her and/or you failed to report ‘S’s behaviour to the police or social services.
3. Your failure to protect your daughter and/or report ‘S’ breached the ‘Discreditable Conduct’ Standard of the Standards of Professional Behaviour because police officers are expected to protect children and failing to do so was likely to bring discredit upon the police service.

Severity

Your breaches of the Standards of Professional Behaviour were so serious that they amount to gross misconduct.

CASE SUMMARY

4. On 4 October 2021 Officer A showed his line manager PS Khelifi two video recordings of his wife S physically and emotionally abusing their [REDACTED]-year-old daughter Y. PS Khelifi advised him to report his wife to the police and if he did not do so, she would. PS Khelifi sought advice from Occupational Health and made a referral to an Independent Domestic Violence Advisor. Officer A reported his wife to the police, and S was arrested on 5 October 2021.

5. Whilst Officer A was not the perpetrator of the abuse of Y, it is alleged by the AA that he was clearly aware of what was happening, as he had videoed incidents of S’s emotional and physical abuse of Y in the family home between early 2019 and October 2021 and had made “calendar notes” on his phone about these incidents. It is further alleged that he failed to take any appropriate steps during the time of his recordings to protect his daughter.

6. Officer A denied that he failed to protect his daughter and asserts that the allegations against him are ill founded. He states that he installed the CCTV cameras in his home to gather evidence and protect Y. He also states that in June/ July 2021 he disclosed his concerns to PS Khelifi and to [REDACTED] Social Services Children’s Social Care.

EVIDENCE

7. In advance of this hearing the Panel was supplied with the documents in accordance with the Police (Conduct) Regulations 2020, which included a copy of the papers served on Officer A in accordance with Regulation 30 and Officer A's response to the AA under Regulation 31. In determining the facts in this case, the Panel had regard to:

    - All documents and materials in the hearing bundle, the Regulation 30 notice and Regulation 31 response whether they were explicitly referred to or not during the hearing.
    - The video exhibits, the summary of the contents of the unused videos and the photographs submitted on behalf of Officer A during the hearing.
    - A [REDACTED] assessment of Officer A dated 27 March 2022 produced by Dr [REDACTED], consultant [REDACTED], obtained by [REDACTED] Social Services for the purpose of Family Court proceedings, and updated reports by Dr [REDACTED] dated 19 January 2023 and 13 April 2023.
    - The oral evidence of PS Lisa Khelifi and Officer A
    - Officer A's good character and the character statements submitted on his behalf
    - The submissions made on behalf of the AA and Officer A.
    - The legal advice provided by the Legal Advisor

THE PANEL'S APPROACH

8. In considering the facts, the Panel was aware that the burden of proof is on the AA and the standard of proof is the balance of probabilities. In line with the principle derived from *Byrne v General Medical Council [2021] EWHC 2237 (Admin),* the Panel recognised that there is only one standard of proof in civil and regulatory cases, namely whether the facts in issue more probably occurred than not. The seriousness of an allegation does not of itself require more cogent evidence. The

inherent probability of the relevant conduct is a matter which can be taken into account when weighing the probabilities and in deciding whether the event/conduct occurred; this goes to the quality of evidence.

FINDINGS OF FACT

Allegation 1: On various dates between approximately 2019 and 2021 'S' behaved in an abusive manner towards your daughter, in particular by shouting and swearing at her and treating her roughly.

9. The AA relies on the evidence contained in the video exhibits and the undisputed calendar notes made by Officer A between 2019 and 2021 to prove this allegation. The panel found this allegation of fact proved on the balance of probabilities for the reasons detailed below.

10. The panel noted that the exhibited videos show a number of instances, within the relevant time period, during which Y is crying and screaming and S is shouting and swearing at Y, blaming Y for her problems, handling her roughly and on two occasions appears to cause Y physical harm/distress by causing her to hit her head against her cot and by grabbing her arm roughly and throwing her into the toy pit.

Panel determination

11. In determining whether this allegation of fact was proved the panel had regard to the Metropolitan Police definition of abuse listed below:

"*Child Abuse is when anyone under the age of 18 is either being harmed or not properly looked after*"
"Physical abuse is when someone hurts a child or young person on purpose"
"Emotional abuse happens in many different ways. It can affect how a young person or child feels about themselves, or how they fit in with friends, at school or where they live....
Examples of emotional abuse are:

- *Being made to feel inadequate, worthless or unloved*
- *Being unfairly blamed*
- *Being bullied...*

- *Being made to feel frightened or in danger*
- *Witnessing the abuse of others such as domestic abuse"*

12. The panel concluded that the behaviour of S captured in the video exhibits amounted to the physical and emotional abuse of Y. The panel, therefore, found this allegation of fact proved on the balance of probabilities.

Allegation 2: You were aware that 'S' was emotionally and physically abusing your daughter, but you failed to protect and safeguard her and/or you failed to report 'S's behaviour to the police or social services.

13. There is no dispute that Officer A installed motion sensor-activated video cameras in his home, that he collected the video recordings of the incidents of abuse found proved at allegation 1 above, and that he made calendar notes detailing S's abusive behaviour towards Y from at least late 2019 until October 2021. Therefore, the disputed issues that fall to be determined by the panel are firstly, whether Officer A was 'aware' during the relevant period that S's behaviour amounted to physical and emotional abuse; whether he failed to protect and safeguard Y and whether he failed to report S's behaviour to the police or social services.

14. The AA relies on the undisputed fact that Officer A installed motion sensor-activated video cameras in his home and took steps to collect 'evidence' of S's abuse of Y in the form of video recordings and calendar notes, to prove that Officer A was aware that Y was being physically and emotionally abused and that he took no steps to protect Y or report S to the police or social services before October 2021. The panel found this allegation of fact proved on the balance of probabilities for the reasons detailed below.

15. The panel heard oral evidence from Officer A's line manager PS Khelifi. She adopted the contents of her witness statement dated 14 June 2023 as her evidence. The panel noted that PS Khelifi had also provided a character statement for Officer A and that she accepted that her evidence about the nature of Officer A's relationship with S was based on what he had her told her, and as such she was only aware of one side of the story. In the circumstances, the panel determined that

PS Khelifi was not a wholly independent witness and as such the panel concluded that the weight to be attached to her evidence was limited.

16. PS Khelifi stated that she became Officer A's line manager in May 2021, at this time she received hand over notes from his previous line manager which stated that Officer A '*had a lot of marital issues'*. She confirmed that his work as a police officer was not affected by his personal circumstances. She stated that she was told that Officer A was in an unhappy marriage and that he was taking [REDACTED]. She was supportive and asked him if he needed counselling. She stated that she believed that Officer A was the victim of coercive and controlling behaviour. Following his disclosure of domestic abuse she created a crime report (CRIS) but Officer A did not support the investigation. She confirmed that Officer A's working hours had been adjusted for childcare reasons, but these arrangements had been put in place prior to her arrival on the team.

17. PS Khelifi stated that she had genuine concerns about Officer A's wellbeing as he had mentioned having [REDACTED], and another officer had informed her that she had seen Officer A standing in front of a window looking "zoned out" and expressing [REDACTED]. PS Khelifi described Officer A as being extremely vulnerable. She stated that as a result of what she was told by Officer A and her assessment of the way that he was acting, based on her experience, she believed that Officer A was a victim of domestic abuse. She also stated that she told Officer A about the support that was available to him. PS Khelifi was shown video exhibits MMC10 and Bedroom_202 and she confirmed that these were the videos that Officer A showed her on 4 October 2021.

18. In response to questions from counsel for the AA, PS Khelifi confirmed that Officer A had not told her about any concerns about his daughter's treatment before 4 October when he showed her the videos (exhibits MMC10 and Bedroom_202).

19. In his regulation 31 response Officer A denies that he neglected or failed to protect or safeguard Y. His position is that he was and remains the protective parent. The officer also states that he reported S's maltreatment of Y to the following:

    a. He informed Children's Social Care ([REDACTED] Social Services) in June /

July 2021; and,

b. He informed PS Khelifi, his line manager. This material was recorded as a non-crime domestic and was logged in August 2021; and,

c. He reported S to the police in October 2021. CCTV captured an incident on 1 October 2021 which the officer reported. S was arrested four days later and interviewed under caution on 5 October 2021. She was admitted to police bail for assaulting Y.

20. It is also asserted that the allegation 2 wrongly treats Officer A's gathering of evidence and reporting of concerns as a failure to protect, rather than as part of the steps that he took to protect Y.

21. In oral evidence Officer A adopted his previous written statements and accounts as his evidence. He stated that he became a police officer in February 2010, he worked on response teams and various operational teams before joining his current team. He stated that he started dating S in [REDACTED] and they got married in [REDACTED] and that he was diagnosed with [REDACTED] in 2011/12 due to the constant and pressure and stress that he was experiencing at home and the fact that he couldn't leave the house unless S was with him. He stated that this was the first time in his life that he had experienced [REDACTED]. He stated that he visited a [REDACTED] to help him to get the strength to leave S, and in 2012 he moved back to his parent's home. He got back with S in 2014, but after about two months the abuse from S started again.

22. Officer A stated that S would shout and swear at him everyday and tell him that no one would believe him, because he was a man. He stated that after they bought a house and moved to [REDACTED], S prevented his family from visiting. He and S decided to have a child after S's sister got married and had a child. S's parents helped to look after Y for the first five months. S's abuse of him got worse after this period, the abuse would start as soon as he got home, he stated that S never wanted to look after Y and she was always shouting and swearing. He stated that he didn't leave, and tried his best to protect Y. He described an incident when S threatened to kill him and came towards him in the bedroom. He stated that the 'wardrobe door' came off. He described pushing S off him and then leaving and going to his mother's house, he stayed there for two nights but went back because

of Y. When he returned S had installed two video cameras. He told a colleague about S installing cameras and this colleague advised him to install his own cameras which he did 'side by side' with S's cameras.

23. Officer A stated that he saw a bruise on S's leg and she showed him a folder full of photos of bruises; she told him that it was all documented and that she was going to use it to make allegations against him. He described sitting on the toilet and "zoning out", he stated that he was going through a living hell and that the only thing that stopped him from [REDACTED] was Y. He stated that he had a number of videos of S assaulting him and saying that she wanted him dead, which he gave to the police, but no action was taken. He stated that the CPS informed him that even with evidence it wasn't in the public interest to charge S.

24. Officer A stated that he was seen by a [REDACTED] as part of the family proceedings. He was taken to a number of calendar notes that he had made in which he noted S threatening to assault him and threatening to harm him. One note on Saturday November 14 stated:
'*At approximately 3pm S jumped up screaming that Y has cut her face with a plastic toy scissors. I approached worried what happened, S pushed me then slapped my left arm really hard and ran off screaming into the 3rd bedroom...unfortunately the camera wasn't switched on at the time. I considered calling the police to report the assault but without the camera being on I would have little proof'*

25. Officer A was taken to his interview under caution dated 19 October 2021. He stated that his solicitor had advised him to make no comment, but he wanted to tell his side of the story. In that interview he stated "*that the CCTV was there to protect me and more importantly my daughter as there was unexplained injuries on her when my wife was looking after her."*

26. Officer A stated that since being diagnosed as suffering from [REDACTED] by Dr [REDACTED] in March of 2022 and undertaking [REDACTED] he has started to feel better in himself and stronger.

27. In response to cross-examination Officer A stated he believed that he started videoing Y when she was about [REDACTED], sometime in 2019. This was after S had installed her cameras. He accepted that S had made counter allegations of assault against him. Officer A was taken to his handwritten prepared statement dated 19 October 2021 in which he had said '*The CCTV was there to protect me, and more importantly my daughter as there were multiple injuries on her when my wife was looking after her*" he accepted that this statement was correct.

28. Officer A confirmed the content of his statement dated 2 December 2021 and accepted that he had described an incident on 17 November 2019 when S had tried to give Y nasal spray while she was asleep. Y had woken up screaming and began to be sick. S started shouting at Y for being sick on the bed, removed Y from the bed, dumped her in the cold bathroom and then came back to clean up the sick, but wasn't interested in sorting Y out. Officer A was also taken to a number of entries in his calendar notes that were made between 2019 and 2021 in which he had detailed instances of physical and/or emotional abuse by S on Y.

29. For example, Officer A was also directed to a calendar note entry on 8 August 2020 in which he recounts going upstairs and finding Y in distress crying her eyes out while S was on the phone. Officer A asked S why she couldn't look after her own child without complaining. He then took Y into the garden where:
'*I noticed Y had a fresh mark on her right arm as if she had been tied up and after examining her, I discovered dried blood behind left ear which I've never seen before. I took photos of her injuries which I believe S has caused. I took Y upstairs where S was and asked her to explain the injuries. She denied harming Y and I'm overreacting. Said she never tied up Y and the dried blood is just dirt. She started to scrape it off with her nails, so I got a wet cotton bud and took a sample of the dried blood and sealed it inside MPSA2446173 I exhibit this bag containing the cotton bud as [REDACTED]/01*.'

30. He was asked in respect of each entry why he had not reported S's behaviour before October 2021. He stated that he was numb to S's behaviour, he could see now that her behaviour amounted to abuse, but he couldn't see it at the time. It was put to Officer A that it was clear from the detail of some of his entries that he was aware

at the time of making the calendar entries that S was emotionally and/or physically abusing Y and he failed to protect her.

31. Officer A was next taken to the record of a London Ambulance Service referral to Children and Social Care (CSC) regarding '*concerns raised of parents behaviour towards each other*' on 8 October 2020. The report states that Officer A was having a [REDACTED] and disclosed that '*Y was being fed three times a day with baby food from a tin by S and that he wanted to take full care of Y because S doesn't have a maternal bone in her body*'. Both parents declined consent for a child and family assessment and the threshold for a strategy meeting was not met so the case was closed. Officer A was asked why he did not consent to the assessment, and he stated that this was because S had threatened to '*bury him*' if anyone came to the house. He maintained that because of his long-term trauma he couldn't identify what was right and what was wrong, he didn't realise how much he had recorded as most of the time he was '*like a zombie'*.

32. Officer A was also taken to the incidents when he was present while Y was being abused by S. For example, video exhibit NMC08 on 29 August 2021. In this video Officer A is lying on the bed looking at his mobile phone. S is shouting at Y telling her that she needs "medication" and that she is going to "feed Y to the foxes and put Y and Officer A outside in the bins". Y is crying and visibly upset. Officer A was asked why he didn't intervene and replied that he was "zoned out" it was his "coping mechanism" part of his [REDACTED]. He maintained that if he didn't have these [REDACTED] problems, he wouldn't have allowed it to happen.

33. It was put to Officer A that given the period of at least two years when he took active steps to video record and make calendar notes about S's behaviour towards Y, it was not credible to suggest that in those two years he was so zoned out that he could not take steps to protect Y.

34. Officer A accepted that the type of behaviour captured in the video exhibits was typical of S's behaviour towards Y since 2019. However, he asserted that the incident of physical abuse shortly before 4 October was the most serious physical incident. He stated that his brain was not processing what he was seeing; he felt

powerless and didn't have the strength to leave. S kept threatening that she was going to get him sacked. It was put to Officer A that the videos contained incontrovertible evidence of A's abuse so he could have used this to support a complaint against S, but he did not do so.

35. Officer A was asked why he decided to show PS Khelifi the videos of S abusing Y on 4 October 2021. He replied that it was the shock of it, he couldn't take anymore. It was put to Officer A that his primary concern was the impact of S's action on himself and his career rather than his daughter: this assertion was denied by Officer A.

36. Officer A was asked about an incident detailed in his statement when he contacted a Health Worker during the COVID period and requested that they conduct a check on Y due to his concerns about Y being fed a diet consisting only of baby food and her [REDACTED]. The statement reads: '*I told S I had booked the appointment and she flipped. She was angry that I had done this and I tried to explain why I had booked it'*. It is stated that Officer A accompanied Y to the appointment and was informed that Y's [REDACTED] and that she should be eating *'proper food by now'* after the appointment S refused to follow the advice of the professionals and continued to feed Y baby food. Officer A was asked why he had the ability to get Y checked out due to her diet, but he was unable to take steps to address the abuse that was being inflicted on Y. Officer A replied that S's abusive behaviour had become normal.

37. Officer A was asked why he had told PS Khelifi about S's negative treatment of him but had not mentioned S's abusive treatment of Y before 4 October 2021. Officer A stated that he had told PS Khelifi about S shouting at Y.

38. Officer A was asked about the psychiatric assessment reports complied by Dr [REDACTED]. He confirmed that the reports had been commissioned for the family court proceedings. It was also accepted that the questions that the doctor was asked to address in his first report dated 27 March 2022 included:

'4.*3 Please detail how you consider any condition the Father is suffering from, would impact his ability to provide appropriate care to the child'*

39. It was put to Officer A that Dr [REDACTED] report focuses solely on the impact of the alleged abuse on Officer A and not on the impact it had on Y. Officer A accepted that this was correct.

40. In response to re-examination Officer A confirmed that S's threats to kill him were ongoing throughout their marriage; that 2021 was the worst time of his life and that, S's threats became more specific causing him not to sleep. He was in "survival mode" just trying to get through the day- most of the time "zoning out".

41. The panel asked Officer A about his work experience and training. He confirmed that he had worked on operational teams before starting his current role. He had responded to different types of incidents, but he couldn't recall attending many domestic abuse incidents. He remembered receiving 'Every Child Matters' training and stated that he may have received domestic abuse training also.

42. He was asked how he managed his [REDACTED] symptoms while he was at work during the 2019- 2021. He stated that going to work was a release from the pressure at home.

43. Officer A was also asked whether S gave him a reason for installing her cameras in their home. He stated that she said that they were for her protection. He was confused by this because he hadn't done anything- I asked myself what did I do that day. A week or two later he installed his own cameras, they were initially left off but in June/July he left them on. He stated that the camera records information onto a SD card. If he wants to keep a recording he can save it to a device (his phone). He stated that the bedroom camera was smashed by S during the incident when he asserts that he was hit by her with the GHD dryer.

44. Officer A was also asked about his support network during his marriage to S. He stated that he lost his father in 2014 and after that he had his mother, a cousin, a colleague at work and two best friends. He stated that he didn't discuss his marital problems with his social network very often, but when he disclosed the alleged abuse against him by S they all said "get your daughter and go".

45. The panel noted the contents of Dr [REDACTED] report dated 27 March 2022. This report was commissioned for the Family Court Proceedings. The purpose of the report was to comment on any [REDACTED] conditions that Officer A may have been suffering from at the time that the report was written and to detail how any condition that he is suffering from, would impact his ability to provide appropriate care to his child. Dr [REDACTED] was not provided with any of the evidence which forms the subject of the allegations against Officer A in these proceedings and his report is silent as to when Officer A's [REDACTED] commenced. At paragraph 7.1.1 Dr [REDACTED] states:
'*A [REDACTED] opinion and assessment is dependent on the [REDACTED] interview, **the history proffered by the client**, a review of the medical records, and the objective assessment of the current [REDACTED] state by the [REDACTED]'*

46. Therefore, Dr [REDACTED] diagnosis is based on Officer A's account of having been the victim of a sustained period of domestic abuse; however, the allegations of domestic abuse by S against Officer A were the subject of no further action determinations by the CPS. This panel therefore finds that it has no evidence that Officer A was experiencing [REDACTED] at the material time (2019-2021) and that if he was experiencing [REDACTED] at the material time, it prevented Officer A from protecting and safeguarding Y and/or reporting 'S's behaviour to the police or social services.

47. The panel further took into account that Dr [REDACTED] stated at paragraph 7.2.1:
'*In terms of Officer A's [REDACTED] state symptoms, he does not present with any affective or [REDACTED] symptoms which would impair his ability to care for his child'*

48. Therefore, the panel concluded that it had no expert evidence before it to support Officer A's assertion that any trauma suffered as a consequence of his stressful and tumultuous relationship with S or his diagnosis of [REDACTED] negatively impacted on his ability to recognise the signs of abuse and protect his daughter from the same or to report these matters to the police or social services.

Panel determination

49. The panel first considered whether Officer A was aware that S was emotionally and physically abusing Y. For the reasons detailed above, the panel found that there was no expert evidence to support a finding that Officer A's [REDACTED] or the stress experienced during his relationship with S, had caused him to him to lose his ability to recognise abusive behaviour. Officer A accepted that he had completed his 'Every Child Matters' training, therefore the panel found it was likely that he had a professional understanding of the signs of child abuse.

50. The panel also noted that Officer A accepted that he had decided to record and make a note of S's behaviour towards Y at some point in 2019 when Y was approximately [REDACTED] old. The panel had particular regard to his statement that: '*The CCTV was there to protect me, and more importantly my daughter as there* ***were multiple injuries on her when my wife was looking after her***"

51. The panel was also strongly persuaded by the detailed content of some of Officer A's calendar notes; and in particular his note in respect of the incident on 8 August 2020 (detailed above) in which he details his concern that S has caused injury to Y and takes a swab of what he believes to be dried blood, secures it in an exhibit bag and gives it an exhibit number. He also noted confronting S and asking her to explain how the injury to Y was caused.

52. Considering the above circumstances the panel found that Officer A's account of being so traumatised that he couldn't recognise that the behaviour that he was recording and making a careful note of amounted to abuse, lacked plausibility. The panel, therefore, determined on the balance of probabilities, that Officer A was aware that S was emotionally and physically abusing Y.

53. The panel next considered whether Officer A failed to protect and safeguard Y. The panel found that as a father and a serving police officer, Officer A had a duty to safeguard and protect Y from abuse. The panel noted that Officer A gave different accounts in respect of this issue. In his regulation 31 response he stated that he was

a protective parent, and that his gathering of evidence was a step that he took to protect Y, however he did not explain how by merely recording ongoing abuse he was protecting Y. In oral evidence Officer A asserted that due to his trauma he couldn't recognise that what he was recording was evidence of abuse which is why he was unable to act on what he was seeing.

54. The panel determined that both explanations lacked plausibility. The panel found on the balance of probabilities that the evidence did not support a finding that Officer A had tried to protect Y from the regular abuse that he was recording. On the contrary, Officer A is present in two videos when S was acting in an abusive manner towards Y and he does not intervene. The panel therefore found on the balance of probabilities that Officer A had failed to protect and safeguard Y from being abused.

55. The panel next considered whether Officer A had failed to report S's behaviour to the police or social services. The panel noted that in oral evidence Officer A stated that he had told PS Khelifi about S shouting at Y before 4 October 2021. However, this account was contradicted by the evidence of PS Khelifi who stated that she had not been told about the abuse of Y before 4 October 2021. The panel noted that PS Khelifi had made a CRIS report when Officer A informed her that he was being abused by S and she directed him to report S immediately when she was shown the videos of S abusing Y on 4 October 2021. Considering these facts the panel found that it was unlikely that PS Khelifi would take no action if she had been informed that S was abusing Y prior to 4 October 2021. The panel, therefore, preferred the evidence of PS Khelifi and found on the balance of probabilities that Officer A had not reported S's abuse of Y to PS Khelifi before 4 October 2021.

56. In his regulation 31 response Officer A asserted that he had informed Children Social Care (CSC) about S's maltreatment of Y in June/July 2021. However, in oral evidence he accepted that he had refused to consent to a family assessment because S had threatened to "bury him" if anyone came to their home. He maintained that he was scared of S therefore, he refused to consent, but he felt that irrespective of his refusal CSC should have undertaken an assessment. The panel noted that

Officer A now accepted that he did not consent to CSC involvement therefore the panel found on the balance of probabilities that Officer A had not reported S's abuse of Y to the police or social services prior to 4 October 2021.

57. Having found that Officer A had not made a report to the police or social services prior to 4 October 2021, the panel considered whether it accepted Officer A's explanation for why he did not report S. The panel found that Officer A's account of being too scared of S to report her abuse of Y to the police or CSC was undermined by his ability to defy S's wishes given that he took Y to a specialist to address his concerns about her limited diet, and his ability to challenge S about the cause of the injuries to Y on 8 August 2020.

58. The panel also found that Officer A's account of being scared of S was further undermined by the statement of [REDACTED] dated 5 November 2021. Mr [REDACTED] was a neighbour, and he and his wife would meet with S and Officer A socially. Mr [REDACTED] states that he got on well with Officer A and S, but he noticed that Officer A held certain behaviours and opinions that he did not agree with:
'*For example, Officer A would often make comments about roles in the relationship and how he expected S to do certain things because it was a woman's job...*
I also remember a few times when the couple come to my house and S would be running around looking after their daughter and Officer A would just sit there, I thought it was quite strange because Officer A would not help and always expected S to do this. I think I have a different mindset to Officer A as I do not agree that there are certain roles for each gender....
I have heard Officer A make comments about being displeased with S's behaviour. He once complained about how when they had gone to his family's home S did not join the other women in the kitchen and instead sat with the men, Officer A did not like this as it embarrassed him that she was not acting properly'

59. The panel, therefore, did not accept Officer A's explanation for failing to report S's abuse to the police or social services. The panel therefore found allegation 2 proved in its entirety on the balance of probabilities. On the basis that Officer A's poor [REDACTED] did not impact on his ability to recognise, protect or report S's abuse

of Y and that he did not refuse to consent to a CSC assessment because he was afraid of S.

BREACH OF STANDARDS

60. Having found allegations 1 and 2 proved the panel went on to consider whether Officer A's conduct breached the professional standard of Discreditable conduct as alleged. The standard provides:

    Discreditable Conduct

    "Police officers behave in a manner which does not discredit the police service or undermine public confidence in it, whether on or off duty."

61. The panel found that by failing to protect and safeguard Y, who was a vulnerable young child, from a prolonged period of emotional and physical abuse. Officer A had acted in a manner that discredits the police service and undermines public confidence in it. The panel therefore found that Officer A's conduct had breached the standard of discreditable conduct.

GROSS MISCONDUCT OR MISCONDUCT

62. The Panel next considered whether the breach of the standard amounted to gross misconduct, misconduct or neither. Misconduct is defined in the Regulations as meaning a breach of the standards of professional behaviour that is so serious as to justify disciplinary action. Gross misconduct is defined as a breach of the standards of professional behaviour that is so serious as to justify dismissal. The Panel reminded itself of the circumstances of this case, the breach of the standard found proved, the need to protect public confidence in, and the reputation of the Police Service, the need to maintain high professional standards and the need to protect the public and officers and staff by preventing similar misconduct in the future.

63. In assessing the seriousness of Officer A's conduct the Panel had regard to the outcome guidance which provides that Panels should assess the seriousness of the proven conduct

by reference to the officer's culpability for the misconduct, the harm caused by the misconduct, the existence of any aggravating factors and the existence of any mitigating factors.

64. In respect of culpability the panel noted that as Y's father, Officer A's primary obligation was her protection. He was aware that Y was being emotionally and physically mistreated by S for a prolonged period. Although, he did not personally abuse or intend to cause harm to Y, he should reasonably have foreseen the risk of emotional if not physical harm to Y because of S's continual abuse. The panel therefore determined that the level of Officer A's culpability was high.

65. In respect of harm the panel found that Y had suffered emotional and physical harm for a prolonged period. She had been deprived of appropriate nutrition and consequently her [REDACTED]. The panel also found that public confidence in the police was likely to be significantly undermined if the public were aware of the circumstances of this case. The panel therefore concluded that the level of actual and potential reputational harm was also high.

66. The panel found the following aggravating factors in this case:

- Regular, repeated and sustained behaviour over a period of time.
- Continuing the behaviour after the officer realised, or should have realised that it was improper
- The vulnerability of Y
- Scale and depth of local concern about cases involving the abuse of children.

67. The panel found the following mitigating factors:
    - Officer A was in a stressful relationship with S and he was suffering from poor [REDACTED] at the material time.

68. In light of the above findings the panel concluded that the level of seriousness in this case was high. The panel therefore determined that the breach of the standard amounted to gross misconduct.

OUTCOME

69. In determining the appropriate and proportionate sanction the panel had regard to Officer A's service record, the facts found proved, the submissions made on behalf the AA and Officer A and the legal advice received from the legal advisor. The panel applied the three-stage procedure set out in the College of Policing Outcome Guidance. The Panel assessed the seriousness of the misconduct, keeping in mind the purpose of imposing sanctions and chose the sanction which most appropriately fulfils that purpose for the seriousness of the conduct in question.

70. Counsel for the AA provided written submissions on outcome and stated that the only appropriate sanction in the circumstances of this case is dismissal without notice. It was submitted on behalf of Officer A that in light of the circumstances of this case and the officer's unblemished service record and the positive character references submitted on his behalf a sanction of final written warning was appropriate in this case.

71. The panel reconsidered its assessment of seriousness in light of the further submissions made. For the reasons detailed above the panel found that the level of seriousness of the misconduct found proved was high. It was submitted on behalf of the officer that he has insight and expressed remorse for his failings. The panel is not persuaded by this submission in that it found no evidence of insight or remorse and therefore could not conclude that the misconduct is highly unlikely to be repeated.

72. The panel also reconsidered its assessment of aggravating and mitigating factors. It has already found that the protracted period of misconduct, spanning as it did for three years, was an aggravating factor. The panel did not identify any further aggravating factors. As to mitigation, the panel accepted, as did the AA, that Officer A's marital relationship was very strained and that his domestic circumstances were therefore very inharmonious. However, the panel was not provided with medical evidence that Officer A's [REDACTED], which was diagnosed in 2022, was in play between 2019 and 2021 and that as a result of [REDACTED] Officer A was unable to recognise and react appropriately to any

maltreatment of Y at the hands of S. Furthermore, at the time of the [REDACTED] assessment, he was deemed as being capable of caring for the child.

73. The panel kept in mind at all times the threefold purpose of imposing sanctions, namely: (a) maintenance of public confidence in and the reputation of the police service; (b) upholding high standards in policing and deterring misconduct; (c) protection of the public.

74. In line with the outcome guidance at paragraph 7.4, the panel considered the least severe outcome first. The panel was mindful that Officer A was not the perpetrator of the abuse found proved in this case, the panel was satisfied that by allowing the abuse of his vulnerable child to continue for an extended period of time Officer A's conduct amounted to a serious departure from the standards expected of serving police officers. Therefore, the panel determined that a final written warning would be neither proportionate nor appropriate to address the seriousness of the misconduct found proved and to uphold high standards in policing and deter other officers from acting in a similar manner.

75. In these circumstances, the panel concluded that the only appropriate sanction in this case was dismissal without notice.