

IN THE MATTER OF THE POLICE (CONDUCT) REGULATIONS 2020

B E T W E E N:

THE CHIEF CONSTABLE OF KENT POLICE

Appropriate Authority

-and

FORMER PS L

Officer Concerned

NOTIFICATION OF OUTCOME OF MISCONDUCT HEARING

Former PS L on 1 - 2 June 2026, you were asked to appear at a misconduct hearing, which was conducted by:

Chair: ACC Andy Pritchard

Independent Panel Member: Susannah Dengate

Independent Panel Member: Bryan McAlley

LQA: Harry Ireland

Allegations:

1. On Thursday 18th March 2021 whilst on duty you attended Queen Elizabeth Square in Maidstone in order to attend a pre-arranged appointment at a Kent Police facility to receive treatment in connection with your health
2. You parked your vehicle in Queen Elizabeth Square in a location which had a parking restriction in place at the time that you parked it.
3. The restriction was clearly marked to the effect that no vehicles should be parked in that location between the hours of 9am and 3.30pm on weekdays Monday to Friday. Yet you parked your vehicle at about 3.15pm, in breach of the restriction.
4. As you walked from your vehicle you were challenged by C, the occupier of a property in Queen Elizabeth Square, who spoke to you and pointed out that you had parked your vehicle in contravention of the restriction in place.
5. In your responses to C you made an implied threat by saying words to the effect of he (C) "had better be careful in case his vehicles were damaged in the middle of the night". The threat was of damage to property.
6. Your actions, in so making an implied threat of damage to vehicles/property breached the Standard of professional Behaviour of 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.

EVIDENCE

The hearing began with submissions regarding L's absence.

It was accepted by the AA that L's mental health problems were as described within the medical evidence provided, and that his medical condition was such that L would be unable to attend the hearing, even if remotely. Mr Botham, his representative, was willing to proceed in L's absence and had instructions. The Panel had both L's statement under caution and his detailed reg 31 response. Any adjournment would be unlikely to facilitate L's attendance in the foreseeable future. Both parties acknowledged that there would be no gain in adjourning proceedings to allow L to attend and both agreed that the hearing proceed as listed. The Panel agreed that it was not in the interests of justice or L to adjourn the matter and it would proceed.

Similarly, witness M informed PSD was unavailable due to holiday commitments and both parties agreed that the hearing could proceed in his absence and the Panel agreed that the hearing would proceed taking into account the evidence of M as recorded by the OIC.

The Panel concentrated on the allegation specified in paragraph 5 of the Reg 30 Notice, with 1-4 accepted as background facts.

The main evidence to support the allegation was provided by C and the 2 clips of video evidence from C's doorbell. Additionally there was a record of evidence provided to the OIC from C's neighbour, M who overheard the exchange between two people who, it was accepted, was L and C.

The Panel took into account that it was dealing with events of 5 years before and therefore noted that memories would not be clear.

C told the Panel of the background of illegal parking on his street which was an ongoing problem with police officers being among the culprits, he claimed, seemingly without sanction. The Panel accepted that this was a cause of ongoing concern by, at least, C. L parked on the road nearby to C's house on a single yellow line in contravention of the time restrictions, albeit with less than 30 minutes before such restriction ceased.

C also told the Panel that because of a head injury received in 1992 he had short term memory problems. He could not recall the details of the conversation with L on 18 March 2021 but knew that he had spoken to him and relied on the records contained in the bundle of evidence and the video evidence to assist him. Nevertheless the Panel found that some of C's evidence was at significant variance with accounts that were closer to the events in time.

He explained the 68 second gap between the 2 segments of video evidence by telling the Panel that the recording was initiated by movement and therefore once L had walked past his house the recording would have stopped and restarted when L returned within view. The Panel were concerned as to this gap as it was during this short gap in the recording when the alleged threat was made. This was more so, as from the beginning of the second clip, someone, (identified by C as his partner), appeared at the door of their home with what clearly was a mobile telephone or tablet and recording briefly what was happening. L says he saw this and he perceived that it was a recording being made. C told the Panel that no such recording was made as his partner

would have shown him any such recording and that she was not 'technically minded'. The Panel were uncomfortable with this missing evidence and with no statement from C's partner being sought.

M, C's neighbour, told the OIC as recorded in a report from the latter, that he heard a 'heated exchange' between two men, L and C. It was recorded thus:

'The voices between both parties were raised and due to the fact such a matter was not unusual, he did not feel the need to get involved or pass any comment. He could not recall the entire content of the conversation, but did recall a comment similar to 'You should be careful your cars aren't damaged at night', made by one of the males. [M] did not consider this to be a direct threat but more of a flippant comment made by one of the parties during a heated exchange, and as earlier stated did not feel it necessary to either get involved or intervene.'

Therefore the Panel found that the only independent witness to the events complained of did not perceive any threat being made and was a remark made in the midst of a heated argument between the two men, with varying accounts of what was actually said. Both parties raised their voices. The Panel was satisfied that C initiated the exchange with a legitimate concern regarding L's parking in contravention of the controls there. L was late for an appointment at the Force's Occupational Health office (there appears to be some difference in the evidence as to its purpose, i.e. either for physiotherapy or for his mental health problems, but the Panel found that nothing of import turned on this). L was agitated being late for this appointment. His mental health problems meant that he had difficulty in dealing with stress and confrontation. C was unaware of this as he did not know L and was concentrating on what he saw as yet another parking infringement.

The CAD at p33 records the complaint made by C when telephoning the police to complain within minutes of the event. C told the call handler what was alleged to have been said by L to him, and it was recorded thus:

"You're known for telling police officers not to park in the street you must be careful in case your cars are damaged in the middle of the night when you asleep, I'm suffering from PTSD and nothing is going to happen"

This the Panel found could not be a verbatim record of what was said and reads as a summary by the call handler. The original tape was not adduced.

L described in his statement how he tried to explain his mental health problems to C, how he was suffering with anxiety and confusion and, as a result, was struggling to maintain his composure. L accepted that he may have mentioned cars being kept safe but in the context of public expectation and safety, not a threat. The Panel observed that in the concluding section of the second video L says 'I asked you to exchange first names and have a chat. You were the one that shouted' to which C can be heard to say 'you were a long way off,' and L responds by saying 'just go away.'

L reported this matter to PSD on his return home. In his statement made 5 months later he explained that there had been an exchange between him and C in the street and, because of his anxiety and confusion, he may have used language that caused upset to C but that was not his intention. He struggled to articulate himself properly due to his mental health at the time of a stressful situation. The Panel noted that in L's statement he apologised to C for any offence he may have caused.

Therefore the Panel found that there had been what M described as a 'heated exchange' between C and L with both parties contributing to this and L being intemperate. The Panel on the available evidence were not satisfied that L had threatened to cause damage to C's cars as alleged; at its highest the only finding that could be made that L had said something about cars being damaged but how and in what context was impossible to determine on the available evidence.

However, the Panel found that the former officer's raised voice and confrontational attitude was a breach of the Standard of Behaviour relating to Discreditable Conduct.

In terms of L's culpability the Panel accepted the submissions on behalf of the AA that L, at the time, was on duty, albeit attending a medical appointment, had parked illegally in contravention of the single yellow lines governing the street where L parked, (although in passing it should be noted that this was minimal given the limitation was due to expire within a matter of minutes), and had engaged in a verbal dispute with C. The Panel found that a police officer, on duty, in normal circumstances would accept proper challenge in good manner and acknowledge wrongdoing where it is pointed out with good grace and maintain composure. They would not engage in a heated argument on a public highway. It was incivility. Had the former officer been one in good health without the mental health problems L was suffering from, culpability would be high given that his conduct was deliberate and targeted at C. Upset to C was reasonably foreseeable.

However, the Panel also accepted the submissions on behalf of L that the mental health of L at that time was such as to mitigate his conduct as L had described. He was unable to deal with the challenges made by C in a rational manner as his mental health resulted in him becoming stressed, anxious and fearful.

Therefore, given the accepted mental health problems suffered by L, the Panel culpability was low.

The Panel accepted that the harm caused was reputational. The public would rightly be concerned about police officers firstly ignoring parking restrictions deliberately and, thereafter, when properly challenged, becoming embroiled in a 'heated argument' with a member of the public, who made the challenge. Again, taking into account the mental health of L, the level of harm is low.

Given the above factors, the Panel determined that the conduct of the former officer amounted to Misconduct.

As this matter relates to a former officer the decision will be recorded and no further action be taken.



Assistant Chief Officer Andy Pritchard

2nd June 2026