

Notice of Outcome of Police Misconduct Hearing

Police (Conduct) Regulations 2020

Officer concerned: PC Bright Shine-Sedziafa

Misconduct Hearing: 07th to 09th October 2024

Name of person chairing: Mr Maurice Cohen

Name of panel members: Assessor –Superintendent Clair Haynes, IPM – Bernard Nawrat

Background

Ms Kara Lorraine represented the Appropriate Authority (AA) and PC Bright Shine-Sedziafa (PC Shine-Sedziafa) was represented Mr Nicholas Yeo.

The panel were provided with a bundle of papers which included witness statements from Officer A, PC Andrew Marsh; Mrs C and Mr Richard Quaye. It also contained PC Shine-Sedziafa's prepared statement; form 163; prepared statement of Mrs Diana Enyo Shine; record of interview of PC Shine-Sedziafa; child travel consent form; screenshots from download of PC Shine-Sedziafa's phone; extract from download of Diana Shine's mobile phone; email regarding the declarable associations; record of interview with Child B. The panel additionally were provided with the Regulation 30 and Regulation 31 notices. At the hearing, the panel were provided with disclosure emails regarding PNC audit; body worn video (BWV) of interaction with PC Marsh; bundle of character references for PC Shine-Sedziafa and email chain between Professional Standards Department (PSD) and Officer A in respect of his witness statement. We were also provided with an opening note on behalf of the AA.

PC Shine-Sedziafa faces an allegation of gross misconduct in respect of three allegations following him bringing child B to the UK to her mother without appropriate written consent forms and in circumstances where he was said to have insufficient regard to the best interests of child B in light of the fact that her mother, Mrs C, was present in the UK temporarily, on a tag and facing extradition to the USA on serious fraud charges.

Prior to becoming a police constable, PC Shine-Sedziafa had worked as a prison guard. He had a law degree and the panel have a reference indicating that he had previously worked as a paralegal. Following being appointed as a police constable, PC Shine-Sedziafa was placed on street duties and was therefore still on probation at the time of the events relating to the allegations herein.

PC Shine-Sedziafa unfortunately lost his parents in short succession. On 8 December 2022, PC Shine-Sedziafa visited Ghana in order to attend his father's funeral. Prior to travelling to Ghana PC Shine-Sedziafa claims to have met Mrs C on 2 occasions, both being at his cousin,

Ms Confidence Haugen's house as she was staying there temporarily. Whilst he was in Ghana, he/his wife were requested by Mrs C to bring her daughter, child B, back to the UK. There were subsequent arrangements made involving multiple individuals including PC Shine-Sedziafa; his wife; Mrs C; Mr Quaye; child B's grandmother and Ms Haugen. Mrs C's fiancé/boyfriend, Mr Quaye, who was resident in Ghana was significantly involved in arrangements as was Ms Haugen.

Many of the arrangements were made using WhatsApp messages. Copies of child B's expired Ghanaian passport; current US passport; expired Ghanaian Visa and a draft minor (child) travel consent form were contained within the same. Furthermore, travel costs of £800 to include the flight costs for child B and sundry expenses were transferred to PC Shine-Sedziafa. It was additionally evidenced that PC Shine-Sedziafa requested a further sum of 1300 Cedis to be sent to his Momo account linked with his Ghanaian mobile telephone number in respect of immigration fees.

Appropriate arrangements were made for child B to be brought to the airport on 20 December 2022. She was accompanied by her grandmother and uncle. The original travel consent form was provided and the passengers checked in; passed through immigration and subsequently travelled to the UK via Amsterdam.

Upon arrival, there were concerns in respect of documentation provided in respect of child B and subsequent investigations into possible child trafficking, although ultimately no charges were brought in respect of the same. Officer A interviewed PC Shine-Sedziafa and his wife initially at the passenger control point (PCP) and subsequently in interview rooms. There were concerns in respect of the circumstances in which child B was being brought to the UK in the light of her mother's status whereby she was tagged and facing extradition and noting issues with the consent form and evidence given by PC Shine-Sedziafa and his wife.

Following investigations, PC Shine-Sedziafa and his wife were arrested and transferred to a central London police station. Child B was interviewed. Following this, she was chaperoned to the USA in order for their authorities to assume safeguarding responsibilities. The decision for this was taken by the Assistant Director of Safeguarding at UKBA following an emergency case conference. As indicated, the criminal charges were dropped but PC Shine-Sedziafa subsequently faced misconduct allegations which are the subject matter before this panel.

In officer A's witness statement, he indicated that it was prepared with reference to notes made by him on the day of the incident. PC Shine-Sedziafa, his wife and child B presented at the PCP desk having arrived from Ghana via Amsterdam. Their travel documents were produced. It was indicated that the couple had been in Ghana for a holiday and were returning home. PC Shine-Sedziafa is reported to state that child B was his friend's daughter and that he had travel consent paperwork from her mother. He presented this documentation. He indicated that the child's mother had asked that the child be brought to the UK to spend Christmas with her. He had only met Mrs C once before and said she was his 2nd cousin. PC Shine-Sedziafa identified himself as a police officer and produced his warrant card.

When asked how Mrs C signed the consent document whilst in the UK, PC Shine-Sedziafa indicated that he did not know but that perhaps it was signed by child B's grandmother, who

she currently lives with in Ghana. He obtained the document the day before when child B's grandmother and uncle came to the airport and gave it to him.

Mrs Shine showed officer A WhatsApp chat with Mrs C in which she requested that they bring child B to the UK. This included a message from Mrs C saying, "what if the authorities find out that's not my mother's signature?" PC Shine-Sedziafa repeated that he had no idea who had signed the document.

When asked where Mrs C lived, PC Shine-Sedziafa indicated that he was not sure but indicated that he knew the way and thought that he knew the address which he quoted. He added that she was on a tag. Officer A asked what tag? And the recorded response was the usual police tag. Officer A asked why and it is recorded that PC Shine-Sedziafa did not answer and changed the subject.

The child consent form included a signature stated to be from Mrs C and Mr Quaye who was stated to be the child's stepfather. It was dated 20 December 2022. He indicated that child B was authorised to travel with Mrs Shine who is listed as a family friend.

Amongst documents produced were a copy of child B's expired passport and expired Ghanaian visa.

Following his arrest, PC Shine-Sedziafa undertook an interview, in which he largely responded no comment after a prepared statement was read into the record. In this, PC Shine-Sedziafa said that he was in Ghana for his father's funeral. Whilst at a church service, Mrs Shine showed him a message from Mrs C asking them to bring child B to the UK. PC Shine-Sedziafa knew that Mrs C was staying with Ms Haugen, his cousin in the UK. He asked his cousin if it was okay, as she was also in Ghana for the funeral and she stated that it was. She could not assist herself. He agreed to the request and monies were transferred to him for child B's plane ticket from Mr Quaye (via intermediaries). PC Shine-Sedziafa indicated that he was given the child's passport and permission to travel with her.

PC Shine-Sedziafa denied involvement in human trafficking or having received any financial reward for his actions. He denied knowledge that Mrs C was facing extradition from the UK.

PC Marsh is noted to be the arresting officer on 21 December 2022. In his witness statement, he records the arrest and seizure of items including the parties' passports and mobile phones.

Mrs C in her witness statement indicated initially that PC Shine-Sedziafa and Mrs Shine were family but that she used this term culturally and that they were not related. They were related to Mrs Haugen who was her godmother with whom she was staying at the time. Child B was born in the USA. She had left the USA in 2018/2019 for Ghana where they had lived with her mother.

She indicated that on 27 October 2022, she had travelled to the UK to attend an awards ceremony. She was intending to fly back to Ghana on 10 November 2022. When she arrived at the airport, she was arrested for fraud offences. She was charged and told she would not

be able to leave the UK and would have a tag placed on her. Her bail conditions meant that she could not attend an airport and had to sign and report daily. A judge at Westminster Magistrates Court consented to her daughter joining her in the UK. Ms Haugen said that she would have to sign a consent form, which she had sent to her on WhatsApp. Mrs C indicated that she thought this could be signed by a guardian and so she forwarded it to her mother to print out and sign, which she did. The plan was for child B to return to Ghana on 3 January 2023 in time to return to school, where her school fees had already been paid.

Amongst WhatsApp messages, are exchanges between PC Shine-Sedziafa and someone described as "Faith 1", who is said to be Mrs Haugen, in which the latter provided details of a Mr Smith VIP airport, who it is said was to take care of everything to do with "immigration visa". At 19:07, when PC Shine-Sedziafa had arrived at the airport Faith 1 said that Mr Smith was waiting and had he spoken to him yet?

In an exchange between PC Shine-Sedziafa and Mr Quaye, the former advised that the immigration fees were 1300 and "if possible to give the guy something. You can do momo for me on my Ghana number".

PC Shine-Sedziafa prepared a witness statement on 27 April 2023. He was asked to clarify as to whether he knew that Mrs C was on tag. He responded that he was not aware that she was on tag nor that she was awaiting extradition. He was not told this by his cousin. When he was asked the reason that Mrs C could not travel to visit the child herself, he responded that she had been messaging his wife and that it was just due to the circumstances.

Due to the nature of his work, it was agreed by the chair that Officer A would be anonymised during these proceedings and able to give evidence by way of video. During his evidence, he gave a clear recollection of events. He indicated that he recalled that key exchanges were between PC Shine-Sedziafa and himself. He wrote down bullet points at the time. It was a memorable event as he had not encountered an incident like this either previously or since. He wrote up his detailed notes on the day and these were subsequently incorporated into his witness statement.

PC Shine-Sedziafa gave evidence before the panel. He indicated that he had only seen the draft, unsigned version of the travel consent form. He had not been handed and had not seen the final signed version. He had no knowledge of child B's father or his involvement in her life. He indicated that at the airport he was dealing with official matters and it was his wife who liaised with child B's family and paperwork. He denied that the 1300 Cedis was for any immigration costs and indicated that it was for portage. He indicated that Mr Smith only became involved because they were running late and to assist their speedy check-in and passage through immigration control.

The panel then heard submissions from both parties.

The panel reminded itself that the burden rests with the AA and the standard of proof is the civil standard being the balance of probabilities.

The panel found officer A to be a credible witness. The panel accepted, with reference to his oral evidence and the email chain presented to them, that the evidence contained in his witness statement was largely a reproduction of contemporaneous notes that he made on the day of the incident. The panel find that at that time his recollection would have been good. The panel notes some inconsistencies in his evidence, particularly relating to the relationships between individuals, but puts this down to cultural differences in terminology and does not find that they detract from his account. The panel finds that in officer A referring to Mrs C as being PC Shine-Sedziafa's cousin, it was no more than him becoming confused because she was residing with his cousin. The panel additionally note that in undertaking his investigations and writing his report that he was acting as an immigration officer with concerns focused other than on any potential criminal or misconduct proceedings.

The panel found officer A had no motivation to state anything other than providing an honest recollection of events on the day. He has no axe to grind against PC Shine-Sedziafa nor any of the other individuals concerned in this matter. The panel find that officer A would have been cognisant of his own professional obligations as an immigration officer and the requirement to tell the truth and record his interactions with PC Shine-Sedziafa and his wife in a truthful and accurate manner.

To the contrary, the panel found PC Shine-Sedziafa to be not credible and an unreliable witness whose evidence contained multiple significant discrepancies going to the very core of his account. The panel additionally found many elements of his account to be implausible.

The panel note that in his witness statement, officer A records, that PC Shine-Sedziafa indicated that he had met Mrs C once, whereas before the panel PC Shine-Sedziafa indicated that he had met her twice.

PC Shine-Sedziafa before the panel denied that he had ever seen or had possession of the travel consent form, whereas in his own prepared statement, he indicated that he had been given the child's passport and permission to travel with her. Furthermore, officer A indicates that it was PC Shine-Sedziafa who presented the travel documents to him. The panel finds that PC Shine-Sedziafa would have been aware that the purported signature of Mrs C could not have been signed by her as she was in the UK and the document was signed and presented to him in Ghana. It is of note that the travel document was incomplete in many places and this would have also have been of concern to the immigration authorities.

Furthermore, the panel notes the exchange between Mrs Shine and Mrs C in which the latter, records concern, that immigration authorities in the UK may discover that the signature on the document was not her mother's signature. The panel notes that Mrs Shine voluntarily showed this message to officer A at the airport.

The panel note that the 2nd signature on the travel consent form is not from child B's biological father. It is from Mr Quaye who is variously stated to be Mrs C's boyfriend, fiancé and

alternatively child B's stepfather. PC Shine-Sedziafa at the time had no interaction with child B's biological father and had no knowledge of his views in respect of child B being bought to the UK. He had no detailed knowledge concerning the relationship between Mr Quaye and Mrs C who he had only met once. In these circumstances, the panel find that PC Shine-Sedziafa's decision to bring child B to the UK nonetheless was reckless and an act that put her at risk potentially.

The panel was provided with various WhatsApp exchange messages. These included reference to a Mr Smith at the airport who was to assist with immigration issues. The panel note that it only had sight of an expired Ghanaian Visa for child B. PC Shine-Sedziafa engaged in detailed discussions concerning payment of an immigration fee of 1300 Cedis as well as, giving "the guy something" and payment being made to him for this purpose using momo with reference to his Ghanaian mobile phone number. In his oral evidence, PC Shine-Sedziafa attempted to claim that Mr Smith was purely introduced to him because they were running late to facilitate their expeditious check-in and passage through the airport including immigration. He denied any immigration fee was paid and that the fees discussed were merely for porters. The panel reject this account. The panel note that Mr Smith's contact details were sent to PC Shine-Sedziafa on 20 December 2022. He was told that he would take care of everything to do with the immigration visa and whatever child B needed to leave the country (page 97 of the bundle). PC Shine-Sedziafa subsequently indicates that he was at a funeral home and later that everything had been sorted out. It is clear that this exchange occurred with specific reference to Mr Smith sorting out immigration issues; a fee being paid for the same; possible payment being made to him for his trouble and of these arrangements occurring long before PC Shine-Sedziafa started travelling to the airport and was delayed and required assistance. The panel find this to be a major discrepancy in the evidence before it which is highly damaging to PC Shine-Sedziafa's credibility and indicative of the fact that he is other than a witness of truth.

The panel noted its adverse credibility findings in respect of PC Shine-Sedziafa and discrepancies which permeate his evidence, find that all knowledge in the possession of Mrs Shine concerning the issues with the signatures on the travel consent form, which in any event was in possession of PC Shine-Sedziafa were shared with and known by him.

PC Shine-Sedziafa denies knowledge of Mrs C being on a tag. However, the panel notes that officer A indicates that it was PC Shine-Sedziafa himself who advised that she was on a tag. The panel notes that in his evidence, PC Shine-Sedziafa, indicates that he would not have stated that Mrs C was on a normal police tag since there is no such thing and this was within his knowledge as a police constable and former prison officer. However, the panel find that PC Shine-Sedziafa was deliberately being vague in his responses at that stage and in particular indicated that he did not know who had signed the consent form, it being noted that Mrs C was in the UK and that perhaps it was the child's grandmother, when the form was stated to be signed by Mrs C herself, which would have been known to him. The panel therefore accept that it was PC Shine-Sedziafa who indicated that Mrs C was on a tag and that he therefore had this knowledge and nonetheless participated in bringing child B to the UK. The panel additionally note that Mrs C was residing with PC Shine-Sedziafa's cousin and find that the circumstances of Mrs C remaining in the UK beyond the confines of the award ceremony that she had attended with an inability to return to Ghana to be with her daughter

would have been known to PC Shine-Sedziafa in any event. PC Shine-Sedziafa additionally had seen Mrs C's expired passport which should have raised questions about her ability to travel in any event. No explanation was offered as to why Mrs C needed someone else to transport her daughter; it is implausible that PC Shine-Sedziafa would not have enquired about this. The panel found his explanation concerning travel costs being more expensive and his cousin remaining in Ghana to be implausible.

The panel then went on to consider the allegations noting its findings and observations above.

Allegation 1

- a. Proved.
- b. Proved. PC Shine-Sedziafa did not obtain written consent of either of child B's parents.
- c.
 - i Proved. It was within PC Shine-Sedziafa's knowledge that Mrs C was on tag and due to be extradited to the USA and he did not know what would happen to the child following him delivering her to her mother.
 - ii Not Proved. Child B had a valid passport and as a US citizen would not have required a visa to the UK.
 - iii Not proved. There is insufficient evidence that child B's residence in Ghana was under threat.
- d. Proved. The panel find that PC Shine-Sedziafa presented a fraudulently signed consent form to UK border officials and that he did so dishonestly in the full knowledge that the same purported to contain Mrs C's signature when that was not the case since she was present in the UK; could not have signed the form; did not claim to have done so.

Allegation 2

In accordance with its findings above, the panel find that PC Shine-Sedziafa breached the standards of professional behaviour in that he dishonestly presented as genuine, a fraudulently signed minor (child) travel consent form to UK border officials in breach of the standard of honesty and integrity.

Allegation 3

- a) The panel finds on the balance of probability that PC Shine-Sedziafa during a PACE interview dishonestly stated that he did not know that the mother of the minor child who he had transported to the UK was awaiting extradition for fraud. The panel has regard to its findings above that he knew that she was on a tag and would have had knowledge of the extradition proceedings both from her directly and from his cousin with whom she was residing.
- b) The panel likewise find that in his witness statement of 27 April 2023, PC Shine-Sedziafa dishonestly stated that he was not aware that Mrs C was on a police tag as it has

found that he advised officer A upon arrival at Heathrow Terminal 3, when questioned, that this was the case.

Findings on Gross Misconduct/Misconduct

The panel noted that the purpose of disciplinary proceedings was threefold:

To maintain public confidence in, and the reputation of the police service,

To uphold high standards in policing and deter misconduct,

To protect the public.

Where more than one allegation of misconduct against the officer concerned has been proven, it is for the panel to decide whether, taken together, the misconduct may amount to gross misconduct.

The panel has regard to the College of Policing's Code of Ethics which states in respect of Honesty and Integrity:

"1.2 in abiding by this standard you gain and maintain the trust of the public, your leaders, your colleagues and your team. You are dependable and a role model"

Examples of meeting this standard are when you:

- are sincere and truthful
- ensure your decisions are not influenced by improper considerations of personal gain
- do not knowingly make false, misleading or inaccurate oral or written statements in any professional context
- do not use your position to inappropriately coerce any person"

The panel has made findings that PC Shine-Sedziafa was dishonest on numerous occasions. In making that finding, it has regard to the case of *Ivey v Genting Casinos* [2017] UKSC 67. It finds that PC Shine-Sedziafa knew that he was being dishonest and that his actions would be regarded as dishonest by an ordinary reasonable person.

When assessing a breach of the integrity part of the standard, the conduct in question must be assessed against the expectations in the profession. Society expects high standards from professional persons. Integrity connotes adherence to the ethical standards of one's own profession.

Taking the above matters into consideration, the panel finds that PC Shine-Sedziafa's actions individually and collectively amount to a breach of the Honesty and Integrity standard in

respect of the Home Office's Guidance on Conduct, Efficiency and Effectiveness: Statutory Guidance on Professional Standards, Performance and Integrity in Policing. The panel has found that PC Shine-Sedziafa has acted dishonestly in respect of his presentation of the consent form knowing that it had been signed fraudulently and his denial of knowledge of Mrs C being on a tag and facing extradition to the USA. He was lying about very serious matters to a fellow professional, being an Immigration Officer, in order to attempt to facilitate child B's entry to the UK.

The panel finds that through his actions he seriously departed from the standards of professional behaviour as set out in Regulation 5 and Schedule 2 of the Police (Conduct) Regulations 2020 in respect of Honesty and Integrity in respect of Allegations 2 and 3.

In respect of Allegation 1, the panel finds that PC Shine-Sedziafa acted both dishonestly and recklessly. He appears to have little or no regard to the possible outcome for a vulnerable 6 year old child who he brought to the UK on a consent form which has been signed fraudulently and without having the written consent of either parent in circumstances in which he was aware that her mother was on a police tag and faced extradition to the US. There were serious consequences of his actions which later unfolded when that child was subsequently chaperoned to the US for the authorities there to undertake appropriate safeguarding responsibilities.

The panel notes in respect of the standards of Professional Behaviour that:

Discreditable Conduct is defined as conduct which may bring the police service into disrepute and damaged the relationship of trust and confidence between the police and the public.

We find that PC Shine-Sedziafa's behaviour was reckless and unprofessional, creating potential risks for a 6 year old child, with no regard for the consequences. This is behaviour that members of the public would rightly not accept from members of the Metropolitan Police Service.

The panel went on to consider gross misconduct.

The panel find that PC Shine-Sedziafa's conduct, found proved amounts to gross misconduct in that the breaches of the Standards of Professional Behaviour are so serious as to potentially justify dismissal.

[Finding on outcome, including any aggravating or mitigating factors affecting the seriousness of the failures in standards](#)

In considering outcome the panel has taken account of the College of Policing Guidance on outcomes in police misconduct proceedings (2023). The Panel has borne in mind that the purpose of police misconduct proceedings is threefold:

To maintain public confidence in and the reputation of the police service.

To uphold high standards in policing and deter misconduct.

To protect the public.

The Panel assessed the seriousness of the allegations found proved. The culpability of PC Shine-Sedziafa is high in this case. PC Shine-Sedziafa has been found to have acted dishonestly on multiple occasions both orally and in writing. He has acted deliberately in that regard. He facilitated a 6 year old child being brought to the UK, on documents bearing falsified signatures, without written consent of either parent or any knowledge of the wishes of her biological father and placing her at significant risk. The officer's actions individually and collectively bring discredit to him and to the Police Service generally. His conduct involves dishonesty in respect of significant matters despite not being in an operational setting. His behaviour would be likely to undermine public trust and confidence in the Police Service.

In respect of culpability PC Shine-Sedziafa's actions were deliberate and he alone was responsible for the same. PC Shine-Sedziafa made a positive decision to agree to involvement in bringing child B to the UK and in acting dishonestly. There was repetition in PC Shine-Sedziafa's conduct as his dishonesty was on multiple occasions, being when interviewed by officer A; in his prepared statement; in police interviews and before the panel. In these circumstances, the panel find PC Shine-Sedziafa's culpability to be high. The consequences of PC Shine-Sedziafa's actions should have been evident to him.

The Panel considers that there was significant potential harm caused as a result of PC Shine-Sedziafa's actions on the public interest and public confidence in the Police Service. There was a risk of significant potential harm being caused to child B, who as a result of his actions was chaperoned to the US so that safeguarding procedures could be implemented. Additionally, it was considered that there would be a significant detrimental impact on public confidence in the Police Service should it come into the public domain. There would be reputational harm with a resultant loss of confidence in the police service caused through knowledge of PC Shine-Sedziafa's repeated dishonest conduct.

The aggravating features of the case are that the dishonesty perpetrated by PC Shine-Sedziafa was repeated, including before the panel. The panel has found multiple proven allegations of breaches of the appropriate standards of professional behaviour. Furthermore, PC Shine-Sedziafa has conducted his offending behaviour just 6 months after his appointment to the police service whilst he was still on probation. The panel notes that PC Shine-Sedziafa appears to have expressed no contrition and no insight into the risks that he opened child B up to.

The mitigating features advanced on PC Shine-Sedziafa's behalf are that he has no previous misconduct proceedings in his brief police career. It is clear from his references, that in his previous careers both in the British Army, as a paralegal and as a prison officer that he was dedicated and well-respected. However, the panel note personal mitigation has limited weight in light of the public interest in these proceedings.

The panel considered the outcomes in ascending order of seriousness. The outcome should be the least severe that adequately deals with the issues identified, while protecting the public interest.

The panel however considered that a final written warning would fail to properly address PC Shine-Sedziafa's conduct which is extremely serious, involved dishonesty which was repeated on multiple occasions and additionally involved discreditable conduct. Considering the utmost seriousness of the allegations found proved, together with the fundamental requirement of honesty within the Police Service, the panel considered that the only outcome which is appropriate and proportionate in this case is dismissal without notice.