

IN THE MATTER OF THE MISCONDUCT PROCEEDINGS UNDER THE POLICE
(CONDUCT) REGULATIONS 2020 (AS AMENDED BY THE POLICE (CONDUCT)
(AMENDMENT) REGULATIONS 2024)

BETWEEN

THE COMMISSIONER OF POLICE OF THE METROPOLIS

and

FORMER DETECTIVE CONSTABLE JAMES QUIGLEY

PANEL FINAL DECISION

A: Introduction

1. This is the written final decision in respect of the misconduct hearing for Former DC James Quigley (the Officer). The outline of the Panel's decision was presented orally during the hearing.
2. The misconduct hearing was held from 18-19 August 2026, commencing at Palestra House, 197 Blackfriars Road, SE1 8NJ and concluding virtually on 19 August 2026.
3. A notice of hearing was published in accordance with the Police (Conduct) Regulations 2020 ('the 2020 Regulations').
4. The Panel was chaired by former Commander Katie Lilburn (Chair), with independent members Ms Sophie Kane and Mr Vincent Walker. The Panel was assisted by a Legally Qualified Advisor, Ms Salma Yousef.

5. The Appropriate Authority (AA) was represented by Ms Nasreen Shah (AA's representative). The Officer was not represented; however, his Federation Representative Sgt Andy Swift was present.

6. At the outset of its deliberations, and throughout the hearing, the Panel remained mindful of the overarching purpose of police misconduct proceedings, namely:

- i. To maintain public confidence in, and the reputation of, the police service;
- ii. To uphold high standards of professional conduct and deter misconduct;
- iii. To protect the public.

B: Preliminary matters

Notice and service requirements

7. The Officer was not in attendance. The AA confirmed that the hearing papers and notice of the hearing had been served on 20 January 2026. An email dated 1 July 2026 had been received from the Officer's Federation Representative, Sgt Swift, in which it was confirmed that the Officer was 'aware of the hearing and date and will not be attending'

8. The Officer's Federation Representative confirmed that the Officer retired on 31 July 2026 and that he had no further instructions to represent him.

9. The Chair was satisfied the notice requirements for the hearing had been served in accordance with the Regulations and the Officer had been afforded the opportunity to attend, be represented and to respond to the allegations.

10. The Chair received legal advice in respect of proceeding in the absence of the Officer in accordance with the case of *General Medical Council v Adeogba and General Medical Council v Visvardis* [2016] EWCA Civ 162. In considering whether to proceed in the absence of a police officer, the Chair was advised that the primary consideration was the need for 'fairness' to the Officer though consideration should also be given to the public interest as well as fairness to the Appropriate Authority.

11. There was no information before the Chair to suggest that the Officer's absence was involuntary or that an adjournment would secure his future attendance. Having considered Regulation 32(3)(b) of the 2020 Regulations, the Chair was satisfied that the Officer was aware of the proceedings and had voluntarily absented himself. The Chair determined it was therefore fair and appropriate to proceed in his absence.

Application to amend the allegation

12. At the outset of the hearing, the AA's representative applied to amend the wording of the allegations. The AA confirmed that the proposed amendments were stylistic in nature; they did not change the factual background of the allegations against the Officer as set out in the Regulation 17 or Regulation 30 notice, nor the applicable standards of professional behaviour alleged to have been breached.

13. In accordance with the advice of the Legally Qualified Advisor, the Chair considered Regulation 41(1) of the Police (Conduct) Regulations 2020 (as amended), which provides that the person conducting or chairing misconduct proceedings must determine the procedure at those proceedings and, in so far as it is set out in the Regulations, must determine it in accordance with them.

14. The Chair was advised that, in determining whether to permit an amendment to an allegation, regard should also be had to the relevant case law, including *Ahmedsowida v General Medical Council* [2021] EWHC 3466 (Admin), in which the earlier judgment in *PSA v HCPC & Doree* [2017] EWCA Civ 319 was considered. The principal consideration was whether the proposed amendment could be made without injustice to the Officer. The Chair confirmed that the amendments to Allegations 1 and 2 would be allowed. The amendments did not materially alter the substantive allegations or the factual case the Officer was required to meet, and the Chair was satisfied that the Officer would suffer no injustice as a result. The allegations were therefore amended to the following:

Allegation 1

It is alleged that on 19 February 2024, you entered the locker room at Bromley Police Station and stole items from the personal locker of PC Joe Kempton, namely two packets of crisps and a weapons tube containing approximately £20–£30 in loose

change and pin badges.

In the circumstances, the AA contends that your actions breached the Standards of Professional Behaviour as set out in Regulation 5 and Schedule 2 of the Police (Conduct) Regulations 2020 (as amended by the Police (Conduct) (Amendment) Regulations 2024), namely:

- i) Discreditable Conduct
- ii) Honesty and Integrity

As a result of that stated herein, if proven, your conduct amounts to gross misconduct, and your dismissal may be justified.

Allegation 2

It is alleged that on 20 February 2024, at your home address, you were found to be in possession of two Metropolitan Police Service Level 2 police batons without proper justification.

In the circumstances, the AA contends that your actions breached the Standard of Professional Behaviour as set out in Regulation 5 and Schedule 2 of the Police (Conduct) Regulations 2020 (as amended), namely:

- iii) Discreditable Conduct
- iv) Duties and Responsibilities

As a result of that stated herein, if proven, your conduct amounts to misconduct, and disciplinary action is justified.

C: Background

15. On 19 February 2024, PC Joe Kempton was on duty at Bromley Police Station. At approximately 17:30 hours, he went to Waitrose and purchased some items for his dinner break.

16. Upon returning to the station, he placed a green Waitrose bag and a packet of Coca-Cola cans into his personal locker. In the locker were also two packets of Walkers crisps; Cheese and Onion and Ready Salted and a weapons tube

containing approximately £20–£30 in loose change and pin badges (a Remembrance Sunday badge, a London Ambulance Service badge, and an “usher” badge). PC Kempton locked his lockers and placed the keys inside a Timberland trainer on top of the locker.

17. At approximately 18:30 hours, PC Kempton returned to the locker room. As he entered, he heard the banging of a locker door being closed. He observed a male facing his locker with his hand moving away from it. The male appeared startled, turned, and walked away up another row of lockers.

18. PC Kempton found that his locker keys were missing from their hiding place. He approached the male and asked if he had seen them. The male replied, “No, you can check my pockets if you want,” and removed items from his pockets. PC Kempton noted that the male was carrying a green Waitrose bag. He reported the incident with a description of the male to his supervisors.

19. PC Kempton subsequently found his locker key on top of a locker along the route the male had taken when walking away. He checked his locker and found that two packets of crisps and the weapons tube were missing.

20. PC Kempton informed PS Bentley who suggested the description matched former DC Quigley, who was based in the office. Officers located former DC Quigley at his desk with a green plastic Waitrose bag. PC Kempton identified him as the male he had encountered in the locker room.

21. PS Turner took former DC Quigley into an adjacent office. When asked if he had been in the locker room, former DC Quigley stated, “Yes, I was looking for my polly bag,”. He confirmed that he did not have a locker in that room. Inspector McAndrew noted that former DC Quigley was sweating slightly and appeared out of breath. Former DC Quigley had placed the Waitrose bag on a shredder. PS Turner looked inside and observed two packets of crisps (one red packet, one blue packet), consistent with the cheese and onion and ready salted flavours PC Kempton had described as missing from his locker.

22. A section 18 search was authorised and conducted at former DC Quigley's home address where two MPS Level 2 police batons were found.

D: Regulation 30 Notice

23. On the morning of the first day of the hearing the Regulation 30 Notice, as set out above, was read out.

24. The Officer's full response is set out in the Regulation 31 response.

Response to allegations

Allegation 1

25. In summary, in respect of Allegation 1, the Officer denied stealing anything from PC Kempton's locker. He accepted picking up a Waitrose bag from the locker room in order to have something to carry his meal in after it had been heated up. The bag was scrunched up and had nothing in it when he picked it up and this was also the case when PC Kempton came into the locker room. The Officer stated the two packets of crisps found later in his possession were ones he had brought from home. Cheese and onion and ready salted crisps are very common flavours and it is a simple coincidence that one of the packets he had, had passed its expiry date. They were Walkers crisps – perhaps the most common brand in the UK. At the heart of this case is the missing money, weapons tube and pin badges. There was an extensive search of:

- a. The police station;
- b. The Officer's car,
- c. The Officer's home;
- d. The Officer's desk;
- e. The Officer's locker;
- f. The Officer's personal possessions (at the time of his arrest).

26. The missing money, pin badges and weapons tube were not found anywhere. Given the very short time between the theft being identified and the Officer identified as a suspect, there was no time – nor was there any evidence – that he left the station and was able to secrete stolen items outside.

27. If he had been responsible, the money, pin badges and weapons tube must have been within the police station. They would either have been found somewhere that was searched on the day, or, if they were missed during the initial search, in the two years since this incident, it is inconceivable that the money and weapons tube would not have been found. The Officer has not been back inside the station since this incident.

28. As the Officer denies stealing anything, he denies breaching the professional standards in respect of Allegation 1 and therefore denies gross misconduct.

Allegation 2

29. The Officer stated he was unclear under what power his home was searched. Given the time of the alleged theft and how far away his home is, it was physically impossible for him to have travelled home, and then come back to the police station in the time available (17:30 is the earliest the theft could have taken place, and in fact PC Kempton implies the theft took place just before he returned to his locker at 18:30 – either way it was impossible for the Officer to get home and back which raises the question of on what basis the search of his property was lawful).

E: Evidence

30. The Panel had been provided with the following documents:
- a. Final Bundle (including Regulation 30 notice and Regulation 31 response) consisting of 190 pages
 - b. AA's opening note comprising 11 pages
 - c. Bromley 1st floor, floor plan
 - d. Body Worn Video footage from the Section 18 search.

F: Panel's Approach

31. The Panel reminded itself of its core responsibilities:
- a. To assess the facts of the case and make findings in relation to each allegation;
 - b. To determine whether those findings amount to a breach of the relevant Standards of Professional Behaviour;
 - c. To decide whether the conduct found proven constitutes misconduct or gross misconduct.

32. In considering the facts, the Panel remained mindful that the burden of proof was on the Appropriate Authority and that the standard of proof was the balance of probabilities; that is, whether the alleged conduct was more likely than not to have occurred.

33. The Panel considered the evidence in the round, including the documentary evidence, witness statements, body worn video footage and the Officer's own admissions.

34. The Panel was mindful that there were no independent eyewitnesses to the actual theft.

35. 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.

36. 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.

37. In reaching its decision, the Panel considered the purpose and nature of police misconduct proceedings. The primary aim is not to punish the Officer, but to uphold public confidence in the police service and protect its reputation by ensuring accountability and making clear that improper conduct will not be tolerated.

38. A secondary aim is to affirm and promote high professional standards. A further purpose is to protect the public, the Complainant, and police staff by preventing recurrence of similar misconduct. In doing so, the Panel had regard to the principles established in *Bolton v Law Society* [1994] 1 WLR 512; *Chief Constable of Dorset v PAT, Salter (Interested Party)* [2011] EWHC 3366 (Admin); and *R (Williams) v PAT* [2016] EWHC 2708 (Admin).

39. The Panel also considered the relevant regulatory framework and guidance, including:

The Police (Conduct) (Amendment) Regulations 2024 ("the Regulations"), particularly the Standards of Professional Behaviour set out in Schedule 2;

The 2018 Home Office Guidance (“HOG”), with specific reference to Chapter 1, which summarises the Standards.

G: Finding of Facts

Allegation 1

40. The Panel considered the chronology of the incident. The issue in the case was who took the items from PC Kempton’s locker.

41. The Panel found that the window of opportunity for the theft was very small. PC Kempton had last accessed the locker at approximately 5:30 pm when the missing items were present, and next accessed his locker at 6:30 pm.

42. The Panel noted PC Kempton’s detailed account that as he entered the locker room, he heard the “banging of locker doors closing”. He further described seeing a male standing in front of his locker and “pulling his hand away from my locker”. In his statement PC Kempton clearly stated that the male was standing squarely facing his locker, less than a foot away from it, and that the hand movement was consistent with him pulling his hand away from the area of the lock.

43. The Officer, by his own admission, was in the locker room when PC Kempton returned at around 6:30 pm. The Panel gave weight to the Officer’s presence at the scene of the theft and accepted PC Kempton’s evidence that the Officer was directly in front of his locker, from which the items had been taken, particularly as, by his own admission, he did not have a locker in that locker room. Taken collectively with the other evidence, the Panel found this to be a strong indication that the Officer had recently accessed PC Kempton’s locker.

44. The Panel further noted PC Kempton’s evidence regarding the Officer’s reaction and demeanour in the locker room. He was described as being ‘startled’ by PC Kempton’s arrival and as having a ‘shocked’ expression when PC Kempton saw him. The Officer then turned and walked away. The Panel considered this evidence as part of the overall evidential picture, but did not treat demeanour alone as establishing involvement in the theft.

45. The Panel noted that when PC Kempton could not locate the key for his locker in its usual hiding place and asked the Officer if he had seen it, the Officer responded defensively, stating, "No, you can check my pockets if you want" before proceeding to remove items from his pocket. The Panel noted that the Officer was holding a green Waitrose bag at this time which, as was later discovered was one of the items taken.

46. The Panel also gave weight to the fact that the key to the locker was subsequently discarded on the same route that the Officer had exited the locker room (which was not the most direct route to exit the locker room).

47. The Panel noted that PC Kempton and the Officer were not known to each other prior to the incident and that the description provided by PC Kempton of the male in the locker room matched the Officer and he was identified within minutes of the incident taking place, in the CID room. At this point Inspector McAndrew confirmed there was a green Waitrose bag next to him.

48. In terms of the Officer's response and demeanour when he returned to his desk; the Panel noted that when he was seen in the CID room, PC Kempton described the Officer as 'sweating, flushed and looking panicked' and that with him on the side was a green Waitrose bag. This was corroborated by the statement of PS Turner who stated that as the Officer exited the CID room with the Waitrose bag, 'he was sweating with his forehead beaded and his hairline also damp, and he was also breathing heavier than I would expect of someone sat at a nearby desk'. The Panel also gave weight to Inspector McAndrew's evidence that when the Officer was asked to step outside the CID room and informed of the allegation he was sweating slightly across his forehead and appeared to be out of breath and asked if he was 'under arrest'.

49. The Panel noted PS Turner's observation as to how relaxed but nervous the Officer appeared; 'there were no questions about what was going on and why he was being taken to an office', which PS Turner considered would be expected of someone, especially a police officer, in terms of why they were being spoken to and stopped from going about their business. The Panel considered the Officer's demeanour and comments as part of the overall evidential picture, rather than as independent proof of guilt.

50. The Panel noted PS Turner's evidence that the Officer put his Tupperware and bag onto a nearby shredding unit and when this was checked by PS Turner, he could see two

packets of crisps, one red and one blue; consistent with the colourings for the two flavours PC Kempton stated were taken from his locker. He also confirmed in his further statement that he could see one of these was expired.

51. The Panel accepted that Walkers crisps and the flavours identified were commonly available. The Panel nevertheless considered the presence of two packets matching the particular flavours described by PC Kempton to be a significant evidential feature when considered alongside the other evidence. The Panel also took into account the evidence that one of the packets was beyond its expiry date. Having considered these matters together with the Officer's presence in the locker room and the other circumstantial evidence, the Panel was satisfied, on the balance of probabilities, that the packets in the Officer's possession were the same crisps that had been taken from PC Kempton's locker.

52. The Panel therefore considered the Officer's account that he had entered the locker room to search for a polythene bag for his food containers to be implausible. His account was further undermined by the existence of a carrier bag found in his desk area and by his statement that he had brought his items (including crisps) into work in a small white plastic bag and concluded there were other plastic bags more closely accessible to him in the office he was already working in.

53. Given the evidence from PC Kempton that the Officer had a green Waitrose bag when in the locker room and that he had a green Waitrose bag when in the CID room which was seen to contain the packet of crisps taken from PC Kempton's locker, the Panel concluded, on the balance of probabilities, that the Waitrose bag found in the Officer's possession was the same Waitrose bag that had been taken from PC Kempton's locker and reported missing.

54. The Panel gave weight to PC Kempton's evidence that, because he had organised his locker earlier that day, he had a good knowledge of its contents. The Panel noted that the weapons tube containing change and badges was missing and had not subsequently been located. The Panel considered the evidence concerning the Officer's presence in the locker room, his position immediately in front of PC Kempton's locker, the discovery of the locker key along the route taken by the Officer, the presence of the Waitrose bag and crisps in his possession, and the limited period during which the theft could have occurred. Taken together, the Panel considered this evidence to provide a compelling circumstantial case that the Officer had accessed PC Kempton's locker and removed its contents, including the weapons tube. Having considered the evidence as a whole, and the absence of any credible

alternative explanation, the Panel was satisfied, on the balance of probabilities, that the Officer had taken the weapons tube.

55. Taking the matters as a whole, the Panel found that the Officer entered the locker room and stole the items set out in Allegation 1, namely two packets of crisps and a weapons tube containing approximately £20–£30 in loose change and pin badges.

Allegation 2

56. In relation to the two Metropolitan Police Service Level 2 police batons, the Panel relied on the statement of PC Allen that two black acrylic batons which she knew to be used in level two public order training in the Met Police were found in the basement room (of the Officer's property), under the stairs.

57. The Officer admitted the batons were at his home address. He stated in interview that he acquired these when he was a Level 2 'way back whenever in Lambeth so one would have been personal issue and the other, I've acquired and I do remember at some stages training with them with other people with two but to be honest I didn't, I didn't actually remember that I still had them'.

58. He stated he would have returned them 'if he had got round to emptying all those boxes' and conceded that they were at his home address as he sometimes used them for martial arts training but he hadn't for a long time.

59. The Panel considered the MPS Public and Personal Safety (PSST) Policy dated January 2024 which was in force at the time of the incident, and specifically Section 5 which dealt with batons. This made it explicitly clear that a baton is an offensive weapon within the terms of the Prevention of Crime Act 1953 and possession by officers while off duty may be an offence unless they have 'reasonable excuse'. Such possession will only be permitted if it is necessary for operational reasons.

60. The Policy goes on to state at 5.2 that in 2020 the MPS rolled out the new positive locking baton, whereby officers would have needed to surrender their old friction lock baton AND public order baton. Unless authorised to retain a GFLB at that time. Once the roll out and amnesty concluded if officers have any other baton, other than the issued positive

locking baton (unless authorised to additionally retain a GFLB) in their possession, then this would be treated as misconduct.

61. The Panel found this allegation was clearly made out on the Officer's own admission and in light of the Force Policy.

H: Breach of Standards

62. Having found Allegations 1 and 2 proved, the panel went on to consider whether the Officer had breached the Standards of Professional Behaviour.

63. In relation to Allegation 1, the Panel considered whether the findings amounted to a breach of the standards of Honesty and Integrity, and Discreditable Conduct as alleged.

64. The standard of Honesty and Integrity requires Police officers to be honest, act with integrity and not compromise or abuse their position."

65. The standard of Discreditable Conduct requires police officers to behave in a manner which does not discredit the police service or undermine public confidence in the police service whether on or off duty.

66. In relation to Honesty and Integrity, the Panel was invited to consider the decision in *Ivey v Genting Casinos* [2017] 3 WLR 1212 looking at the Officer's subjective knowledge or belief as to the facts, and then applying the objective standards of ordinary decent people. The Panel was satisfied that, in taking items from a colleague's locker, the Officer's actions were clearly dishonest by both subjective and objective standards.

67. PC Kempton was entitled to feel safe and to expect his property to be respected whilst at work. A theft from his locker was clearly dishonest and the Panel considered the conduct to represent a serious breach of trust. The panel found that a theft from a colleague's locker fell significantly below the standards expected of a serving police officer.

68. In terms of discreditable conduct, the theft from a locker had the potential to bring the Officer and the police service into disrepute. Public confidence depends upon police officers acting with the utmost honesty and integrity, both within and outside the workplace which

includes respecting the property of others.

69. Given the extent to which the Officer's behaviour departed from the standards expected of a serving police officer and the potential impact of that behaviour upon public confidence, the Panel found that, in relation to Allegation 1, the Officer had breached the Standards of Honesty and Integrity and Discreditable Conduct.

70. In relation to Allegation 2 the Panel considered whether the facts found proven amounted to a breach of the standard of Duties and Responsibilities and Discreditable Conduct.

71. The Standard of Duties and Responsibilities requires that Police officers are diligent in the exercise of their duties and responsibilities.

72. In addition, s.141 of the Criminal Justice Act 1988 made it a criminal offence to be in possession of an offensive weapon in a private place without lawful excuse. This came into effect on 14th July 2021.

73. The Officer's interview suggested that he may not have been aware of the applicable policy. The Panel did not accept that lack of awareness provided a proper justification for retaining the batons. The Panel regarded the Officer, as a serving police officer at the relevant time, as being expected to understand and comply with applicable orders, instructions and policies.

74. The batons were police property and were intended only for use in the course of duty. The Officer's decision to retain them for an extended period and use them for personal activities demonstrated a serious disregard for the duties and responsibilities but also risked discrediting the police service and undermining public confidence given the nature of the objects.

75. The Panel was satisfied that the standard of Duties and Responsibilities has been breached by the Officer and that the Standard of Discreditable Conduct had been engaged.

I: Assessment of Seriousness

Allegation 1

76. The Panel went on to make a provisional assessment of seriousness of Allegation 1 by reference to Culpability and Harm, Mitigating and Aggravating factors.

Culpability

77. The Panel found the conduct to be deliberate and intentional. The Officer deliberately took items from PC Kempton's locker in the workplace. The Panel found that the locker room had been deliberately targeted and that the Officer was solely responsible for his actions.

78. The Panel found that the conduct was planned. There was no legitimate reason for the Officer to be in the locker room at the relevant time, and the Panel considered that he entered the locker room and took the opportunity to steal from a colleague's locker.

79. The Panel considered the relevance of the guidance concerning conduct which is criminal in nature. The Panel's role was not to determine criminal liability or to make a finding that the Officer had committed a criminal offence. However, the Panel considered that the conduct found proved had a criminal character and regarded this as a significant factor when assessing its seriousness.

80. The Panel found the Officer's culpability to be high. The conduct involved a deliberate and intentional act of theft from a colleague within the workplace. The Panel considered that honesty and integrity are fundamental to the role of a police officer and that deliberate dishonesty of this nature represents a significant departure from the standards expected of an Officer.

81. The Panel considered the distinction between dishonesty connected with an operational matter and dishonesty which is unconnected to a police operation or investigation. The Panel recognised that there may be cases where an officer has behaved dishonestly in circumstances which are minor or trivial in nature. However, the Panel considered the circumstances of this case carefully and concluded that the deliberate targeting and theft from a colleague's locker could not properly be regarded as minor or trivial.

82. The Panel considered that the fact the conduct occurred whilst the Officer was on duty was also significant. Although the dishonesty was not operational dishonesty, it occurred during the course of the Officer's working day and within the police workplace. The Panel considered that conduct of this nature has the potential to undermine public trust and confidence in the police service.

Harm and Public Confidence

83. The Panel found that there was direct harm to PC Kempton, as set out in the concluding section of his statement. He stated 'this incident has left me feeling angry but above all sad. I am angry that my locker has been opened, and my personal property has been stolen from it. But I am sad that in a Police Station, personal property has been stolen by serving Officer. I believed that I could trust my fellow colleagues within a police station, and now that trust has been broken. The items stolen weren't of much value but the principle of what has happened is priceless.'

84. The Panel also considered the wider reputational harm. Police officers are expected to operate to the highest standards of honesty and integrity, which are fundamental to their role. The deliberate theft of a colleague's property is wholly inconsistent with those expectations and represents a serious breach of the trust placed in a police officer.

85. The Panel considered that conduct of this nature has the potential to undermine public confidence in the police service. Members of the public are entitled to expect police officers to respect the law and to demonstrate honesty and integrity in their professional conduct.

86. The Panel considered both the individual harm suffered by PC Kempton and the potential reputational harm to the police service to be significant.

Aggravating and Mitigating Features

87. The Panel was mindful not to double count. The aggravating features identified by the Panel were:

- the deliberate and intentional nature of the theft;

- the breach of trust involved in taking property from a colleague's locker within the workplace;
- the expectation that PC Kempton should be able to feel safe and secure leaving his property in a locked locker at work;
- the fact that the Officer was a serving police officer and was therefore subject to the highest standards of professional conduct;
- the fact that the conduct occurred within the police workplace and whilst the Officer was on duty; and
- the potential impact of the conduct upon public confidence in the police service.
- The Panel found no significant mitigating features relevant to Allegation 1.

Concluding assessment on severity of allegation 1

88. Having considered the seriousness of the conduct, the Officer's culpability, the harm caused, the aggravating and mitigating features and the potential impact upon public confidence, the Panel found the misconduct to be grave.

89. The Panel considered that the combination of high culpability, significant harm, the breach of trust involved, the deliberate and targeted nature of the conduct, the discreditable behaviour and the potential impact upon public confidence meant that the misconduct was sufficiently serious that dismissal could be justified.

90. The Panel therefore found that the conduct set out in Allegation 1 amounted to **gross misconduct**, being a breach of the Standards of Professional Behaviour so serious as to justify dismissal.

Allegation 2

91. The Panel then considered the seriousness of the Officer's conduct in relation to his retention of the two MPS Level 2 police batons found at his property.

Culpability

92. The Panel found that the Officer's retention of the batons was deliberate. Although the Panel accepted that the Officer *may* originally have had a legitimate reason for having access to the equipment, his subsequent decision to retain the batons at his home and use them for personal martial arts training was a conscious and deliberate choice.

93. The Panel found the Officer to be individually responsible for the decision to retain the batons. The Panel considered his culpability to be medium. The Panel took into account that the original reason for his possession of the equipment may have been legitimate, but that he subsequently chose to retain it for a purpose unrelated to his policing duties.

94. The Panel considered that the Officer derived a personal benefit from retaining the equipment, in that he used the batons for his martial arts training. The Panel regarded this as an aggravating feature.

95. The Panel also considered the duration of the retention. The batons were retained for an extended period, notwithstanding that they were MPS property and were not authorised for personal use.

96. The Panel considered that the conduct involved a breach of trust. The Officer was entrusted with access to specialist police equipment and was expected to comply with the applicable policies governing its use and retention. By taking the batons home and using them for personal activities, he significantly departed from those requirements.

Harm and Public Confidence

97. The Panel found the level of harm to be **low to medium**. There was no evidence that the batons had been used inappropriately or otherwise.

98. However, the Panel considered that the conduct had the potential to undermine confidence in the Officer's ability and willingness to comply with force policies which sets out individual responsibilities governing police equipment.

99. The Panel also considered the wider implications of an officer retaining police equipment for personal purposes. Police officers are expected to comply with procedural instructions and to exercise appropriate care and responsibility in relation to police property.

Aggravating and Mitigating Features

100. The Panel again was careful not to double count. The aggravating features identified by the Panel were:

- the extended period for which the batons were retained;
- the deliberate decision to retain the equipment;
- the use of the batons for personal martial arts training;
- the personal advantage obtained from retaining the equipment;
- the breach of trust involved in taking MPS property home;
- the significant deviation from the applicable orders and instructions; and
- the fact that the Officer was a serving police officer and was expected to understand and comply with those requirements.

101. The Panel took into account the Officer's admission that he had retained the batons and had used them for martial arts training.

102. However, the Panel considered that the Officer demonstrated limited insight into the seriousness of his wrongdoing. The Panel therefore attached limited weight to the admission as a mitigating feature.

103. The Panel noted that there was no evidence that the batons had been used inappropriately or for any unlawful purpose. The Panel regarded this as relevant when assessing the overall seriousness of the misconduct.

Conclusion on seriousness assessment for allegation 2

104. The Panel considered that the breach of the Standards of Professional Behaviour was serious. Officers are required to comply with orders and instructions and to demonstrate integrity in their handling of police property.

105. The Panel considered that the Officer's deliberate decision to retain MPS equipment for personal use represented a significant departure from those requirements. However, when assessing culpability, the Panel distinguished this conduct from Allegation 1, which involved deliberate dishonesty and the targeted theft of a colleague's property.

106. Having considered the seriousness of the conduct, the Officer's culpability, the level of harm, the aggravating and mitigating features and the potential impact upon public confidence, the Panel found the misconduct to be serious.

107. The Panel did not find the conduct to be sufficiently serious to amount to gross misconduct. In particular, there was no evidence that the batons had been used inappropriately or for an unlawful purpose, and the Panel took into account the potentially legitimate circumstances in which the Officer had originally obtained possession of the equipment. The Panel therefore found that the conduct set out in Allegation 2 amounted to misconduct only, being a breach of the Standards of Professional Behaviour that is so serious as to justify disciplinary action.

108. Having found the allegations proved, and determined that Allegation 1 amounted to gross misconduct and Allegation 2 amounted to misconduct, the Panel then considered the appropriate outcome in accordance with the provisions applicable to a former officer.

109. The Panel reminded itself that the outcome must reflect the seriousness of the misconduct, uphold professional standards and maintain public confidence and, where appropriate, have a deterrent effect. The Panel also had regard to the College of Policing Guidance on Outcomes in Police Misconduct Proceedings.

J: Outcome and sanction

Allegation 1

110. Having found the allegations proved, and having determined that Allegation 1 amounted to gross misconduct and Allegation 2 amounted to misconduct, the Panel then considered the appropriate outcome. In doing so, the Panel had regard to the seriousness of the conduct found proved, the circumstances of the case and the provisions applicable to a former officer.

111. The Panel reminded itself that the purpose of the outcome is to reflect the seriousness of the misconduct, uphold professional standards and maintain public confidence in the police service. The Panel also had regard to the College of Policing Guidance on Outcomes in Police Misconduct Proceedings.

112. In determining the appropriate outcome, the Panel considered the Officer's culpability, the harm caused or capable of being caused by the misconduct, and the aggravating and mitigating factors identified above. The Panel considered the misconduct in the round and sought to determine an outcome that was proportionate to the seriousness of the conduct found proved.

113. The Panel considered that the outcome should appropriately reflect the seriousness of the misconduct and the need to maintain public confidence in the police service. The Panel also considered the importance of maintaining professional standards and the deterrent effect of an appropriate disciplinary outcome.

114. In relation to Allegation 1, the Panel considered the Officer's culpability to be high. The conduct involved the deliberate removal of property from a colleague's locker and the subsequent retention of that property. The Panel considered that this represented a serious breach of the standards expected of a police officer and a significant breach of the trust placed in the Officer by the public and by his colleagues.

115. The Panel considered the aggravating and mitigating factors set out above. Having done so, the Panel concluded that the seriousness of the conduct, the Officer's high culpability, the breach of trust and the impact upon public confidence outweighed any mitigation relied upon by or available to the Officer.

116. As the Officer is a former officer, the Panel considered the outcomes available under the provisions applicable to former officers. The Panel considered which outcome would have been appropriate had the Officer still been serving, while recognising that the present proceedings could not result in an actual dismissal.

117. The Panel considered the gross misconduct found proved to be sufficiently serious that, had the Officer still been serving, dismissal would have been the appropriate and proportionate outcome. The Panel considered that no lesser sanction would adequately reflect the seriousness of the conduct, the Officer's culpability, the breach of trust or the potential damage to public confidence in the police service.

118. The Panel therefore determined that, had former DC Quigley still been a serving officer, he would have been dismissed without notice. The Panel considered that this outcome was necessary and proportionate having regard to the seriousness of the gross misconduct and all of the circumstances of the case.

119. In respect of Allegation 2 the Panel found that the Officer was in possession of the batons when he was no longer entitled to retain them, and that this amounted to a breach of the Standards of Professional Behaviour. However, the Panel noted that there was no evidence that the Officer had misused the batons. Having considered the seriousness of the conduct and all of the circumstances which amounted to misconduct the range of outcomes available to it was limited. The Panel therefore recorded a finding of misconduct in respect of Allegation 2 and took no further action.

120. The Panel further determined that the Officer should be placed on the College of Policing barred list and ordered publication in accordance with Regulation 43(6).

Right of Appeal

121. In accordance with Regulation 43(2), the Appropriate Authority shall provide the Officer with a copy of this report and a notice of the right of appeal. The Officer is reminded he has a right to appeal to the Police Appeals Tribunal. ("PAT"). The PAT may increase or decrease any penalty or overturn this decision.

Former Commander Katie Lilburn

Metropolitan Police Service

19 August 2026