

Misconduct Hearing (Eastern Region)

RECORD OF MISCONDUCT HEARING

Case Number: CM/58/24
Officer Concerned: Ch Supt 1311 Thompson, Matthew
Police Force Concerned: Hertfordshire Police
Pre-Hearing Date:
Misconduct Hearing Dates:

Attendees:	ACC Nicholas Davison	Panel Chair
	Jennie Mattin	Independent Panel Member
	Bryan McAlley	Independent Panel Member
	Alexander Wilson	Legally Qualified Adviser
	Matthew Thompson	The Officer Concerned
	Mathew Butt KC	Counsel for the Officer Concerned
	Dijen Basu KC	Counsel for the Appropriate Authority

Introduction

1. This is the decision of the Police Misconduct Panel convened on Friday 6th February 2026 concerning the allegations of breaches of the professional standards of behaviour against Chief Superintendent Matthew Thompson of Hertfordshire Constabulary.
2. The misconduct hearing was in public. Reporting restrictions had been directed by the Chair and were set out in the reporting restriction order.

List of evidence

3. The Panel had the following evidence:
 - a. Final Hearing Bundle 190126_Redacted (updated).pdf

Allegations

4. The Panel was referred to a Regulation 30 notice in respect of the Officer containing the allegations and that his conduct amounted to gross misconduct, namely:
 - 1) You lied to, alternatively, deliberately withheld significant information from, your line manager, Assistant Chief Officer Catherine Hemmings, and from Temporary Detective Chief Superintendent William Hodgkinson, the Head of the Professional Standards Department for Bedfordshire, Cambridgeshire, and Hertfordshire Constabularies. Even taken in isolation, this conduct amounts to a breach of the Standards of Professional Behaviour, in relation

to Honesty and Integrity, that is so serious that dismissal would be justified for it.

- 2) You failed to report your intimate and/or sexual relationship with witness A, [REDACTED]
Even taken in isolation, this conduct amounts to a breach of the Standards of Professional Behaviour, in relation to Honesty and Integrity, Orders and Instructions and Duties and Responsibilities, that is so serious that dismissal would be justified for it.
 - 3) Further, or alternatively, you failed to report a very serious concern that you say you had that witness A was at risk of potentially fatal deliberate self-harm because she feared her husband finding out that you had had recently sexual intercourse with her in their home while he was away on a course. Even taken in isolation, this conduct amounts to a breach of the Standards of Professional Behaviour, in relation to Orders and Instructions and Duties and Responsibilities, that is so serious that dismissal would be justified for it.
 - 4) Insofar as the above matters do not individually amount to a breach of the Standards of Professional Behaviour that, if proved, is that is so serious that your dismissal would be justified, then they do so in aggregate.
5. The Panel had within the Regulation 30 allegations notice a number of background facts that underpinned the three principal allegations above (4). These were examined by the panel and the panel's determination is set out in the table of paragraph 136 of this report.

Summary witness evidence

Day 1

Assistant Chief Officer Hemmings

6. ACO Hemmings was the Officer's direct line manager during the period in question. She had known the Officer professionally for some time and regarded him as competent, conscientious, and someone who could be anxious and prone to catastrophising. She also acted as an informal welfare support during April to May 2024, often speaking with him at length, including late at night.
7. She received a call from the Officer on the evening of 21 April 2024. She described his presentation as unusually distressed: agitated, breathless, anxious, and clearly in difficulty. The call lasted around 45 minutes. During this conversation, she asked him directly what had happened. He initially told her that he and Witness A had been exchanging sexual text messages and that these had been discovered by Witness B while on holiday. She found this explanation inconsistent with his level of distress.
8. Because of that mismatch, she pressed him gently but firmly to confirm whether

anything else had occurred. He gradually disclosed that he and Witness A had had a historical intimate relationship many years earlier. She specifically asked whether there had been any recent sexual activity, and after what she recalled as a long pause, he told her no. She accepted that reassurance at the time and advised him to report the matter fully to PSD the next day. She also advised him not to contact Witness A.

9. She had further phone calls with him while he remained on the executive leadership ('ELP') residential course. She recalls periods where he seemed calmer and spoke about work responsibilities, including impending on-call duties, which gave her the impression that although distressed, he remained capable of functioning professionally. There were also other calls during which he again sounded highly anxious; she repeatedly reminded herself to check for background noises such as traffic because he often appeared to be walking outside at night.
10. She accepted she played a welfare role for the Officer but acknowledged, with hindsight, that this created a potential conflict with any fact-finding. She agreed that welfare support and investigative probing ought generally to be kept separate. She also accepted that once she became aware on 29 May from Witness B that an allegation of recent sexual contact had been made, she should have ensured formal processes commenced sooner, including the assignment of a welfare officer to the Officer and earlier service of a Regulation 17 notice.
11. On 7 June, the Officer contacted her again. She had assumed by this stage he would already know he was subject to a gross misconduct investigation, but during the call it became clear he did not. She accepted she initially continued discussing the matter as if in welfare or support mode but later realised she had unintentionally entered into an evidential conversation with him. She conceded she told him something inaccurate (specifically about what Witness A and / or B had said) in an attempt to encourage openness and accepted with hindsight that she should not have engaged in such questioning once the matter was formally under investigation.

Detective Chief Superintendent Hodgkinson

12. DCS Hodgkinson became involved on 22 April, following instructions from ACO Hemmings that the Officer would be reporting a matter involving Witness A. He recalls the Officer telling him that he and Witness A had exchanged inappropriate or sexually text messages, and that Witness B had become aware of them. He was told by the Officer that the relationship had not progressed to sexual contact and was limited to messaging.
13. He asked the Officer whether he and Witness A had met for sex. The Officer replied no. Hodgkinson regarded this as an important clarification because it determined whether the workplace guidance on reporting relationships and conflicts of interest had been breached, and whether there might also be an abuse-of-position consideration.

14. He instructed the Officer not to look up Witness A's details on police systems, explaining this meant any force IT system. He told the Officer to complete a change of circumstances form for vetting purposes and send him a written account. The Officer later sent such an account by email. Hodgkinson accepted this written account did not fully reflect their oral conversation but stated it was consistent with what he had been told.
15. He accepted that he kept no contemporaneous handwritten notes of the key oral conversation of 22 April. His later witness statement was built from memory, emails, and the Officer's subsequent written account. He maintained confidence in his recollection and resisted suggestions that he might be mistaken, particularly regarding whether sexual activity had been denied by the officer.
16. He stated that he later spoke with Hemmings, who gave him information consistent with what the Officer had told him. He disagreed with suggestions that Hemmings had informed him of historic sexual contact.
17. He confirmed he only became aware of allegations of recent sexual contact weeks later, when further information was received from others. He maintained that he had been misled by the Officer in the 22 April conversation.

Day 2

Witness A

18. Witness A described a long-standing personal connection with the Officer, dating back many years. She acknowledged a historic intimate relationship, and more recent emotional closeness. She accepted that she and the Officer exchanged explicit sexual messages in early 2024 and that sexual activity did occur ■■■■■ on two occasions shortly before her husband, Witness B, discovered the messaging.
19. While abroad, Witness B accessed her phone and discovered messages between them. She described him confronting her, and her experiencing intense distress, shame, and fear about the consequences, including the breakdown of her marriage and potential harm to her employment.
20. She accepted sending several messages that appeared to suggest serious self-harm or suicidal ideation, including messages saying her family might be "better off without" her, that she knew "how and where," and that she could "go missing and not be found." She maintained she had not intended these to be interpreted as threats of suicide; she characterised them as emotional expressions under extreme stress, and said she meant she might need to leave the family home. She accepted, however, that others, including the Officer and Witness B, could reasonably interpret the messages as indicating risk.
21. She accepted that she repeatedly sent messages telling the Officer not to tell "anyone" about the affair. She said her intention had been to refer to his wife, family and mutual acquaintances, and she denied meaning police colleagues

or PSD. She accepted that when read in isolation, the messages could appear broader than she intended. She also acknowledged these messages were not mentioned in her formal witness statement and accepted her statement could be viewed as incomplete with hindsight.

22. Transcripts showed messages in which she appeared to want the affair or emotional relationship to continue after discovery. She said this reflected her emotional turmoil, panic, and fear of losing everything, rather than a settled intention. She accepted those messages existed but said she would not in reality have continued the affair.
23. She accepted she gave no-comment answers in her police interview when asked about whether she had implied she would harm herself if the Officer disclosed the truth. She said she acted on advice and that she had not intended to manipulate him through threats.

Chief Inspector Wheeler

24. [REDACTED] [REDACTED] [REDACTED] On 22 April, Witness A contacted him in significant distress, crying and struggling to speak clearly. She said inappropriate text messages had been exchanged with the Officer and that these had been discovered by her husband.
25. He recalled her saying the messages were intimate and that there was a likelihood the situation might have developed further had it continued. He said she did not at that point disclose any actual sexual activity. He noted that Witness B appeared to be present during the call.
26. He considered whether to activate Operation PARSEC [a procedure designed to safeguard officers] based on her emotional state. Initially, he decided the threshold was not met because she did not express any explicit intention to harm herself and Witness B was with her.
27. On 27 April, he received a message from Witness B stating that Witness A had disclosed suicidal thoughts. At that point, he immediately activated Operation PARSEC, explaining the risk management protocol and welfare measures involved.

Day 3

The Officer – evidence-in-chief

28. The Officer described his policing career and personal background. He explained that he had always wanted to be a police officer, joined the Metropolitan Police before transferring to Hertfordshire, and had progressed to senior rank. He was married with children and accepted that the affair with Witness A caused devastating consequences for his family.
29. He explained he typically separated “operational” and “personal” versions of

30. The Officer accepted an historical intimate relationship [REDACTED] – [REDACTED]
[REDACTED] they remained in intermittent contact, usually benign messaging.
31. Sexualised messaging resumed in January 2024 while he was on the ELP. He accepted that he and Witness A had sex [REDACTED] [REDACTED] [REDACTED]
[REDACTED] [REDACTED] [REDACTED]
The Officer also accepted messaging of a sexual nature while she was abroad with her husband.
32. The Officer described receiving a message from Witness A saying she was “in trouble”. After he switched his phone back on, he received angry and distressed messages indicating Witness B had discovered the messages. Both he and Witness A exchanged messages portraying their contact as “just texting” and he now acknowledged this was misleading.
33. The Officer stated he was already in severe distress, that “everything was collapsing”. He received a call from Temporary Chief Superintendent Todd, who told him Witness B had reported concerns to the organisation. They agreed the matter needed to be disclosed to ACO Hemmings. He contacted Witness A to check on her welfare, describing both of them as distraught.
34. On 21 April, the Officer called ACO Hemmings and told her about text messaging but did not disclose recent sexual activity. He told her about historical intimacy. When she asked if there had been recent intimacy, he denied it. He attributed this to being overwhelmed, distressed, and acting irrationally, though not intending to deceive.
35. The following day, the Officer spoke to DCS Hodgkinson of PSD. He accepted submitting the change of circumstances form with limited information. He denied deliberately withholding the full truth, but accepted that he failed to disclose recent sexual activity. He stated he was told not to look up information he did not already know.
36. He also supplied a short, written account of the incident, which he acknowledged was incomplete.
37. The Officer accepted that although advised by ACO Hemmings not to contact Witness A, he continued doing so. Witness A sent messages expressing distress, anger, and at times messages which he interpreted as expressing possible suicidal ideation. He believed there was no immediate risk because the suicidal ideation had been conditional (in the event that Witness B became aware of the affair). He accepted that did not report a risk of self-harm to supervisors.
38. The Officer accepted turning on “disappearing messages” and taking

screenshots of the message history. He denied doing so to gather evidence in his favour. He said he did it instinctively without clear motive but is now “glad” he did because Witness A’s statement “misrepresented” the situation. Without the screenshots, he would not have been able to counter her account.

The Officer – cross-examination

39. The Officer accepted that he knew that honesty and integrity is the first standard of professional behaviour. He knew one must never lie to a supervisor or PSD. He accepted he provided answers he knew were false when denying recent sexual activity to ACO Hemmings and denying it by implication to PSD. He confirmed he understood the questions put to him and was capable of answering truthfully despite distress.
40. The Officer was challenged on his claim that his distress had made him less able to make relevant disclosure. He accepted he was rational enough to know what he was saying.
41. The Officer was challenged on failing to disclose a potential self-harm risk and accepted that in hindsight, he could have taken additional steps.
42. When challenged about text messages appearing to encourage Witness A to limit disclosure of their historical affair, including that he feared for his job. He agreed that he had expressed his fear of losing his job but denied that he was deliberately trying to persuade Witness A to limit her disclosure.
43. He accepted continuing contact contrary to management advice and that much of the communication showed emotional dependence, attempts to repair the situation, and mutual distress.
44. It was put to the Officer that the screenshotting was deliberate evidential preservation. He denied conscious strategy or manipulation. He maintained he did not disclose to Witness A that he was retaining messages while telling her he was deleting them.
45. The Officer accepted that he should have reported the relationship earlier (at least from 26 March, when sexual contact resumed). He further accepted that there was a potential conflict of interest due to Witness B being temporarily in his line management chain. He sought to justify that by stating that he did not foresee future management overlap.

The Officer – re-examination

46. The Officer said he did not intend to mislead PSD or his manager. He said that his distress and declining mental health impaired his judgment. He repeatedly apologised for not giving full disclosure earlier.

Assessment of witness evidence

Credibility and reliability

47. We noted that events took place a long time ago. That has made it more difficult for witnesses (including the Officer) to recall events.
48. Witnesses made notes at or soon after the time and, subject to anything else said by us in this Record, we accepted that memories were fresher at the time of making those notes than they are now.
49. We accept that in many cases, contemporaneous records may present the most certain evidence. In this case, text messages (WhatsApp or Signal messages) featured heavily as did emails, daybook entries, one note and vetting update forms, including the Officer's report to DCS Hodgkinson. We accept that the records of text messages presented are accurate, to the extent that they were available for us to see. However, for reasons we will touch on in due course, conclusions we could draw from the text messages were not always so certain.
50. During the hearing, we were taken to many text messages to illustrate particular points. We felt that it was important to read the messages between Witness A and the Officer as a single and continuous whole.
51. In so doing, we acknowledged that it appeared that there may have been gaps in the messages. We considered whether we could draw any safe conclusions about that. While we must not speculate as to what evidence we do not have might say in order to rely on that speculation, we concluded that we could speculate about the gaps in order to test whether any conclusions could be drawn in a safe manner. Examples we considered were that some content was embarrassing (because it revealed intimate detail) or that some content could have been seen as damaging and thus kept back. We noted that those possibilities were both plausible, as might be others. It followed that we concluded that we had to take the messages "as is", in the context of other available evidence.
52. For the avoidance of doubt, we made no inference, positive or negative about any missing content. We also accepted that in at least some cases, other evidence could impact on how we should read individual messages or sequences of messages.

ACO Hemmings

53. ACO Hemmings gave firm and confident evidence and was subject to very skilled cross-examination by Mr Butt. She held her ground and made appropriate concessions.
54. In one instance, the Officer asked ACO Hemmings what was going on (in the sense of an investigation) and she sidestepped the answer. It was suggested that this was a lie. We were satisfied that she was in a difficult position and managed it in the moment in the best way she could at the time and with professional intentions.
55. Broadly, we found her to be a credible and reliable witness. We found no

material inconsistencies in her evidence (both oral and written).

56. For the reasons we will explain, we found that ACO Hemmings' credibility or reliability was not a central issue in this case.

DCS Hodgkinson

57. We found DCS Hodgkinson to have been a straightforward witness who was not undermined by cross-examination.
58. DCS Hodgkinson did not make a contemporaneous note of matters and that, we accept, was unhelpful and undermined his credibility. We accept that he made mistakes in his recollection about some detail.
59. For reasons we will also expand on, DCS Hodgkinson's credibility was not a central issue in the case.

The Officer – Good character

60. We noted that the Officer is of good character, which we accept. We accept that he has an unblemished record and the Panel read all of the submissions of support from his professional work colleagues (from all levels of seniority) as well as his personal associates, all of which highlighted their confidence in him as a man of integrity and decency. We noted his profile from page 311, noting his emotional and social competency inventory report, his application to the ELP and its content, setting out examples of his experiences against the competency framework.

Witness A and the Officer – similar considerations

61. We reached similar conclusion about the credibility and reliability of both Witness A and the Officer.
62. We found that both sought to present their evidence in the hearing in the best possible light, in the light of the other evidence as had emerged.
63. We found that the evidence (oral and written) of both contained truths and untruths and for similar reasons.
64. When we considered the text message traffic between them, we noted that at times, each was the life raft of the other. On the other hand, each appeared to us to seek to manipulate the other. Witness A delivered threats to the Officer; that she would reveal his secrets to his wife and or to work. On the other hand, the Officer appeared to hold back, to say less than Witness A seemed to want to read. We mistrusted the motives of both of them.
65. Both Witness A and the Officer faced a situation in which they feared losing enough as to express it as "losing everything" or words to that effect. In reality, because of the way they had handled matters, their sentiments were not especially exaggerated.

66. We concluded that both were trying to present an outward face (Witness A to her husband and to the Officer, the Officer to Witness A and, potentially, to her husband and had an eye to that in many of their exchanges.
67. We found both witnesses to lack reliability and credibility.

The Officer

68. In the Officer's case, we went one step further. We did so because we concluded that the fact that he saved messages must have been and was significant.
69. In evidence, he struggled to explain why he had saved messages. He said that he did not really think about it. We rejected that claim. Despite agreement between Witness A and the Officer that messages would be deleted, the Officer consistently saved them without Witness A's knowledge. We concluded that the Officer believed that there was something about the messages that he regarded as being valuable to his cause. The only elements about them that we regarded as being of potential value to him as evidence were the messages exerting pressure on him and messages telling him that Witness A intended self-harm. It was these that he relied on in support of his case.
70. On his behalf, Mr Butt suggested that it was a good thing that the Officer had saved the messages because, had he not done so, he would have been subject to the (alleged) lies of Witness A. Nothing in that suggestion took away from our conclusion about the Officer's motivation to save messages. We concluded that he intended to establish a case. Of course, that could establish an innocent mind or a guilty mind and the content of the messages helped us to decide which. However matters were argued, our conclusion was that we had the messages to read because, and only because, the Officer believed that they would assist him.
71. We have taken into account the Officer's good character. A good person can fall into error. As was set out by Mr Basu, it is only in times of strain that credibility may be truly tested. We were satisfied that in relation to these matters, the Officer's sense of self-preservation overrode his otherwise honest nature. We concluded that the Officer's background of honesty was of little assistance in this case.

Issues Raised

72. Mr Butt presented his closing submissions under ten main headlines. We found it helpful to address them in turn. We note that some contributed to his overall assertion that the Officer's actions were in the light of exceptional circumstances and others dealt with elements of the case. We are grateful to Mr Butt for presenting his arguments in such a structured way while acknowledging that the pace set by the Panel resulted in less structure than he clearly had intended.

i – was Witness A pressuring the Officer not to tell anyone, or PSD, specifically

73. We have already commented on our view of the credibility of both Witness A and the Officer. The effect of many of the text messages sent by her to him was clear; he should not tell anyone.
74. Witness A suggested that in the context of telephone conversations, she really meant that the Officer should not tell Witness B. We rejected her claim on that account. The content of the text messages clearly contradicted that. She also expressed in those messages that she feared losing her job and we concluded that she had a clear interest in PSD not being told as well.
75. We find as a fact that the Officer was pressured by Witness A not to tell PSD about their affair.

ii – deliberate impression of self-harm

76. In a similar way, we noted that Witness A's messages were veiled but only barely. They provided a plausibly deniable suggestion of a desire to self-harm and the Officer reacted by expressing concern for her harm. Witness A never put the Officer right. We concluded that even if she had intended to suggest the risk of self-harm, she was content to allow the Officer to continue in that misunderstanding without disabusing him of it.
77. We also concluded that Witness A's suggestions of self-harm were consistent with the pattern of manipulation demonstrated by her messages.
78. We found as a fact that Witness A sought to suggest to the Officer that she would or might harm herself if he reported matters to PSD, to Witness B or if matters got back to Witness B.

iii – failure to safeguard Witness A

79. We address this in the section dealing with the allegations.

iv – we should give limited weight to the evidence of Witness A

80. We address this elsewhere in the Record.

v – Officer's state of mind during calls with ACO Hemmings etc.

81. The argument presented was that as an ingredient of the exceptional circumstances, we should take into account was the state of mind of the Officer when he made material disclosures and communications.
82. We have already addressed our overall conclusion on the Officer's reliability and credibility. We found that he was not a witness on whom we could place very much reliance.
83. The Officer had presence of mind to save text messages despite agreeing that

they should be deleted.

84. When the Officer was asked questions, he took time to answer. He disclosed matters in a drip-feed way.
85. In text messages, he discussed with Witness A what should be disclosed and what should not. That was not a one-way street; we were satisfied both he and Witness A felt that they were best served by limited disclosure (in their personal and professional lives) and worked together to agree what would be disclosed.
86. We were satisfied that at each point (from text message exchanges to making disclosures and then to giving evidence) both witness A and the Officer sought to pursue their preferred outcomes. At the outset, those outcomes were aligned but later, they were not.
87. We accept that the Officer was under intense distress, anxiety and fear, believing he might lose his career, marriage and way of life. However, the evidence shows that despite this emotional turmoil, he was still able to choose what information to disclose and how to present it. That does not mean we consider those choices to have been reasonable or justified.
88. We find that although the Officer was highly distressed, he was still capable of making deliberate, strategic decisions. Even in that state, he acted with clear intention and with specific outcomes in mind.

vi – the Officer was not dealt with fairly

89. The key point to establish this element of his case was that when the Officer reported to ACO Hemmings on Sunday 21st April 2024 she proceeded to act as both welfare officer and investigating officer.
90. To consider this suggestion, we turned to the guidance at page 304 of the bundle, “Appropriate personal relationships and behaviours in the workplace”.
91. In that Guidance, at heading **10 Responsibilities** is clear that the expectation to manage a potential conflict of interest rests with the individuals concerned. Whether ACO Hemmings did her job well or not, the ultimate responsibility lay with the Officer (and Witness A).
92. Further, at heading **8 Responsibilities of line managers** is clear on how ACO Hemmings should have handled the situation with which she was presented. She was required to adopt the National Decision Model (the ‘**Model**’). Although she did not say that this is what she did, we found that her actions reflected the Model. We note that the Model is so ingrained with senior police personnel that it is applied without thinking.
93. The first step of the Model is to establish facts and data then understand that intelligence. Secondly to identify gaps in the intelligence, then to undertake a risk assessment and fourthly to determine actions, taking into account powers available and policies applicable.

94. We conclude that is what ACO Hemmings did. Late on a Sunday, she was presented with an unexpected revelation from a trusted and respected officer. She needed to understand the position in order to determine whether the matter was a welfare matter and / or a misconduct matter and / or a matter impacting on the operational interests of the chief constable and the force.
95. It was suggested that ACO Hemmings should have immediately separated welfare and investigative functions. We accept that is best practice where practicability allows. However, ACO Hemmings was presented with a case that could reveal immediate and critical safeguarding concerns (the Officer was by a busy road and distressed) and a case that may or may not have been a conduct matter.
96. We conclude that ACO Hemmings' response was within the range of reasonable responses we would expect of a line manager in her position. That does not mean that we concluded that she presented a textbook example of excellence (and indeed, working in the circumstances she faced, the optimal response is very high benchmark indeed).
97. Even if Hemings had not acted appropriately when first called, the NPCC Guidance makes it clear that the Officer's responsibility is in no way diminished.
98. This is further reflected in the Bedfordshire Hertfordshire and Cambridgeshire Joint Vetting Unit Change of Personal Circumstances document, which the Panel read in full. We noted vetting is an ongoing process and that all officers agree to inform on changes in personal circumstances. Further still, that policy specifically sets out relationships, including new partners and being involved in more than one regular relationship, such as affairs or friends with benefits. Still further, it provides actual scenarios and assists staff understand how the Force will view certain matters (and we highlight scenario two – staff having an affair).
99. For the avoidance of doubt, we found that ACO Hemmings' response was reasonable and proportionate (and somewhere between the minimum expected of her and the best she could have done with the benefit of hindsight)
100. Given our conclusions, we saw little value in exploring the minutiae of any suggested shortcomings of the investigation. Nothing leaped out to us as a Panel as being untoward and in any event, nothing that would have changed the Officer's responsibility could be or was revealed.

vii – lying to DCS Hodgkinson

101. We noted the lack of contemporaneous record from DCS Hodgkinson. That undermined his credibility. For that reason, we concluded that we could not safely accept his evidence about any verbal lie allegedly told to him by the Officer.
102. However, after an exchange between the Officer and DCS Hodgkinson during which the Officer sought clarification on the extent of the disclosure required,

the Officer failed to report critical information. That was in writing and we are satisfied that the Officer's failure to disclose is proven, which we expand on later.

viii – misconduct in context

ix – Rukin

x – good character

103. We deal with all of these points elsewhere.

Code of Ethics

104. We compared the 2014 and 2024 versions of the College of Policing Code of Ethics. We noted that the 2024 version was published at around the time the Officer commenced the ELP course. We noted no material differences between the two for the purposes of this case. As a matter of caution and in fairness to the Officer, we applied the older Code.

Allegations

105. The Regulation 30 Notice as drafted is very long. The key allegations or "charges" are found in paragraphs one to three. After that, the factual matrix for those charges is set out. In this section, we deal primarily with the "charges".

Allegation 1 (Lying to ACO Hemmings)

106. Mr Butt suggested that ACO Hemmings and DCS Hodgkinson were unreliable in certain respects. We are satisfied, however, that both acted appropriately and within a reasonable range of professional responses, even if, viewed with hindsight, they might have handled some matters better. Any shortcomings in their approach did not remove or diminish the Officer's obligation to comply with his duties under the regulations and policy. Our focus therefore had to remain on the Officer's own conduct and credibility. Even if either witness misstated aspects of the background, that would affect only the factual context, not the core issue: the Officer still had a duty to respond appropriately, and those background variations are not material to our conclusions.

107. To a large extent, this allegation is admitted. We are asked to find it a matter proved but only to the extent of misconduct only (and not gross misconduct).

108. We have been asked to consider the established case of *R (CC of Cleveland) v PAT and Rukin* [2017] EWHC 1286 (Admin) ('**Rukin**'). To heavily summarise that case, the officer concerned had an affair with a sergeant. The sergeant's husband (not a police officer) assaulted the officer concerned. The officer concerned lied about his injuries. It was found that a non-operational lie would not necessarily result in dismissal.

109. The case further affirms that an officer does have some right to a personal life and that in the right circumstances, even lying to protect that right could fall short of conduct requiring dismissal.
110. We accepted Mr Butt's submissions on *Rukin*, though we have not done them justice in this Record.
111. We conclude that there are material and significant differences between this case and *Rukin*. In this case, the offended partner in the affair (Witness B) was also a serving police officer.
112. [REDACTED]
[REDACTED]
[REDACTED] At material times but not all material times, the Officer was backfilled by another officer while on other duties (specifically, ELP training).
113. In the case of *Rukin*, the risk was that a disgruntled member of the public would (and did) take retributive action against the officer concerned.
114. In this case, the aggrieved person (Witness B) was under the line management chain of the Officer [REDACTED]
[REDACTED]
115. The text messages between the Officer and Witness A reveal some of the potential difficulties that could arise in this case. They discussed (and the Officer offered) the Officer moving to another posting to avoid the potential difficulties.
116. Another problem revealed by the text messages was that Witness A threatened the Officer. She said that if he did not do as they agreed, she would reveal embarrassing details to his family and to work. There was a clear threat of blackmail.
117. The threats highlight some of the very risks that the guidance documents seek to address were present in this case. If one is a(n) (senior) officer and there is a risk one could be exposed to inappropriate pressure, there is a duty to disclose it.
118. If one finds oneself so threatened, it should be disclosed.
119. If one finds oneself in a relationship that has potentially embarrassing features, such as could be held against one, it should be disclosed.
120. If none of our reasoning so far had demonstrated that the relationship between the Officer and Witness A should have been disclosed, the fact that they, between them, contemplated redeployment to mitigate the concerns they both acknowledged could arise speaks volumes about the nature of the relationship and why it was disclosable in all of the circumstances (and without material detail being omitted).

121. The crucial difference between *Rukin* and this case is that the impact in *Rukin* was itself a private matter. In this case, the impact of the failure to disclose in full the details of the relationship could have and indeed did have an impact on the organisational functions of the force. We accept that an officer has a right to a private life. However, that right is not unfettered, for the reasons we have identified, the Regulations, Policy and Guidance can legitimately interfere with that right and did so in this case.
122. We also noted the tension between the defence case on allegation 1 (and 2) compared to the defence case on allegation 3. To heavily paraphrase, the Officer said that he could not possibly have revealed the full detail of relationship because to have done so would have risked the life of Witness A.
123. On the other hand, against allegation 3, he says that he perceived the risk as being so conditional that he was not obligated to take steps to safeguard Witness A's wellbeing.
124. We concluded that the very fact that the Officer's own reason for not reporting the (detail of the) relationship was the risk of life to a person was direct evidence of his understanding of the gravity of the omission. In effect, he was saying that his fear of life of another was the preventative bar to him making an appropriate disclosure.
125. We have already commented on the significance of the Officer recording the messages. We conclude that he considered them important for him. We are satisfied that the Officer sought to keep the messages in his back pocket in reserve, in the event that his lack of full and frank disclosure was discovered. It provided him with justification that he could deploy in his defence in that event.

Allegation 2

126. In relation to the alleged verbal lie to DCS Hodgkinson, we do not find that proved as a discrete fact, as we have already set out.
127. However, in broader terms, we have already set out that the Officer set out to conceal as much of the relationship as he could. He and Witness A agreed to reveal nothing until Witness B saw some of their text messages. Then, they agreed to reveal to PSD only as much as they believed that they had to.
128. For reasons we have already set out, we found the remainder of allegation 2 proved.

Allegation 3

129. The AA allege that the Officer did not act to safeguard concerns about Witness A's safety. Specifically, that the Officer feared that Witness A would self-harm or worse. In context, that clearly meant that she was at risk of taking

her own life.

130. The AA's case was stated in the Regulation 30 Notice that allegation 3 was in addition or in the alternative to allegations 1 and 2. However, in his opening note, Mr Basu clarified that and set out that the AA saw allegation 3 as being very much in the alternative. The AA's case is squarely that there was no genuine risk of self-harm.
131. Being in the alternative, and having found allegations 1 and 2 proven, we do not need to address allegation 3. However, we had to consider all of the evidence to reach our conclusions on allegations 1 and 2 and in the course of making decisions about that, we found that we had to make decisions on the facts underlying allegation 3.
132. We have concluded that Witness A and the Officer knew each other very well. We have also concluded that they were both engaged in manipulative behaviour.
133. To understand the Officer's reaction to the suggestion of self-harm, we considered the flow of text messages. We noted the extent to which the Officer expressed remorse and deep concern when confronted with the likely harm to Witness A's family life. In contrast, the Officer's reaction to suggestions of self-harm was almost cursory.
134. We were satisfied that the suggestion of self-harm at that time played into the Officer's hand and that is why he recorded those messages. They formed a back-up plan to non-disclosure, as we have already concluded.
135. We were not satisfied that the Officer had any serious belief that Witness A was at risk of self-harm. Had we been required to make a determination on allegation 3, we would have found it not proven.

Allegations as set out in the Regulation 30 Notice

136. We have already commented on the length of the Regulation 30 Notice. We are satisfied that our decisions in respect of Allegations 1, 2 and 3 deal appropriately with the case against the Officer and his answer to it. For the sake of completeness, we deal with all of the paragraphs in the Notice.

Paragraph	
4	Deals with outcome
5	Admitted
6	Broadly admitted – the AA's case did not depend on it
7	Admitted
8	Admitted
9	Admitted (to the extent of the facts alleged but not to the extent of the conclusions suggested, which we have dealt with)
10	Admitted
11	Admitted
12	Admitted
13	Admitted
14	Admitted save for the imbalance in power in the relationship

15	Admitted save that the Officer states that the relationship did not create any issues until the text messages were seen by Witness B, which we have dealt with
16	Partially admitted – the Officer did not accept theoretical risk, which we have dealt with
17	Not admitted – we agree with the Officer that this amounted to commentary
18	Admitted
19	Admitted
20	Admitted
21	Admitted
22	Admitted
23	Admitted
24	Admitted
25	Admitted with comment by the Officer – this amounts to background commentary
26	Admitted (with context given, which we have dealt with)
27	Admitted (with context given, which we have dealt with)
28	Admitted (with context given, which we have dealt with)
29	Admitted (with context given, which we have dealt with)
30	Admitted (with context given, which we have dealt with)
31	Admitted save for the last line, which we have dealt with
32	Admitted (at level of misconduct only)
33	Admitted
34	Admitted (with mitigation offered)
35	Restatement of breaches of standards
36	Admitted (with context offered such that not gross misconduct)
37	Admitted
38	Denied – which we have dealt with
39	Denied – which we have dealt with
40	Statement that Officer effectively accepted misconduct – a matter for the Panel
41	Restatement of breaches of standards
42	Administrative
43	Administrative

Standards Engaged

137. In reference to the Code of Ethics the 2014 edition (which informed our understanding of the Regulations):

Honesty and integrity

138. We noted that officers must act with honesty and integrity at all times. Further, the more senior in rank an officer is, failure to meet the standards required by the code carries the risk of greater consequence and the standard of honesty and integrity expected must reflect that. We note that senior officers set an example to more junior officers and must be sincere and truthful and not make false, misleading or inaccurate statements in any professional context.

Duties and responsibilities

139. Officers must be diligent in the exercise of their duties and responsibilities. They must take full responsibility for and be prepared to explain and justify their actions and decisions. The Officer stated in his evidence that he was not

at the time fully aware of the Code of Ethics then in force. Officers must keep up to date with their knowledge. Senior officers have a responsibility to guide junior officers on matters of ethics. We noted that officers must not allow an association with any individual to create an actual or apparent conflict of interest.

Orders and instructions

- 140. Officers will abide by police regulations and obey any lawful order given. Any decision to not obey orders or follow instructions or transgress policy or guidance must be able to withstand scrutiny.
- 141. In reference to the Regulations (definitions of standards of professional behaviour):

Honesty and integrity

- 142. "Police officers are honest, act with integrity and do not compromise or abuse their position." We conclude that this standard is engaged in respect of both allegations 1 and 2.

Duties and responsibilities

- 143. "Police officers are diligent in the exercise of their duties and responsibilities." We conclude that this standard is engaged in respect of allegation 2.

Orders and instructions

- 144. "Police officers only give and carry out lawful orders and instructions." We conclude that this standard is engaged in respect of allegation 2.

Seriousness of Breaches

Culpability

- 145. Culpability denotes the officer's blameworthiness or responsibility for their actions. The more culpable or blameworthy the behaviour in question, the more serious the misconduct and the more severe the likely outcome.
- 146. We found that the Officer's conduct was intentional and deliberate.
- 147. Culpability is increased in this case because of the Officer's senior rank.
- 148. We concluded that the Officer was dishonest while on duty because the standards we have identified as being engaged were engaged in the context of a real and ongoing investigation into the Officer's conduct. That is the subject matter of the allegations, not the affair sitting behind that process.

Harm

149. Harm will likely undermine public confidence in policing. Harm does not need to be suffered by a defined individual or group to undermine public confidence.
150. In this case, discipline and good order was impacted. Witness B took a long period off sick. Even the Officer and Witness A contemplated that their affair would require personnel to move. Failing to disclose full details impacted on the force's ability to manage the situation.
151. We had regard to how the public would perceive the Officer's actions and concluded that the public would be rightly concerned about the impact on the organisation and management of the force.
152. We note that matters such as these are of significant public interest both locally and nationally.

Aggravating features

153. Aggravating factors are those tending to worsen the circumstances of the case, in relation to either the officer's culpability or the harm caused. We have been careful not to "double count".
154. We found malign intent for personal gain (being that the Officer could continue to advance in his career and his relationships).
155. There was regular, repeated and sustained behaviour over a period of time.
156. The Officer continued the behaviour after he realised or should have realised it was improper. We note that he was undertaking the ELP course at the material time and note that ethical behaviour is a highly important and highly emphasised element of that programme, essential for officers to progress into the ranks of assistant chief constables.

Mitigating factors

157. Mitigating factors are those tending to reduce the seriousness of the misconduct. Some factors may indicate that an officer's culpability is lower, or that the harm caused by the misconduct is less serious than it might otherwise have been.
158. We have no evidence of any diagnosis of mental ill health or medical condition in existence at the time. We accept that he was stressed at the time, as we have already referenced and accept that this may have had some impact on the Officer's decision-making ability. However, we have also concluded that he was still able to make deliberate (albeit unwise) decisions.
159. The Officer has made some early admissions, as set out in his Regulation 31 response. However, he consistently resisted admitting to any real level of culpability for the impact of his actions. The Officer repeatedly apologised for his actions; however, we had regard to the extent to which he resisted

accepting responsibility and his lack of any real insight. We concluded that the Officer's remorse was self-centred and focused on the consequences to him.

160. We did not take into account that the underlying affair would have been embarrassing and difficult to reveal. NPCC Guidance deals with that and is explicit that embarrassment should never be a bar to disclosure and sets out the ways in which embarrassing matters may be handled.
161. We concluded that each allegation we have recorded as proven is so serious as to justify dismissal. For that reason, for each allegation proved, we make a finding of gross misconduct. It follows that as a whole, we find the collective breaches amount to gross misconduct.

Conclusion

162. We conclude that culpability and harm are both high, having regard to the factors we have identified.
163. We conclude that in isolation both allegations 1 and 2 are so serious that immediate dismissal may be justified so we found gross misconduct in accordance with the definition. It follows that in totality, gross misconduct is proved.

Use of College of Policing Guidance on Outcomes in Police Misconduct Proceedings 2023

164. Following the Panel delivering our findings on the facts and our assessment of whether the conduct proved amounted to misconduct only or gross misconduct ("**Our Findings**"), on behalf of the Officer, Mr Butt raised concerns that the Panel had gone too far and made final conclusions toward outcome.
165. On record, in the hearing, the Chair clarified that the Panel had referred to the guidance on outcomes in order to properly assess whether the conduct proved was such that dismissal without notice could be justified.
166. Our conclusion was that we could not properly make that assessment without reference to the guidance on outcomes. We further concluded that it was a matter of fairness to the Officer to "show our working".
167. We confirm that our consideration of the factors identified in the guidance on outcomes were for the purpose of distinguishing between misconduct only and gross misconduct. The Panel was aware that submissions on outcome would follow and that it would be necessary to revisit all of those findings. We confirm that we did so.

On duty or off duty

168. Also following the Panel delivering Our Findings, Mr Butt raised a further

concern that the Panel had made an unlawful finding that the Officer was dishonest while on duty as a factor relevant to culpability.

169. Mr Butt argued that the AA had not pleaded that the Officer was on duty as a fact for the Panel to find. Further, he said that the AA had neither opened on that basis nor put it to the Officer to answer.
170. In response, Mr Basu said that it was so obvious that the Officer was on duty at material times, to the extent that it did not have to be pleaded. Further, Mr Basu said that while throughout the hearing the Officer had very explicitly sought assurances that the AA's case did not suggest dishonesty on operational matters, the Officer had been silent on whether he was not on duty; he had not sought to argue that he was *not* on duty.
171. In response to the last point in the previous paragraph, Mr Butt said that it was wrong to suggest that there was any positive duty on the Officer to identify what should or should not be part of the AA's case.
172. In his submissions, Mr Butt suggested that the Panel should consider how the Officer would have responded if, at the close of the evidence and closing submissions, the Panel had suggested that it had in mind that the Officer had been dishonest while on duty. He suggested that the Officer would have sought to argue both as a matter of fact and as a matter of law that he had not been on duty. He may have applied to give further evidence on the point. Certainly, there would have been submissions on the law.
173. We noted the authorities relied on by Mr Butt and noted that in each of the cases relied on, the Panel had erred in making Our Findings. Here, the criticism is not about the facts that we found (though the Officer may not agree with our findings of fact) but rather how those facts should be categorised. For example, it is not criticised (for this purpose) that we concluded that the Officer lied and the circumstances in which that lie was told. Rather, it is that we concluded that those circumstances were such that the Officer was on duty at the time.
174. Mr Basu responded with various examples of how an officer might be on duty or not. We did not find those examples to be very helpful and we looked at the facts in this case. Mr Basu also said that in many senses, an officer is always on duty, and especially so, the more senior the officer. We conclude that it is a matter of general understanding that that is entirely correct. Nevertheless, that does not mean that everything a chief superintendent does will be "on duty".
175. Our findings on the facts make it clear that at material times, the Officer was on duty as a matter of fact. For example, when sending text messages to Witness A about what should be said in the course of the discussion with PSD, the Officer was in attendance at the ELP. There can be no question that he was on duty at that point.
176. Turning to the allegations themselves, we necessarily expand on our findings

because, as we shall set out, we had not understood this to be a “live issue”. We made findings of facts about the circumstances. In the case of allegation 1 the relevant facts that we found were that:

- a. The Officer lied to ACO Hemmings;
 - b. That lie was told on a Sunday evening (a time when, ordinarily, the Officer would be “off duty”);
 - c. The conversation was about the Officer’s affair and the extent of it;
 - d. ACO Hemmings had to assess whether the conversation was leading to a human resources issue and / or a conduct issue and / or a matter of organisational and / or management significance;
 - e. The Officer knew that ACO Hemmings would have to be making that assessment;
 - f. The Officer knew that his conduct was a matter that would have had organisational significance (for example that managing the situation would have required moving personnel as was explicitly discussed by him with Witness A in their text message conversation).
177. We had regard to the underlying significance of the conversation. When a chief superintendent is discussing a situation with their line manager, the situation impacting directly on organisational and management matters, that is without question an “on duty” conversation, regardless of time or place or manner of communication.
178. Likewise, completing a vetting form and ongoing vetting is without question an “on duty” matter. It is in this sort of sense that Mr Basu was right; an officer is always “on duty”.
179. For us, that was not the end of the matter. Just because an officer does something while they are on duty, it does not follow that the conduct is on duty conduct. The text message conversation between the Officer and Witness A while the Officer was attending the ELP is a good example of this. It was a private conversation (albeit with work-related consequences down the line). If it had to be categorised, perhaps it would be right to call it off duty conduct while on duty.
180. The conversation with ACO Hemmings (allegation 1) and the ongoing vetting process (allegation 2) were both squarely “on duty” conduct for the purposes of the guidance on outcomes.
181. We took it one further step. The guidance on outcomes is guidance and leaves us with a margin of discretion. We considered whether it was appropriate to include the finding of fact as a factor to weigh on the question of culpability. As we have already addressed, the conduct alleged and proved on the two allegations went to essential management and organisational issues for the force, rather than something of inconsequence. For that reason, we concluded that it was proportionate to include the finding of fact of dishonesty on duty as a factor increasing culpability.
182. Turning back to the question posed by Mr Butt; what would we have done if

he had had an opportunity to make representations before we retired to consider our findings on the facts and whether those facts amounted to misconduct only or gross misconduct?

183. We have had the benefit of Mr Butt's detailed and thorough representations made after the fact. We conclude that it was so obvious and clear that the Officer was on duty at material times, that it did not need to be pleaded by the AA. We conclude that any argument to the contrary would have failed.
184. Further, we conclude that the real question is not whether the officer was on duty but whether his conduct was on duty conduct and further, whether it was of such significance as on duty conduct as to justify it being an uplifting factor for culpability.

Outcome

185. In its approach to outcome, the Panel has had regard to and followed the College of Policing Guidance on outcomes in police misconduct proceedings.
186. The Panel reminded itself that that the guidance from superior tribunals does not override the discretion of the Panel, the function of which is to determine the appropriate outcome. The Panel understands that each case depends on its particular facts and circumstances and that guidance cannot and should not prescribe the outcome suitable for every case.
187. The Panel reminded itself of the three stages in determining outcome:
- g. Assess the seriousness of the misconduct;
 - h. Keep in mind the three-fold purpose for imposing outcomes in proceedings, namely;
 - i. To maintain public confidence in, and the reputation of, the police service;
 - ii. To uphold high standards in policing and to deter misconduct; and
 - iii. To protect the public; and
 - i. Determine the outcome the most appropriately fulfils that purpose given the seriousness of the conduct in question.
188. The Panel has listened carefully to and carefully considered the submissions in respect of outcome by both parties and reflected on those submissions carefully.
189. The Panel has read and considered the officer's record of service.

Assessment of seriousness

190. The Panel has revisited the guidance on outcomes for the purpose of stage 4 outcomes. Turning to the assessment of seriousness and being careful not to double count (and by reference to the relevant paragraph numbers in the guidance for outcomes).

Culpability

191. The Panel found the following to be present in the specifics of this matter:

- j. 4.10 – The Officer's conduct was intentional and deliberate; and
- k. 4.12 – The Officer holds a position of trust and responsibility in respect to the found facts and conduct and holds a very senior rank within the police service.

Harm

192. The Panel found the following to be present in the specifics of this matter;

- l. 4.66 – The Officer's conduct undermines public trust and confidence in policing; and
- m. 4.70 – The public are very concerned about the conduct in question. Honesty and integrity are at the core of the reputation of the service and the confidence the public has in policing. The whole premise of policing by consent is based upon trust and confidence in the honesty and integrity of police officers; because of this the Panel considers there is real objective harm to the reputation of the service in this proven conduct.

Aggravating factors

193. The Panel found the following to be present in the specifics of this matter:

- n. 4.76 – The Officer attempted to blame others (the officer sought to say that he did not disclose because witness A told him not to do so and though we accept that Witness A had been manipulative in that way, we concluded that the Officer used the presence of that pressure to justify his conduct);
- o. 4.76 – The Officer continued the behaviour after he realised or should have realised that it was improper.
- p. 4.76 – The Officer significantly deviated from force policy and national guidance; and
- q. The Officer failed to seek advice from a colleague (such as from the Superintendents' Association).

Mitigating factors

194. The Panel found the following to be present in the specifics of this matter:

- r. The Panel accepts the stress the officer was under at the times he lied and failure to report full disclosure. However, it is difficult for the Panel to make a determination on the submissions on mental health advanced by the officer without proper medical evidence relating to him at the time of the conduct. All the Panel has for the purpose of the hearing, in respect of the allegations we have found, is the officer's account of his health-related events in June 2024. Although it was not relied on in the course of the

hearing, the Panel took into account the GP note secured for the purpose of the Officer's application for anonymity. We inferred that the Officer would have been experiencing similar symptoms at the time of the conduct proved.

- s. There is qualified evidence of early admissions in respect to some aspects of the allegations.
- t. There is some evidence of remorse and he has accepted responsibility for his actions in the hearing.

Seriousness assessment

- 195. Having revisited the guidance on outcomes in the light of further submissions and in the light of the differences in our assessment of those factors as a result, we remained satisfied that the conduct amounted to gross misconduct. The differences in our assessment did not have a material impact on that assessment.
- 196. In considering the assessment above and viewing culpability and harm, applying the aggravating and mitigating features identified, the Panel determined that Culpability is high and that Harm is high. The differences in our assessment of the relevant factors did not have a material impact on our overall assessment.

Personal mitigation

- 197. The Panel, after considering its assessment of the seriousness of the misconduct proceeded to consider the personal mitigation advanced by the officer. The Panel considered and revisited the officer's character references at pp. 305 to 421 in the hearing bundle. It is clear the officer is a capable senior officer with extensive policing and leadership experience. He had secured access to the highest leadership development programme in the service. The officer had 13 character references, which provided the Panel with insight into how others felt and saw the officer. The references were from both inside his career and outside it. They were from very experienced people, who themselves were and are senior leaders including former assistant chief constables and a deputy chief constable. The Panel noted how he is viewed as dedicated to policing and somebody who cares deeply about the people and communities around him. He is considered a fair and balanced leader who would help, empower and mentor staff with their own careers. He displays positive traits, including a high work ethic, professionalism, great resilience and dedication to public service. Many spoke of his honesty and integrity.
- 198. The Panel reminded itself that, whilst personal mitigation is always relevant and taken into account, the weight attached to it is necessarily limited, given the purposes of these proceedings.

Outcome

- 199. The Panel recognised that police officers exercise significant power and that

if public confidence is to be maintained, outcomes should be sufficient to demonstrate individual accountability. The Panel also recognised that outcomes are to be imposed fairly and proportionately.

200. The Panel reminded itself of the available outcomes at a misconduct hearing and that they are (in order of consideration):
 - u. Final written warning;
 - v. Reduction in rank; and
 - w. Dismissal without notice.
201. The Panel, in determining the question of disciplinary action had regard to the officer's record of service and read it carefully. We noted his commendations, postings and training.
202. The Panel considered the least severe outcome first and then outcomes in ascending order of seriousness before arriving at the outcome it has determined most appropriately meets the three-fold purpose of proceedings.
203. Having regard to the totality of the circumstances, the Panel decided that a final written warning, even for five years, would not meet the purpose of the misconduct regime on the proved facts of this case. It would not reflect the gravity of the conduct, or the Panel's findings that the level of seriousness overall had been of a high level. The Panel went on to determine that it would not sufficiently address the loss or potential loss of public confidence in the policing profession. Neither would a final written warning sufficiently address upholding high standards or sufficiently act to deter others.
204. The Panel turned to whether a reduction in rank to any level would be sufficient. It considered the nature of the conduct, the facts of the case, the core element of his breach of the standards of honesty and integrity. For the officer to remain in any capacity as a police officer would fail to maintain public confidence in the police.
205. The Panel decided that in the circumstances, the appropriate and proportionate outcome having regard to all the factors (culpability, harm, aggravating and mitigating) and having regard to the purpose of these proceedings, was to dismiss Chief Superintendent Thompson without notice.

Police Barring List – Police & Crime Act 2017

206. The AA is directed to write a report to the College of Policing seeking to have the officer placed on the police barred list.

Publication

207. The AA is directed to publish a redacted final written report in compliance with the reporting restrictions rulings.

Appeal

208. All officers have a right of appeal to a Police Appeals Tribunal against any disciplinary finding and / or disciplinary outcome imposed at a misconduct hearing or a finding of gross misconduct and / or any disciplinary outcome imposed.

The grounds of appeal for matters dealt with under the Conduct regulations are:

- a) That the finding or disciplinary action imposed was unreasonable,
- b) That there is evidence that could not reasonably have been considered at the misconduct hearing which could have materially affected the finding or decision on disciplinary action or,
- c) That there was a breach of procedures set out in the Conduct regulations or other unfairness which could have materially affected the finding or decision on disciplinary action.

Where an officer wishes to appeal, they will need to give notice in writing to their local policing body. The notice must be given within ten working days, beginning with the first working day after the police officer is first supplied with a written copy of the decision they are appealing against.

209. There are specific available grounds for appeal, as specified in the Home Office Guidance. The hearings manager will assist the officer if required.

Comment

210. Officers are reminded that whenever they enter into a new relationship, serious consideration should be given to whether that relationship should be disclosed to PSD.
211. Such consideration is all the more important if there is anything about the relationship or the nature of the relationship that could give rise to any inappropriate pressure being applied to the officer or if the relationship could result in organisational difficulties in the force.
212. Officers should be reminded that all such disclosures (save in the case of criminality etc.) are routinely received and handled carefully, professionally and discreetly.

ACC Nicholas Davison
Independent Panel Member Jennie Mattin
Independent Panel Member Bryan McAlley