

Accelerated Misconduct Hearing Finding and Outcome

Officer Name:	PC Adejuwon Adebisi
Warrant no:	P234257
Date of Hearing:	13th November 2024
Alleged Standards Breached:	<ul style="list-style-type: none">• Discreditable conduct• Honesty and Integrity• Duties and Responsibilities

Finding

I have had the benefit of the papers in advance of today and read them carefully before the hearing started. I am satisfied that all the required notices under the *Police (Conduct) Regulations 2020* have been served. These are matters which have not, in any case, been disputed before me.

This hearing was held in public.

Representations and service:

I have listened to the case presented on behalf of the Appropriate Authority Carl Binas. I have also listened carefully to the representations made on behalf of PC Adejuwon Adebisi by his Police Federation Representative, Sergeant White.

The allegations against PC Adebisi are that:

On Sunday 17 March 2024, PC Adebisi was driving a marked police van. Whilst driving PC Adebisi was also eating food which was placed on the empty passenger seat next to him. At approximately 13:33, PC Adebisi collided with a member of the public's stationary vehicle causing extensive damage to both the police vehicle and the parked car.

On Monday 18 March 2024, PC Adebisi denied having been involved in a collision to the traffic sergeant and his line manager.

On Monday 2 September 2024, PC Adebisi attended Stratford Magistrates Court and pleaded Guilty to Driving Without Due Care and Attention.

This breached the **Standards of Professional behaviour** under Regulation 5 and Schedule 2 to the Regulations, specifically those of:

- **Discreditable Conduct** - *Police officers behave in a manner which does not discredit the police service or undermine public confidence, whether on or off duty.*
- **Honesty and Integrity** - *Police officers are honest, act with integrity and do not compromise or abuse their position." individuals.*
- **Duties and Responsibilities** - *Police officers are diligent in the exercise of their duties and responsibilities. Police officers have a responsibility to give appropriate cooperation during investigations, inquiries and formal proceedings, participating openly and professionally in line with the expectations of a police officer when identified as a witness.*

Brief Circumstances:

In his regulation 54 response, PC Adebisi has accepted that he has breached the standard of Discreditable Conduct in relation to “driving without due care and attention”. He denies that he has breached the standard of Honesty and Integrity in relation to denying that he has been involved in a road traffic collision. PC Adebisi denies that he has breached the standard of Duties and Responsibilities, stating that he was entirely unaware that he had collided with a stationary vehicle. However, his Federation Representative stated at the hearing that he admits all of the allegations as gross misconduct.

The main issue of fact which I have to decide is whether the AA has proved on a balance of probabilities that:

1. PC Adebisi knew or reasonably ought to have known that he was involved in a collision.
2. PC Adebisi’s conduct amounted to gross misconduct

Having heard the evidence I am satisfied on a balance probabilities that the standards of Discreditable Conduct, Honesty and Integrity and Duties and Responsibilities have been breached.

My reasons for this are as follows:

- I understand the Federation Representative has said PC Adebisi has admitted a breach of the standards as gross misconduct, however as per his Regulation 54 response, I do not believe he did. I think what has happened is that he has now acknowledged that he did hit a vehicle which showed his original position was wrong. I do not think that this equates to him admitting a breach of Standards of Honesty and Integrity and Duties and Responsibilities or that he admits gross misconduct.
- PC Adebisi accepts that he breached the standard of Discreditable Conduct in relation to driving without due care and attention, a matter that he has pleaded guilty to at Stratford Magistrates Court on 2 September 2024. PC Adebisi’s Federation Representative stated at the AMH that PC Adebisi has also now pleaded guilty at Court for failing to stop at the scene of an accident, and failing to report an accident.
- Having reviewed the CCTV, on the balance of probabilities, PC Adebisi would have known or reasonably ought to have known that he was involved in a collision. On the CCTV footage a loud bang is audible, and it is clear from the motion of the vehicle that a collision had taken place. If, which is unlikely, PC Adebisi was in fact unaware that there had been a collision, it is reasonable to expect that PC Adebisi would have done some preliminary investigations of the vehicle and the locale of the incident to determine what had happened.
- The Forensic Collision Investigation Report notes as follows:
 - *‘Whilst the BMW was protruding from the parking bay, there was sufficient room for the van to pass. CCTV footage from the van showed PC Adebisi was eating from a box on the front passenger seat. This appears to have been a sufficient distraction for PC Adebisi.’*
 - *‘There were no defects to the van that would have caused or contributed to the collision. The failure in the steering system was as a result of the collision.’*
- PC Adebisi denied having been involved in an incident to his line manager and the Traffic Sergeant on 18 March 2024.

- It was suggested that 4 minutes and 10 seconds have changed this officer's life. Whilst those 4 minutes and 10 seconds are the core of the matter, I consider that this matter extends beyond the collision itself, to the continued actions in continuing to deny the incident and effectively attempting to cover it up.

Breach of the Standards

I must determine whether the admitted conduct did breach the standards of Discreditable Conduct, Honesty and Integrity and Duties and Responsibilities. I find that it did.

I bear in mind that the burden of proving this rests upon the AA and that it must satisfy me on the balance of probabilities. I am satisfied the AA has discharged that burden.

Gross Misconduct

I have reminded myself that gross misconduct is a breach of the *Standards of Professional Behaviour* so serious that dismissal would be justified. Applying that definition, I am satisfied that PC Adebisi did breach of the standards of Discreditable conduct, Honesty and Integrity and Duties and Responsibilities and accordingly I find that the behaviour does amount to gross misconduct.

Outcome Decision

In making my decision on outcome I adopt the three stage process, as outlined in the College of Policing's Guidance on Outcomes in Police Misconduct Proceedings to determine the appropriate sanction.

The first stage is to assess the seriousness of the conduct. This is assessed by reference to:

- i. The officer's culpability,
- ii. The harm caused by the misconduct
- iii. The existence of aggravating factors
- iv. The existence of mitigating factors.

The second stage is to keep in mind the purpose of the police misconduct regime. I remind myself that this has three elements:

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

I further remind myself that the police misconduct regime is not designed to punish police officers – it is about the reputation and standing of the profession as a whole.

The third stage is to choose the outcome that most appropriately fulfils that purpose given the seriousness of the conduct in question.

In adopting the three-staged approach outlined above, I bear in mind PC Adebisi's record of service.

I start by assessing the seriousness of the conduct

Stage 1: the seriousness of the conduct

Culpability

- PC Adebiyi was responsible for own actions and did know or ought to have known he was involved in an accident.
- He knew his responsibilities when an accident took place, including his legal duty to report the accident and he failed to do so.
- He has subsequently pleaded guilty at Court for offences including failing to stop and driving without due care and attention.

The culpability is therefore high.

Harm

- PC Adebiyi had no regard to the harm his dishonesty and failing to conduct himself in line with his duties and the law could cause to the public, his colleagues and himself, nor the great harm to the public trust and confidence in the MPS. It is noted that videos of this incident were published on social media and is therefore very much in the public sight.
- He also had no regard to the potential harm that it could cause the owner of the vehicle knowing that they would likely drive it following an accident nor made any effort to satisfy himself that he hadn't caused such damage. The owner of the vehicle states in her statement that her and her husband drove the car home not knowing it was a potential hazard.

In this case, I find the harm to also be high.

Aggravating factors:

I have not identified further separate aggravating features, in addition to those already referred to, in order to avoid double counting.

Mitigating factors:

PC Adebiyi has shown remorse for this matter but I have not identified any mitigating factors into the incident itself but I note the representations made by PC Adebiyi's representative in relation to good service.

Conclusion on seriousness:

Taking all these matters into consideration I assess the seriousness of the conduct as high.

Personal Mitigation:

I have considered the officers record of service.

I note the existence of supportive character statements provided.

I am also mindful of the limits to the weight I should attach to personal mitigation as identified in the College of Policing's Guidance on Outcomes in Police Misconduct Proceedings and that that the interests of the police service, and the protection of the public, are more important than those of the individual officer. No personal mitigation was raised beyond what was heard today.

Stage 2: the purpose of the misconduct regime

I have reminded myself of the threefold purpose of the police misconduct regime carefully in considering the appropriate outcome in this case.

I further remind myself that the police misconduct regime is not designed to punish police officers – it is about the reputation and standing of the profession as a whole.

I acknowledge the risk that the outcome imposed can have a punitive effect; accordingly the outcome should be no more than is necessary to satisfy the purpose of the proceedings. Therefore, in deciding the appropriate outcome I shall consider less severe outcomes before more severe outcomes and shall impose the least severe outcome that deals adequately with the issues identified, while protecting the public interest.

The outcomes available at the conclusion of an accelerated misconduct hearing upon finding that the conduct amounts to gross misconduct are:

- a) a final written warning
- b) a reduction in rank
- c) dismissal without notice

Stage 3: the appropriate outcome

I have considered whether a final written warning, or indeed a reduction in rank, would be an appropriate sanction in this case, but owing to the fact that PC Adebisi is a constable, he cannot be reduced in rank.

I considered whether a final written warning would be consistent with the public interest. In my view it would not.

It is entirely unacceptable for police officers who are responsible for enforcing the law, to break the law themselves. Doing so undermines public trust and confidence in policing as well as the reputation of the MPS. The public could not have confidence in PC Adebisi to protect them or others.

Honesty and Integrity is a fundamental value of the police service, and where breached will significantly undermine confidence and trust in the service.

A lesser outcome would not serve to mark the seriousness of this misconduct, or deter others from similar misconduct and fulfils the purpose of the police misconduct regime.

In coming to my decision on outcome I have read and considered the officer's record of service. I have considered the matter fully, including the nature and severity of the breaches of the Standards of Professional Behaviour. I do of course understand his remorse and am grateful for his acknowledgement of the impact of this matter. However, the gravity of PC Adebisi's behaviour means that I do not consider that any sanction less than dismissal without notice is justified.

Outcome: My decision is that PC Adebisi should be dismissed without notice and be placed on the College of Policing Barred List.

Signature

Laurence Taylor - Assistant Commissioner

13th November 2024