KENT POLICE

IN THE MATTER OF THE POLICE ACT 1996

AND

THE POLICE CONDUCT REGULATIONS 2020

AS AMENDED BY

THE POLICE (CONDUCT)(AMENDMENT) REGULATIONS 2024

AND

THE POLICE (CONDUCT, PERFORMANCE AND COMPLAINTS AND MISCONDUCT) (AMENDMENT) REGULATIONS 2025

NOTIFICATION OF FINDINGS AND OUTCOME: REGULATION 43 REPORT

DC 14032 CHARLES TURNER

Hearing
20th-22nd October 2026
In person hearing at Kent Police HQ, Maidstone, Kent

Panel
Chair: ACO Andrew Pritchard
Independent panel member: Dr. Liza Thompson
Independent panel member: Tadz Kluczynski
Legally Qualified Advisor (LQA): Jane Jones

Representatives
Counsel for Appropriate Authority: Charles Apthorp
Counsel for the Officer: Nick Bonehill
Welfare Officer: Wayne Burgeman

Decisions Summary
The Officer faced 5 allegations, comprising making unprofessional, abusive and misogynistic comments in a Teams chat, failing to challenge the use of language by a colleague, breaching workplace restrictions by contacting colleagues, failing to document the recovery of a knife and failing to deal with that knife appropriately, causing a potential risk. He accepted the factual basis of each allegation, albeit with some contextual differences, and breaching the Standards of Professional Behaviour. He submitted that his conduct amounted to misconduct only.

All matters were found proved, although the language was not 'misogynistic'.
Four Standards of Professional Behaviour were breached.
The conduct overall amounted to Gross Misconduct.
There being no exceptional circumstances found, the outcome was that the Officer was Dismissed Without Notice.

A. Introduction

1. This is a record of the decision of a Police Misconduct Panel held under the Police (Conduct) Regulations 2020, as amended in 2024 and again in 2025. All references to the Regulations are to these regulations unless specified otherwise.

2. The proceedings relate to the conduct of DC 14032 Charles Turner, a serving officer with Kent Police. He is referred to in this report as 'the Officer'.

3. This report has been drafted by the LQA but is adopted by the Chair. The Panel has had the opportunity to review and amend it. The Panel members understand that they are ultimately responsible for both the decisions they have made and the explanation of those decisions. The Panel have considered this case in detail and with great care, including taking an active role in questioning the Officer.

4. There may be slight differences between this written document as compared to any full transcript of the hearing. If that is the case, this written document should be regarded as the definitive version.

5. The misconduct hearing was conducted in person at Kent Police HQ in Maidstone, Kent and lasted for three of the four days allocated.

6. A public notice giving details of the hearing was published on the Kent Police website in the usual way and for the requisite period. Members of the general public, including the media, were welcome to attend the proceedings, although none actually did so.

7. The Officer was legally represented throughout these proceedings by Counsel. His Welfare Officer was also present throughout. The Officer was present during all of the hearing, and was a serving officer throughout.

B. The Regime

8. The police misconduct regime was applied as follows:

    (i) The proceedings were conducted under the Police (Conduct) Regulations 2020, the matter in question having come to the attention of the relevant Appropriate Authority after February 2020.

(ii) The first tranche of the 2024 Police (Conduct) (Amendments) Regulations, principally affecting the constitution of the panel, applied. The proceedings were chaired by a senior police officer because the Regulation 30 Notice was served after 7th May 2024.

(iii) Further amendments came into force on 28th May 2025, in the form of the Police (Conduct, Performance and Complaints and Misconduct) (Amendment) Regulations 2025. Regulation 64(1) of the 2025 Regulations specifies that the amendments do not apply to a 'pre-commencement allegation". Regulation 67 defines this as an allegation which came to the attention of the Chief Officer of police before 28th May 2025. Part of Allegation 1 refers to conduct in March 2024; as this was not caught by this statutory definition, all matters fell to be dealt with under the amended regime. This is significant as the 2025 amendments to Part 3 of the Regulations affected the process and options available to the Panel at the Outcome stage.

(iv) New Home Office Guidance was anticipated last month to address how these changes should be approached. However, this is still not publically available, and so the relevant Home Office Guidance remains the February 2020 version.

(v) The relevant College of Policing Guidance on Outcomes is the 2023 version. Again, an amended version is anticipated but is not available to the Panel in this case.

(vi) The College of Policing's Code of Practice for Ethical Policing came into effect on 6th December 2023. This is guidance for senior officers and pre-dates all the relevant conduct.

(vii) The College of Policing's Guidance for Ethical Policing and Professional Behaviour in Policing and its Ethical Policing Principles were both published on 24th January 2024. These documents together replace the College of Policing's Code of Ethics and were available to officers at the time of all relevant conduct. They apply accordingly.

C. Background

9. The Officer has been a Kent police officer for over ten years, having joined in June 2016. He had 3 years' experience prior to that of serving as a Special Constable. At the time of the relevant conduct he was a Detective Constable serving on the pro-active team at Maidstone Police Station, and had some expertise as a Drugs expert.

10. The alleged breaches of the Standards of Professional Behaviour all concern on duty conduct.

11. Matters came to the attention of the Appropriate Authority on 16.3.26. The Officer was served with an initial Regulation 17 Notice on 7.4.26 and with further Regulation 17 Notices on 10.4.26 and 23.4.26. He was served with a Regulation 30 Notice on 16.9.26 and permitted an extension of time in which to submit his Regulation 31 Response, which was provided accordingly.

12. It is notable that the Officer had been given advice from his DI during a review in October 2025 about his use of inappropriate language and the general workplace culture. He had also previously been challenged by a colleague about inappropriate language and content in the workplace.

D. Pre-Hearing

13. A pre-hearing was held in private on Microsoft Teams on 8th October 2026. This was attended by the Chair, Counsel for the Appropriate Authority, Counsel for the Officer, the Investigating Officer, the Hearings Manager, representatives from PSD and the LQA.

14. Adherence to the time limits of the regulatory framework was confirmed.

15. It was clarified that, in general terms, the Officer accepted the conduct alleged and the engagement of the Standards of Professional Behaviour. However, he did not accept that his conduct overall amounted to gross misconduct.

16. There were no outstanding issues regarding disclosure or editing.

17. There were no anticipated legal arguments, either for the pre-hearing or anticipated at the full hearing.

18. An application for a minor amendment of one of the allegations was unopposed and granted.

19. There was no application for any deviation from the usual position of a public hearing, and a public notice of such. The Chair made directions accordingly.

20. There were no requests by either party for any witness to attend and give live evidence. The Chair made a determination that it was not necessary in the interests of justice for any witness to attend.

21. No Equality Act issues were raised at any stage by or on behalf of the Officer, either with regards to matters relevant to conduct or reasonable adjustments. It was anticipated that the Officer would give evidence of his circumstances and state of mind at the relevant times. However, it was specifically confirmed on behalf of the Officer that there would be no argument advanced that would engage the Equality Act, and no submission that he was, at the relevant time, suffering a condition that might amount to a disability, and which was a contributory cause of any of the alleged conduct. As such, no medical reports were available, and none would be requested.

22. Following a discussion about the time now required for the hearing, one day of the provisional listing was cancelled and the matter set for a hearing 20th-23rd October 2026.

23. Directions were made at the pre-hearing with regard to character witness statements and an Opening Note and these were subsequently complied with.

E. The Appropriate Authority's position

24. The Appropriate Authority's position was that the Officer had used unprofessional, abusive and misogynistic language in Microsoft Teams chats, failed to challenge similar abusive language by another officer, breached workplace restrictions and failed to appropriately record and store a knife that he had seized.

25. The full wording of the allegations in the Regulation 30 Notice appears under heading K below.

26. The Appropriate Authority said that if the allegations were found proved the conduct would engage the Standards of Professional Conduct in respect of

- Authority, Respect and Courtesy
- Discreditable Conduct
- Challenging and Reporting Improper Conduct
- Orders and Instructions

27. The Standards of Professional Behaviour are all set out in Schedule 2 of the Police (Conduct) Regulations 2020, as amended, which states as follows:

Authority, Respect and Courtesy

Police officers act with self-control and tolerance, treating members of the public and colleagues with respect and courtesy.

Police officers do not abuse their powers or authority and respect the rights of all individuals.

Discreditable Conduct

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

Challenging and Reporting Improper Conduct

Police officers report, challenge or take action against the conduct of colleagues which has fallen below the Standards of Professional Behaviour.

Orders and Instructions

Police officers abide by police regulations, force policies and lawful orders.

28. The Appropriate Authority's position was that if the allegations were proved, the conduct collectively was so serious as to amount to gross misconduct.

F. The Officer's position

29. The Officer provided a prepared statement under caution on 17.6.26 and was interviewed the same day. He gave an extensive account of his conduct and provided some background information.

30. The Officer's Regulation 31 Response confirmed his position and was consistent with his responses in interview. Specific details of his position are given in the record of factual findings below. Whilst there was little if any challenge to the facts of each allegation, and to the application of the Standards, he did not accept that his conduct as a whole amounted to gross misconduct.

G. Approach to decision making

31. In the First Stage of this process the Panel was required to to make factual findings in respect of each allegation, take a view with regard to some of the context and characterisation of the conduct, conclude whether the Standards of Professional Behaviour had been breached and determine whether any proven conduct amounted to misconduct or gross misconduct. The Second Stage was to determine outcome.

32. The approach taken by the panel was to:

(i) Firstly, ascertain the facts, for each allegation in turn, bearing in mind what was and what was not in dispute.

(ii) Determine, on the basis of those facts, whether any Standards of Professional Behaviour had been breached

(iii) Then to decide whether any breaches as found amounted to Misconduct, Gross Misconduct or indeed neither.

(iv) As appropriate, to decide what the outcome should be.

H. Burden and Standard of Proof

33. In making decisions the Panel was mindful of the fact that the burden of proving the case was on the Appropriate Authority.

34. The standard of proof applied by the Panel was the balance of probabilities, the civil standard. Conduct will be proved on the balance of probabilities if the Panel is satisfied by the evidence that it is more likely than not that the conduct occurred. The balance of probabilities is a single unvarying standard. The Panel understood that the seriousness of the allegations and/or the seriousness of the consequences for the Officer do not require a different standard of proof, merely careful consideration by the Panel before it is satisfied of the matters which have to be established. The inherent probability or improbability of the conduct occurring is itself a matter to be taken into account when deciding whether, on the balance of probabilities, the conduct occurred. (as per section 9.10 Home Office Guidance)

I. Evidence considered

35. During the course of the hearing the Panel considered the whole bundle of written evidence presented in this case, all of which had been read in advance of the hearing. The evidence also included two exhibits of body worn video evidence depicting the Officer at the scene of separate arrests of suspects on 11th and 20th February 2026.

36. The Appropriate Authority provided a comprehensive Opening Note, which was served in advance of the hearing, and opened the case in full during the hearing.

37. The Officer gave evidence on his own behalf and was cross-examined and answered additional questions from the Panel.

38. The Panel reviewed the prepared statement of the Officer, his responses in interview, his Reg 31 Response, and his live evidence. He was a fairly consistent witness, and there was a certain sincerity in his approach and entrenched perspective. However, there were occasions in his live evidence where his memory was deficient, perhaps even selective, particularly on some key issues. These included the exact circumstances in which the

knife was seized, the fact that he was reminded about his obligations with regard to the knife and the previous warnings about his use of unacceptable language. It was clear that some of his views were based on the facts as he perceived them, rather than objective evidence. It was also evident that he was genuinely frustrated by many aspects of his work and indeed by his colleagues, both peers and supervisors. To some extent he appeared to have disengaged from some of the formal requirements of his role, focusing instead on the aspects that he considered should be prioritised.

J. Ancillary points

39. The LQA gave the Panel a Good Character direction in respect of the Officer, who had no previous findings of guilt recorded against him. The Panel took this into account when considering both his credibility and propensity.

40. Character witness statements were available to the Panel at the First Stage of the process, so that they could be used, so far as relevant, in the Panel's consideration of credibility and propensity.

41. Given that the written evidence of DC Henham was unchallenged and that the Officer purported to have no recollection of the matters on which she provided evidence, the Panel preferred the evidence of DC Henham. To the extent that their accounts of events differ, her version was accepted.

K. First Stage Findings

42. Having considered all the available evidence, the panel concluded the following in relation to each allegation in the Regulation 30 Notice:

1. Allegation 1

The allegation relates to a course of conduct in which you are alleged to have made unprofessional, abusive and misogynistic comments in a Microsoft Teams chat when referring to colleagues, of which five are identified by name.

The Teams chat was accessible by other members of the police force and therefore it is asserted that your comments took place in a public environment.

Set out below are examples of your inappropriate and unprofessional language:

(i) On 26/03/24 in a conversation with former DS Arnold in describing Kent Police referred to it as a "Cunt" organisation, your language was challenged by DS Arnold.

(ii) On 01/10/25 in a conversation with DC Spackman you referred to another officer as an 'idiot', referred to supervisors as "absolute fucking cunt" and other officers "a cunt or cunts". You also referred to an inspector and a sergeant in disparaging terms.

(iii) On 6/1/26 in a conversation with DC Ward you made disparaging comments about DS [name redacted] where you referred to him as an "idiot" and a "dick".

(iv) On 13/1/26 in a conversation with DC Spackman you referred to a female officer as being a "slut", "fuck her", "she's thick", an "immature petulant self-centered bint", "stupid", "thick bitch" and a sexual reference to another officer suffering an injury from "smashing (a named officer)".

(v) On 14/1/26 in a conversation with PC Tuckett you referred to other officers as "idiots", "lazy cunts" and an officer as a "thick idiot".

(vi) On 22/1/26 in a conversation with DC Spackman you used the following abusive language:" fuck off", "idiots","fucking wanker". You also referred to another officer as an "idiot".

(vii) On 10/3/26 in a conversation with DC Ward you referred to another officer using abusive language;"fuck off", "Cunt cunt", "fucking waster of space" and welfare is "shit".

43. These allegations are accepted on a factual basis by the Officer, which the exception of the reference to "smashing (a named officer)" specified in para (iv) above, which the AA accept was said by another person. The allegations are found by the Panel.

The Teams chats took place between the Officer and four other officers. The facility is open to other officers and there is a facility for such chats to be monitored. To this extent it cannot be regarded as a private chat. There is however no evidence that any of these chats were seen by other parties and in particular by those individuals who are referenced within them.

The chats took place between March 2024 and March 2026 and can properly be regarded as a course of conduct.

The Panel accept that these messages will represent a tiny proportion of the Officer's overall written communications with other officers during this timeframe. Nevertheless, they demonstrate a propensity over a considerable period of time to use such language without apparent inhibition.

In evidence the Officer made the point that the Teams Chat facility was the channel that was most readily accessible to him. He would have known the inappropriateness of such language on that channel and that it would be a breach of the IT Acceptable Use Policy and was subject to monitoring.

The Panel found the comments to be unprofessional.

They were also abusive, including disparaging and offensive remarks about individual-named officers.

44. The Appropriate Authority also submitted that these comments could be characterised as 'misogynistic'. The Panel have given this term particular consideration. Whilst some of the comments are inherently sexist, they do not indicate an ideological hatred of all women, and the Panel was reluctant to simply label them or him as 'misogynistic'. This has been judged on the actual comments, but is consistent with the more general background information the Panel has gleaned of the Officer's character.

45. Whilst there is clearly room within the police organisation for the expression of dissent or dissatisfaction, the language and manner in which the Officer expressed some of his views was wholly unacceptable.

Allegation 2

You are alleged to have failed to challenge or appropriately address a colleague's use of unprofessional and abusive language.

The conversations are alleged to have taken place with DC Spackman on the following dates, 1/10/25, 13/1/26 and 22/1/26 during which colleagues were referred to as

(i) A DS as "a fucking wanker"

(ii) A DI as a "Stupid cunt"

(iii) A PC as a "stirrer"

(iv) Comments about a PC and sexual activity.

46. This is accepted by the Officer and found proved by the Panel.

To some extent this overlaps with Allegation 1 as these comments were made as part of the conversations already referenced in Allegation1, and were made in the context of the Officer's communications to DC Spackman, where he used similar language. It is therefore unsurprising that the Officer failed to challenge her use of similar language. This is perhaps an example of the Officer normalising the use of such language within the professional environment.

47. The AA submit that the conduct comprised in Allegations 1 and 2, so far as relates to female colleagues, was discriminatory and in breach of Section 26 of the Equalities Act 2010.
The Panel have considered this carefully. Whilst gender-based terms have certainly been used, and accepted as such by the Officer, the Panel considered that in the context in which these words were used, or tolerated, the conduct fell short of a violation of section 26 of the Equalities Act.

Allegation 3

Following the service of the Regulation 17 Notice on 7 April 2026 you were placed on workplace restrictions which included restrictions on you contacting officers involved in the investigation into your conduct.
You are alleged on or about 7th April 2026 to have contacted DC Ward and DC Henham in breach of your workplace restrictions by using a WhatsApp disappearing message picture. The message received by DC Ward stated, "Someone on the team has made a formal complaint about me to PSD." The message sent to DC Henham had expired, however it is alleged that the content was likely to be the same.

48. This contact is admitted by the Officer and found by the Panel.
It was a straightforward and almost instant breach of a specific lawful order.
The Officer has said that he reached out to these colleagues because he was close to them and wanted their support. The Panel is not required to make a decision as to his motive and does not do so. However, the explanation for why he apparently chose to send a disappearing message as opposed to a straightforward text was regarded as dubious at best.

49. The Panel considered whether this was one message sent to two recipients at the same time, or the same message sent to two different people at different times. The evidence suggests the latter, as DC Ward's evidence was that she noticed her message at

lunchtime, whereas DC Henham's evidence is that she received her message when walking home after work. The photographic evidence provided shows the photo on DC Henham's phone was received at 18.42 on 7.4.26. It appears then that the message was sent twice; the explanation given by the Officer that his use of the disappearing message mode was purely accidental becomes even less credible.

50. The Panel have treated this purely as a breach of a workplace restriction. The suggestion advanced by the Appropriate Authority that the attempted contact with DC Henham was associated with the knowledge that the knife was still in his stab vest can be regarded as no more than speculation.

Allegation 4

On 11th February 2026 you seized a folding lock knife from the address of a male who had been arrested. It is alleged that you failed to record or document the seizure, the recovery of the knife and its movements.

51. The Officer accepts the factual basis of this, and the Panel finds it proved.
The Officer did not record the recovery of the knife in any way. He did not record it in his daybook or evidential statement. He did not book it in to the property store, nor create the required Athena marker. It simply disappeared as far as any police records were concerned. Whilst the knife did not become an exhibit in the relevant criminal case, it was mentioned by another officer in the suspect's remand application, and it was not without potential evidential or intelligence significance in a wider context.

52. The Officer's recollection, given in his live evidence, of how and why he took the knife into his possession was not accurate when compared to the body worn video of the scene. Nevertheless, the Panel accept the Officer's explanation that his initial failure to deal properly with the seized item was an oversight. It was not an acceptable omission, but the Panel do not associate it with a more sinister motivation.

Allegation 5

It is alleged that you stored the lock knife in your stab vest until 13th April 2026. You were advised by DC Henham on about 11th February 2026 not to store the lock knife in your stab vest and that it should be booked into the property store. The lock knife formed part of the evidence in a case and the recovery of the knife should have been correctly documented.

It is alleged that by storing the lock knife in your stab vest you potentially put members of the public, yourself and other officers at risk of harm.

53. The Officer accepts that the knife remained in his stab vest until it was found by a colleague on 13th April 2026 and the Panel find the allegation proved on that basis. DC Henham says that she saw him remove the knife from his stab vest in the office on the day it was recovered or very shortly afterwards and that she reminded him that it should be taken to the property store. The Panel accepts this evidence and considers that this did indeed happen. This was the second significant moment at which the Officer had the opportunity, indeed the obligation, to correctly process the knife in a safe way. There can be no effective explanation based on omission or accident at this point. Sadly, the Officer did not take this opportunity. At the very least, he ignored the prompt, forgot about the knife again and allowed it to remain in his stab vest. Although he initially said in interview that he had not worn the stab vest since, body worn video evidence shows that he wore it on 20.2.26 when he attended a subsequent and unconnected arrest scenario.

54. The Panel do not accept any suggestion that the Officer may have deliberately retained the knife for any personal reason.

The Panel then went on to consider the application of the Standards of Professional Behaviour:

Standards of Professional Behaviour

Authority, Respect and Courtesy

55. This Standard was breached. The conduct in Allegations 1 and 2 demonstrated a lack of self-control and tolerance. The language used was not courteous or respectful. This language was not explicitly directed towards the individuals named, and indeed there is no evidence that they were even aware of it. However, it will have contributed to the creation of a degrading environment and potentially damaged the reputation of those individuals within the Force.

Discreditable Conduct

56. This Standard is breached with regards to Allegations 1 and 2.
    If the public were aware that a serving officer was speaking about his colleagues and superiors in these offensive and derogatory terms, and indeed about his employer, this would certainly undermine public confidence in the police as a whole. An Officer who speaks like this about his colleagues might well be considered capable of similar conduct with regards to members of the public. This conduct brings discredit on the police service.
    The Panel noted that Discreditable Conduct has not been averred with regard to Allegations 4 and 5, despite its apparent potential application.

Challenging and reporting improper conduct

57. This is breached with regard to Allegation 2.
    Not only did he fail to challenge this conduct, he was complicit in it.

Orders and Instructions.

58. This is breached with regard to the conduct in Allegations 3,4 and 5, (an amendment to the Reg 30 Notice in this regard being specifically accepted by both Counsel during the hearing, when it was expanded to incorporate paragraph 13 of the Reg 30 Notice).
    Allegation 3 represents an immediate and complete disregard for a specific instruction.
    Allegations 4 and 5 demonstrate a failure to follow recognised force procedures.

Assessment of whether the admitted and proven allegations amount to gross misconduct or misconduct

59. The Panel went on to consider under Regulation 41(15) (b) of the 2020 Conduct Regulations whether the conduct as found amounted to misconduct, gross misconduct or neither.

60. The Panel reminded itself that under Regulation 2(1) 'Misconduct' means a breach of the Standards of Professional Behaviour that is so serious as to justify disciplinary action,

whilst 'Gross Misconduct' means a breach of the Standards of Professional Behaviour that is so serious as to justify dismissal.

61. The Appropriate Authority submitted that the conduct found proved overall amounted to gross misconduct. The Officer submitted his admitted conduct amounted to misconduct only.

62. In reaching their provisional assessment on the seriousness of the proven conduct the Panel has considered the College of Policing Guidance on Outcomes (2023) which states consideration should be given to an officer's culpability, any harm caused, and the existence of any aggravating factors or mitigating factors.

63. This approach taken was that identified by Mr Popplewell J in Fuglers LLP v SRA [2014] EWHC 179 (Admin) which is in these terms: *"In assessing seriousness, the most important factors will be (1) the culpability for misconduct in question and (2) the harm caused by the misconduct……(3) aggravating factors ……and mitigating factors……."*

Culpability

64. This Panel reminded itself that culpability denotes an officer's blameworthiness or responsibility for their actions. The Panel found the following to be relevant to the assessment of culpability:

- The Officer's conduct with respect to Allegation 1 is clearly deliberate and targeted at individuals. The conduct re Allegation 2 is more of an omission, although there is clear culpability.
- The conduct in Allegation 3 has to be intentional, particularly if this conduct was repeated.
- The conduct in Allegation 4 has the character of an oversight, but in Allegation 5, which involved him being reminded about the necessary process, his culpability is higher.

Overall, culpability is assessed as **high.**

Harm

65. There is no evidence of harm caused to the individuals who are named by the Officer in his offensive communications. It would be reasonable to consider that if they were aware of the comments that they would be insulted and possibly offended. There would

be damage to professional relationships and dynamics within the working environment. The line management structure would be undermined and general respect for colleagues diminished. The primary harm caused by Allegation 1 though is reputational. The public would be appalled to think that a serving officer would speak about his colleagues and supervisors in such disparaging terms, and the reputation of the police would be damaged.

The harm caused by the conduct in Allegation 2 is the perpetuating of an unprofessional culture.

The harm caused by the conduct in Allegation 3 is reputational, bearing in mind that the public look to the police to enforce laws and regulations.

The harm caused by the conduct in allegation 4 and 5 together is also largely reputational. The concept of property being seized from an individual's address without a proper record being kept would lead to justifiable public concern. There are various scenarios in which this could be reputationally disastrous or evidentially significant. An officer who has been found to take property into his possession and retain it for many weeks without apparent recognition or record could find himself compromised in the evidential chain of future criminal investigations.

Whilst the likelihood is low, the Panel should also acknowledge the physical risks associated with any officer wearing a stab vest in which a weapon of this nature has been placed, especially when considering the scenarios for which such clothing is intended.

The Panel's overall assessment of harm is that it is **high.**

Aggravating factors

66. In considering aggravating factors the Panel was careful not to double count and found the factors below to be relevant:

- The Panel accept that none of the conduct was premeditated or planned over a long timeframe.
- None of it was for personal gain, although the comments about colleagues were malign, underhand and pernicious.
- There was no element of concealment or attempt to deflect blame on others.

- There was a course of conduct with respect to the unacceptable use of language, which persisted for at least two years.
- There was a significant deviation from an order, but that is the essence of Allegation 3, and is not double counted.
- This conduct with regards to use of language had been observed by others and the subject of two informal warnings by two different supervisory officers (a DS and a DI) and one colleague (a DC). The Officer's response to each of these was dismissive. He therefore continued this conduct when he should have known that it was improper.
- There are multiple proven allegations of different types of conduct and breaches of four separate Standards of Professional Behaviour.

Mitigating factors

67. The Panel considered carefully all the factors that are detailed in paragraph 4.79 of the College of Policing Guidance on Outcomes. The Panel was careful to remind itself of the difference between mitigating factors and personal mitigation. Mitigating factors are those that could potentially indicate a lower level of culpability.

- The Panel can give only limited weight to the factual admissions made in the face of overwhelming documentary evidence.

- The Panel accepts that the Officer had dealt with a number of challenging matters in the preceding two years. He was clear however that he was not raising any mental health factors as impacting on his culpability. There was no medical evidence of any relevant condition.
- There was no evidence, even in the live hearing, of genuine contrition or insight into the breadth of this conduct.
- There was no sincere apology to those who had been the subject of his unacceptable language. There was little if any recognition of the potential reputational harm to his Force.

Sadly, the Panel concluded that mitigating factors were largely absent.

68. **The Panel concluded the totality of the proven allegations amounted to gross misconduct**.

L. Second Stage Decision on Outcome

69. As this was a case under the amended 2025 regulations, the Panel reminded itself that Regulation 42, as amended, now provides that when gross misconduct is found the disciplinary action that is available is

"(i) Dismissal without notice, or

(ii) if the person or persons conducting the misconduct proceedings are satisfied that there are exceptional circumstances which justify it-

(aa) a final written warning, or

(bb) reduction in rank".

In other words, where gross misconduct is found, there is now a presumption in favour of dismissal without notice unless exceptional circumstances are determined by the Panel.

70. The Panel was aware of the absence of amended guidance from the Home Office and College of Policing concerning how Panels should approach the consideration of exceptional circumstances. The Panel was assisted by advice from both Counsel and the LQA on this issue.

71. The Panel adapted the existing established three stage approach in police misconduct proceedings, to reflect the change to Regulation 42 introduced by the 2025 amendments. The following approach was followed:

a) Assess the seriousness of the misconduct
b) Keep in mind the purpose of imposing sanctions; and
c) Determine if any exceptional circumstances existed in the case, and
    i. If no exceptional circumstances are found put in place the sanction of dismissal without notice
    ii. If exceptional circumstances are found determine the most appropriate available sanction

72. The Panel revisited their assessment of seriousness and made no amendment to that.
    The assessment of seriousness remained high.

73. The Panel reminded themselves of the three-fold purpose of sanctions and the police misconduct regime, as explained in the Guidance at (2.3):
    - Maintaining public confidence in and the reputation of the police service
    - Upholding high standards in policing and deterring misconduct
    - Protecting the public

74. The (current) 2020 Home Office Guidance says that the purpose of misconduct proceedings is to be "fair to the individual who is subject to the process, as well as all parties involved" in order to arrive "at a correct assessment of the matter in question and [provide] public and policing confidence in the system." The Panel therefore considered carefully the scope for personal mitigation in this case. The Panel was addressed by Counsel for the Officer with regard to his personal mitigation, but was only able to give this very limited weight in the circumstances.

75. The Panel noted the four positive character references submitted on behalf of the Officer. The reference from former DS Arnold was particularly detailed, balanced, insightful and helpful.

76. The Panel noted the Officer's Service Record before making their decision.

77. The Appropriate Authority submitted that no exceptional circumstances were present in this case and therefore the only option open to the Panel was to dismiss without notice.
    Counsel for the Officer urged the Panel to consider that exceptional circumstances did exist and advanced these factors:
    a. The Officer had a significant and impactful career, including three years as a Special Constable which the Panel noted as a voluntary contribution to society.
    b. There were instances of him acting in a proactive and positive way, both within policing and on a personal basis.
    c. He had reflected and developed real insight into his conduct.

d. He had dealt with some challenging personal circumstances in the preceding couple of years.
e. He was relatively young and had much left to offer the Force.

78. Following the new statutory presumption of dismissal without notice for gross misconduct it was understood that if an officer is not dismissed after a finding of gross misconduct the Regulation 43 Report should expressly identify the exceptional circumstances justifying their retention as a serving officer.

M. Outcome

79. The Panel concluded that this was not a case where 'exceptional circumstances' were present. That high bar had not been met. Accordingly, the statutory presumption was followed, and the Panel imposed the outcome of dismissal without notice.

80. The Panel now invites the Force to commence the process to place the Officer onto the College of Policing barred list.

Chair of Panel

ACO Andrew Pritchard Date 22/10/2026