IN THE MATTER OF MISCONDUCT PROCEEDINGS
THE POLICE (CONDUCT) REGULATIONS 2020
BETWEEN:

THE CHIEF CONSTABLE OF THAMES VALLEY POLICE

Appropriate Authority

And

DC 2620 MATTHEW ROBERTS

The Officer

HEARING ON THE 26 – 29 OCTOBER 2026
CHAIR'S REPORT GIVING REASONS AND FINDINGS

Summary of the case

1. At the misconduct hearing on 26 – 29 October 2026, the panel considered allegations concerning a breach of the Standards of Professional Behaviour relating to: a) Duties and Responsibilities, b) Orders and Instructions, c) Honesty and Integrity and d) Discreditable Conduct.

2. The Panel found that the Officer breached the Standards of Professional Behaviour relating to Duties and Responsibilities, Orders and Instructions, Honesty and Integrity and Discreditable Conduct.

3. The Panel concluded that the breaches amounted to Gross Misconduct.

4. Following consideration of outcome and the College of Policing Guidance on Outcomes in Police Misconduct Proceedings, the Panel determined that the appropriate outcome was dismissal without notice and directed that the officer's name be placed upon the College of Policing Barred List.

References and abbreviations

5. In this report:

   a) 'The 2020 Regulations' means the Police (Conduct) Regulations 2020. Reference to a regulation is, unless otherwise stated, to a regulation in the Police (Conduct) Regulations 2020.

   b) 'The 2020 Home Office Guidance' and 'the Home Office Guidance' refers to the Home Office Guidance *Conduct, Efficiency and Effectiveness: Statutory Guidance on professional Standards, performance and Integrity in Policing* (issued under section 87 and 87A of the Police Act 1996) published on 5 February 2020.

c) ‘The College of Policing outcomes guidance’ and ‘the outcomes guidance’ refers to the College of Policing *Guidance on outcomes in police misconduct proceedings* (issued under section 87 the Police Act 1996) published on 17 August 2022 and updated (by having paragraph numbers added) in March 2023.

6. In this report the following abbreviations/terms may be used:

a) The Officer = DC 2620 Matthew Roberts
b) AA = Appropriate Authority
c) HOG = Home Office Guidance
d) IO = Investigating Officer
e) The Chair = Former Deputy Chief Constable Paul Mills QPM
f) IPM = Independent Panel Member
g) LQA = Legally Qualified Adviser
h) PC = Police Constable
i) PS = Police Sergeant
j) PSD = Professional Standards Directorate
k) PNB = Pocket Notebook

Status of this report

7. This report has been prepared by the Legally Qualified Adviser pursuant to Regulation 43 (1B) of the Police (Conduct) Regulations 2020, following delegation by the Chair.

   Regulation 43 (1C) provides for submission of the final report to the Appropriate Authority within 10 working days of the conclusion of the proceedings.

   Regulation 43 further requires the report to set out the following:

   (a) The findings of the person or persons conducting the misconduct proceedings,
   (b) The reason for that finding,
   (c) Any disciplinary action imposed, whether disciplinary action for gross misconduct was imposed,
   (d) Any direction that the matter shall be dealt with under the reflective practice review process.

8. This document is the ‘report’ submitted ‘to the appropriate authority’ pursuant to regulation 43 (1) of the Police (Conduct) Regulations 2020 and it is the Chair’s report.

Parties, representatives, panel members and other attendees.

9. The hearing was held at the Thames Valley Police Headquarters South in person.

10. The officer attended the misconduct hearing, and he was represented by Ms. Campaspe Lloyd – Jacob, Counsel.

11. The AA was representing the Chief Constable of Thames Valley Police, who was represented during the proceedings by Mr. Stephen Morley, Counsel.

12. The Chair of the misconduct panel was Former Deputy Chief Constable Paul Mills QPM (In line with the regulatory requirements, he last served as a Senior Police Officer on 13 May 2026).

13. The Independent Panel Members were Carolyn Graham and Joy Shakespeare.

14. The LQA was Ms Emma Hutchinson, Solicitor-Advocate.

15. Investigating Officer DC Teressa Miller attended the hearing.

16. AA Hearing Manager Stephanie Chase attended the hearing.

17. Federation Representative Ellie Recupito attended the hearing.

Anonymity and Publicity

18. Prior to the misconduct hearing, directions were made concerning reporting restrictions and the identification of certain individuals connected to the proceedings.

19. Two of the witnesses was given anonymity and were referred to as PC A and PC B at the hearing.

20. The misconduct hearing was held in public, save that PC A and The officer gave their evidence in private session.

21. Pursuant to Regulation 39 of the Police (Conduct) Regulations 2020 the Chair directed that:

    i. The name or any identifying features of the surveillance officer giving evidence on the first day of the hearing, who shall be referred to as 'PC A';
    ii. The name or any identifying features of the surveillance officer who has given a statement who shall be referred to as 'PC B'
    iii. Any details of police tactics or training in relation to covert surveillance; and 2
    iv. Any details of the surveillance operation that 'PC A' and The officer were engaged in at the relevant time, including the location.

22. The misconduct hearing proceeded on the basis that reference during the public hearing to a document, or to a page within a document, would not automatically result in that document or page becoming publicly available.

23. A verbatim record of the misconduct hearing was maintained in accordance with Regulation 44 of the Police (Conduct) Regulations 2020. That record is not routinely available to the public.

Background to the matter

24. The allegations before the Panel relate to the Officer's conduct whilst on a surveillance operation.

25. In summary the Regulation 30 Notice alleges that the Officer breached the Standards of Professional Behaviour on 10th March 2025 by misusing a police van, failing to follow instructions, socialising whilst on duty and subsequently being untruthful in his accounts.

26. In his Regulation 31 Response dated 22nd December 2025, the Officer accepts misuse of a police van but denies the remaining allegations and denies that his behaviour amounted to misconduct or gross misconduct.

27. The Panel is required to determine whether the Appropriate Authority has a) proved the factual allegations on the balance of probabilities, b) whether any proven conduct breaches the Standard of Professional Behaviour, c) if so, how serious the breach is; and d) if any breaches amount to Misconduct or Gross Misconduct, what outcome should be imposed.

Standards of Professional Behaviour

28. The Standards of Professional Behaviour are contained in Schedule 2 of The Police (Conduct) Regulations 2020. The AA alleged that the Officer breached

the following Standard of Professional Behaviour in each of the three allegations:

- Duties and Responsibilities
  "Police officers are diligent in the exercise of their duties and responsibilities."

- Orders and Instructions
  "Police officers only give and carry out lawful orders and instructions. Police officers abide by police regulations, force policies and lawful orders."

- Honesty and Integrity
  "Police officers are honest, act with integrity and do not compromise or abuse their position."

- 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. Police officers report any action taken against them for a criminal offence, any conditions imposed on them by a court or the receipt of any penalty notice."

The Allegations and Response

29. Allegations of Fact

PARTICULARS

a) This is a case concerning matters as particularised in the regulation 30 notice served upon the Officer and repeated below:

Allegation One

b) Using the Thames Valley Police van to drive Ms Steele to and from a private appointment breached the:

   - 'Duties and Responsibilities' Standard of the Standards of Professional Behaviour because you were supposed to be working, not using a police vehicle for private errands; and

   - 'Discreditable conduct' Standard of the Standards of Professional Behaviour because driving your colleague to a private appointment in a sensitive police vehicle was likely to bring discredit on the police service and undermine public confidence in it.

Allegation Two

c) Failing to remain close to the police van, as instructed by PC A, breached the:
   - ‘Duties and Responsibilities’ Standard of the Standards of Professional Behaviour because you failed to perform your duties diligently by leaving the area; and

   - ‘Orders and Instructions’ Standard of the Standards of Professional Behaviour because you failed to follow a lawful order given to you by a commanding officer.

Allegation Three

d) Socialising with Ms Steele at a café, public house and restaurant instead of remaining near to the police van breached the:

   - ‘Duties and Responsibilities’ Standard of the Standards of Professional Behaviour because you failed to diligently perform your duties by socialising when you were supposed to be working;

   - ‘Orders and Instructions’ Standard of the Standards of Professional Behaviour because you failed to follow a lawful order to remain near the police van given to you by a commanding officer; and

   - ‘Discreditable conduct’ Standard of the Standards of Professional Behaviour because socialising with your colleague when you were supposed to be working was conduct likely to bring discredit on the police service and undermine public confidence in it.

Allegation Four

e) Walking through the middle of a surveillance operation with Ms Steele breached the:

   - Duties and Responsibilities’ Standard of the Standards of Professional Behaviour because by doing so you failed to be diligent in your duties, risked compromising a surveillance operation and risked causing harm to your colleagues.

Allegation Five

f) Giving an incomplete and untruthful account to DS BETCHLEY and ADS O’NEILL on 17 March 2025 by: (a) suggesting that you saw Ms Steele for the first time in Chelsea; (b) not mentioning that you had driven Ms Steele into and out of central London so that she could attend a personal appointment; and (c) asserting that you had not been instructed to stay near the police van, breached the:

- ‘Honesty and Integrity’ Standard of the Standards of Professional Behaviour because your account was dishonest and/or lacking in integrity.

Allegation Six

g) Giving an untruthful account in writing on 30th May 2025 asserting that you had not been instructed to stay near the police van and that PC A had told you that ‘the day was yours’ and that you could go shopping, breached the:

- ‘Honesty and Integrity’ Standard of the Standards of Professional Behaviour because your account was dishonest and/or lacking in integrity.

h) The Appropriate Authority alleged that the breaches of the Standards of Professional Behaviour were so serious that they amount to gross misconduct.

Response

30. The officer provided a Regulation 31 response in which he “accepts a breach of the standards of the professional standard of orders and instructions in relation to giving his colleague Ms STEELE a lift to and from London in the surveillance van on 10 March 2025 without authorisation. He regrets this and apologies for this behaviour, but he denies that this amounted to misconduct or gross misconduct. The colleague was an experienced and trustworthy officer in the same department. Furthermore, giving her a lift did not lead to any deviation in the journey. It is noted that the Investigating Officer’s report at para 117 suggests that this did not breach any policy.”

31. “The Officer also accepts a breach in relation to failing to fill in the blue logbook of the van. This was an oversight and the officer wishes to express his regret.”

32. “The Officer denies breaches of the professional standards of discreditable conduct and honesty and integrity.”

<u>Interviews</u>

33. The officer attended at interview at the PSD office on the 21st of May with his Federation Representative, Ellie Recupito.

34. The officer presented (and read out) a handwritten note stating that following legal advice, whilst he wished to fully co-operate, noting that witness statements had not been fully disclosed to him, he wished to make no comment, but would provide a full account.

35. The officer was asked a number of questions during the interview and gave a ‘no comment’ reply to everything he was asked.

36. When the interview was concluded Ellie Recupito advised that she had written the questions down and that The officer, in consultation with his Solicitor would be providing a written reply, within 10 days ‘as per Regs’

37. On the 30th of May 2025, the Investigating Officer received an email from The officer which outlined his response to the interview questions. He included some supplementary emails to support his account.

Detailed response to the Reg 30 allegations:

- “The officer was fairly new to the SEROCU team. He was keen to improve his level of training and had a discussion with PC A about what training he had and what he lacked in emails on 19 February (provided by the officer with his statement and included in the bundle at pp106-107) and a conversation at the station on the following Monday. PC A therefore knew, well before the deployment in March, that the officer was trained to drive and set up the police van but not trained in foot surveillance

- There was therefore no need for such a conversation after the officer volunteered for the role (in response to the email of 6 March at p112) and no conversation about his training took place then. PC A’s instructions to the officer appear in the email of 7 March at p110.

- PC A did not tell the officer that he had to remain nearby the van once it was parked.

- PC A blocked the parking space for the van and there were telephone calls between the officer and PC A about parking the vehicle at 11:25, 12:01 and 12:11. In the last of these, the officer and PC A joked about how tight the parking space was.

- After this, the officer checked the police van and then called PC A at 12:20 to confirm everything was ready.

- The officer had his phone and his radio for constant contact. He believed that his radio’s location would be tracked by the ground commander and operators. He did not think, and was not told, that he needed to stay in the adjoining streets during the operation.

- The officer therefore travelled to a quiet location in White City, Soho House.

- The officer wishes to clarify that he does not have full membership at Soho House which as the Investigating Officer notes (at para 69) is

expensive. He merely has the Working membership which simply entitles him to use it as an office.

- Whilst he was there, he was notified by a WhatsApp message from Heather Stevens at 13:42 that a traffic warden was giving the van a ticket. He also heard her discuss this over the radio.

- At 13:49 PC A called him and notified him of the parking ticket. He said that they might need to move the van but it was not clear yet. The officer said he would come and that he was 20 minutes away. PC A did not tell him that this was unacceptable.

- The officer began to travel back towards the van.

- At 14:10 PC A called the officer and told him that it was not necessary for the officer to come to the van. A decision had been taken to leave things as they were. PC A did not tell the officer to do anything. Accordingly, the officer returned to Soho House, where he had started from.

- He met his colleague Ms Steele at about 15:00 for coffee in the café at the bottom of Soho House.

- The officer knew that the operation was due to end at around 17:00.

- After coffee, the officer and Ms STEELE made their way back towards the van. They had soft drinks outside a pub in South Kensington and then went towards XXXXX bakery on the XXXXX Road. He was still in the pub, paying, at 16:30.

- The officer did hear a radio communication which referred to a ‘split’ in the operation, but he had not been trained in foot surveillance and did not know what this meant. He was not aware that he should not be in the XXXXX Road. He did not hear any further communications on his radio about locations.

- He recalls PC B walking past them in the street and saying, ‘I thought it was you two.’ This would have been at around 16:50. It did not cross his mind to mention this incident later. He was not involved in the debrief.

- They went to XXXXX but it was busy so they then went to the Ivy for coffee.

- The officer was not aware that there was a risk, by virtue of their being in the XXXXX Road, of compromising the operation. He had not been told to avoid the XXXXX Road. His behaviour was not obtrusive.
- The officer agrees that he was socialising with a colleague during working hours but his work at the time merely required him to make himself available when needed. PC A had indicated that he did not

have other duties and was free to use the day. The officer socialising with Ms STEELE did not prevent him from completing his duties. He denies that it was misconduct or gross misconduct for him to see her.

- At 17:14 PC A notified the officer that the operation was over and that the van should be moved. This was about 15 minutes after the officer had arrived at the Ivy. The officer went to the van straight away and drove it away.

- On his route, and without deviating, he picked up Ms STEELE so she could get back to his house and recover her car.

- The officer denies giving an untrue account on 17 March 2025. He did not mean to suggest that he had not seen Ms STEELE or given her a lift before the meeting in Chelsea. He simply answered the questions that he was asked. He told the truth about the communications he had had with PC A.

- The officer also denies giving an untrue account in his statement of 30 May 2025. He will say that what is contained in that statement is an accurate record of his communications with PC A.

Documents before the panel

38. Prior to the hearing, the panel received a hearing bundle from the AA, comprising of 166 pages plus a separate hearing bundle index.

39. The hearing bundle was provided to The officer prior to the misconduct hearing.

40. Prior to the hearing, the panel received an opening note from the AA prepared by Mr Morley.

In the Hearing

41. The Regulation 30 notice was read into the record.

42. Counsel on behalf of the Officer read the officer's response's and confirmed the position set out within her Regulation 31 response.

43. The Appropriate Authority opened the case and referred the Panel to the written opening note and documentary evidence relied upon.

44. The Panel heard oral evidence from the witnesses called during the hearing, namely PC A, DS BETCHLEY and ADS O'NEILL . The witnesses were questioned by the parties and the Panel.

45. The Officer gave oral evidence during the hearing and was questioned by his representative, the Appropriate Authority and the Panel.

46. The Panel heard submissions from both parties in relations to the factual allegations, the alleged breaches of the Standards of Professional Behaviour, misconduct and gross misconduct, and outcome.

47. Noting that the officer denied that any of his conduct amounted to gross misconduct as alleged, the panel considered each of the seventeen paragraphs alleged in turn, setting out its findings of fact and any determination on the alleged breaches of the standards of professional behaviour.

Legal Advice

48. The Panel received legal advice from the Legally Qualified Adviser (LQA) throughout the proceedings on procedural and legal issues arising during the hearing.

49. Written legal advice was provided to the parties during the proceedings. Stage One legal advice addressed matters including the approach to assessing evidence, findings of fact, the Standard of Professional Behaviour and the assessment of Misconduct and Gross Misconduct. Stage Two advice addressed the approach in determining outcome. There was also written legal advice provided during the proceedings regarding the test for Dishonesty and Allegation six.

50. The Panel accepted the legal advice provided.

51. Copies of the written legal advice provided during the proceedings are now contained within the final PSD bundle.

Role of the panel

52. The role of the panel has four steps, which the panel approached in two stages:

53. The first stage for the Panel is to make findings of fact in relation to the allegations. In doing so, the panel was assisted by all of the evidence before it, and the submissions made by the parties.

Stage One

i. First, determining the facts based upon what was proven on the balance of probabilities.

ii. Second, determining whether, on the basis of those facts the Officer has breached the Standards of Professional Behaviour alleged by the Appropriate Authority.

iii. Third, determining whether any breaches found amounted to Gross Misconduct, Misconduct or Neither.

Stage Two

iv. Fourth, determining the appropriate outcome, including what disciplinary action should be imposed.

v. The Panel ensured that each stage required separate consideration and discrete findings supported by sufficient reasons.

Panel Decisions

Findings of fact

54. The role of the panel has four steps, which the panel approached in two stages:

55. The first stage for the Panel is to make findings of fact in relation to the allegations. In doing so, the panel was assisted by all of the evidence before it, and the submissions made by the parties.

56. The burden of proof is on the Appropriate Authority, and it is the simple balance of probabilities, namely what is more likely than not.

Principles for Assessing Evidence

57. The Panel heard and received all the evidence in this case. The Panel decided the case solely based on the evidence it heard during the hearing and contained in the bundles. The Panel did not speculate about evidence that was not before it.

58. Each member of the Panel brought to the case the benefit of their own experience and knowledge. The Panel reminded itself, however, that such experience was relevant only to its assessment of the evidence properly before it. No additional evidence was introduced by members of the Panel during deliberation.

59. The case was determined solely on the evidence heard during the hearings and contained within the bundle. The Panel recognised that it would be unfair to place reliance upon matters that the parties had not had the opportunity to hear, consider, or make submissions.

60. The Panel did not assess the evidence in isolation but considered the relevance of each piece of evidence in the context of the evidence as a whole. In determining whether an allegation was proved, the Panel considered the totality of the evidence.

61. The Panel considered issues of credibility, reliability, consistency, and demeanour when assessing the evidence. The Panel recognised that demeanour alone is not a reliable indicator of truthfulness and assessed the evidence primarily by reference to the content of the evidence itself, its consistency with other evidence, and the surrounding circumstances.

62. The Panel dispassionately considered the evidence and did not take into account the potential consequences of any findings. Any sympathy the Panel may have had for those affected by the proceedings was put to one side, and the Panel considered the evidence alone.

63. The Panel considered the issue of delay and reminded itself of the legal advice provided. The Panel took into account the passage of time when assessing the evidence and considered whether the delay impacted upon the fairness of the proceedings or reliability of the evidence.

Findings

64. The panel found each witness to be straight forward and that they were reliable and credible in the accounts they gave. The panel found any minor discrepancies in the recollection of events were to be expected due to the passage of time which had elapsed between the alleged incidents and giving evidence. The panel noted that PC A was incorrect in relation to the chronology of when concerns were raised to him by PC B and when the debrief took place, however concluded this does not detract from the credibility of his wider evidence and the material matters under consideration.

65. The panel reviewed the no comment misconduct interview of the officer, his post interview written submission, his fact-finding responses when initially spoken to by his supervisors and heard evidence live from him during the course of the hearing.

66. In reaching its findings, the panel took into account the officer's previous good character in respect of credibility and propensity and considered what weight to give this when assessed alongside the other available evidence in this case.

67. In relation to the allegations that alleged dishonesty, the panel considered the recognised two step IVEY test to determine whether the officer had been dishonest. To this end, the panel received legal advice on this issue from the LQA.

68. Having made its findings of fact, the panel conducted its seriousness assessment and adopted the recognised four step Fuglers test to make a determination.

69. The panel sets out below its summary of the evidence it considered and its findings of fact in relation to each paragraph of the alleged facts contained within the Regulation 30 notice.

70. For completeness the panel has summarised the relevant evidence, even where the officer factually accepted the paragraph, as this gave a complete overview of the evidence considered in determining any breaches of the alleged standards:

Paragrapgh 1
At all material times you were a Dectective Constable in Thames Valley Police.

71. There was consensus between the parties that at the time of the alleged conduct the officer was a Detective Constable serving on the Southeast Regional Organised Crime Unit (SEROCU).

Paragrapgh 2
On Friday 7th March 2025 arrangements were being made for a surveillance operation that was to be conducted in London on 10th March 2025 in which you were to have a role.

72. The panel found that paragraph 2 of the Regulation 30 was not contested and determined it therefore factually proven. Contextually the panel noted:

    a. The officer stated that he originally became aware of the operational deployment on 6th March 2025, when he and other colleagues were emailed by DS BETCHLEY, who was seeking officers to assist with the operation which was to take place on 10th March 2025.

    b. The officer outlined that in response to the request he stated that he was available and was allocated the role of installing and extracting the police van at the target location

    c. The officer confirmed alongside other colleagues on the deployment, he received an email from PC A on 7th March 2025, which confirmed that the police van needed to be in position at the target location by 13:30 on 10th March 2025.

Paragraph 3
During those arrangements you were spoken to by the Operational Commander, PC A, about your role in delivering and retrieving the police van. You were instructed that the police van needed to be in position by 1330 hours

on 10th March and that having parked the vehicle you needed to be on standby nearby.

73. The panel noted that the officer denied that PC A had told him that further to parking the police van he needed to be on standby nearby. The panel noted that the officer stated:

    a. The call with PC A had taken place on 7th March 2025 and during the call PC A checked with the officer he understood how the van worked

    b. The officer confirmed that he would taking the police van home

    c. PC A explained to him about the use of a blocker vehicle on the day of the deployment

    d. The officer stated there was no conversation about his previous completion of the an accredited TVP training course

    e. The officer stated no conversation had taken place concerning the requirement post insertion of the vehicle to be on standby nearby

74. The panel reviewed the evidence of PC A and noted:

    a) PC A stated that a trained officer was required to insert the police van and ensure that it was working. PC A stated that it was important at all times to maintain the covert profile of the vehicle. Central to this was that the driver remained covertly out of sight nearby and was able to return to the vehicle to maintain or relocate it depending upon intelligence or other operational changes.

    b) PC A stated that having become aware that the officer was going to be responsible for the deployment of the police van on 10th March 2025, at approximately 13-00 hours on 7th March 2025 he called the officer to confirm the arrangements for the deployment. PC A stated that his reason for doing this was that he did not know the officer well and during the call he confirmed that the officer had completed the relevant accredited TVP training course in relation to the police van. PC A stated that the officer discussed with him that he was going to be completing further training courses in the near future and, it would be a good opportunity for him.

    c) PC A stated that during the conversation with the officer, he told him that once he had inserted the van in the designated location, he should

remain nearby to enable him to react to any spontaneous issues and to be available to extract the van. PC A stated that he informed the officer the area of the deployment was very affluent and the next road was a high street which contained a number of coffee shops and would mean he could be close enough to tend to the police van if required, but also far enough away to remain covert.

d) PC A stated that he was confident that he had explained what was required for the deployment and that the officer understood the simple instructions.

75. The panel reviewed the phone call log provided by PC A [Pg 67], which showed that on Friday 7th March 2025, he called the mobile telephone number of the officer at 13-06 hours, and a call took place between them which lasted four minutes and four second.

76. The panel noted that PC A was categoric this conversation had taken place, and he was clear with the officer what was required of him and his role in the operation. The panel could find no reason why PC A would say the conversation and the specific instructions had been given if they had not.

77. The panel concluded, bearing in mind that the officer was relatively new to the team and had only deployed once before in this role, it made no sense that PC A as a highly experienced Operational Commander would not brief the officer on his expectations and specifically what was expected of him post inserting the police van.

78. In reaching this conclusion the panel noted that DS BETCHLEY had specifically emailed PC A asking him to brief personnel on the operation in respect of his expectations.

79. Accordingly, the panel found Allegation Three proven and for the reasons detailed preferred the account of PC A.

Paragraph 4
At the end of your duty on 7th March you took the police van home with you.

80. The panel found that paragraph 4 of the Regulation 30 was not contested and determined it therefore factually proven. Contextually the panel noted:

a) The officer confirmed that at the end of his duty on 7th March 2025 he took the police van home ahead of the operation on 10th March 2025 and this had been authorised by DS BETCHLEY

Paragraphs 5 and 6

Thereafter you made personal arrangements with your colleague, Ms Ms STEELE, that involved her staying at your address overnight on Sunday 9th March and then you driving her into London in the police van on the morning of Monday 10th March so that she could attend a personal appointment.

On 10th March you drove the police van into London, dropped Ms Steele off for her personal appointment and then arrived at the required location to insert the police van shortly after midday.

81. The panel found that paragraphs 5 and 6 of the Regulation 30 were not contested and determined them therefore factually proven. Contextually the panel noted:

    a) The officer accepted that during the weekend prior to the deployment, he was messaging Ms STEELE and became aware that she had a medical appointment in London on 10th March 2025

    b) The officer stated that he offered to give Ms STEELE a lift to London in the police van as he had broken her arm and had difficulty driving

    c) The officer confirmed that Ms STEELE stayed at his home address in a spare room on Sunday 9th March 2025, to ensure she was ready to leave with him on the day of the deployment

    d) The officer confirmed on the day of the deployment, Ms STEELE was off duty on a day's leave

    e) The officer accepted that on 10th March 2025 he drove Ms STEELE to London in the police van

    f) The officer confirmed that he had not sought authorisation to take Ms STEELE in the van and it had not crossed his mind to do so

    g) During the hearing the officer accepted that driving Ms STEELE into and out of London was an inappropriate use of a police vehicle and he had not given due consideration to his actions at the time

82. The panel noted that the officer stated that after dropping Ms STEELE off he went to the required location to insert the police van, arriving shortly after midday.

83. The panel reviewed the evidence of Ms STEELE and noted:

a. Ms STEELE stated the background to her receiving a lift on 10th March 2025, was that she had recently broken her wrist and an opportunity had arisen to see a doctor at Chelsea and Westminster hospital that day

b. Ms STEELE stated that whilst she was messaging the officer she disclosed the opportunity of the appointment came up and he offered to help her with transport as he was going that way for a work commitment. Ms STEELE stated that this was helpful as she was at that point struggling to drive distances because of her wrist.

c. Ms STEELE stated that she stayed at the officer's home address on 9th March 2025 in his spare room as the officer did not know what time he needed to leave on the day of the deployment

d. Ms STEELE stated she subsequently travelled with the officer to London, and he dropped her on the South Kensington Road. She stated that a conversation had not taken place at that point concerning how she would get back, but she assumed she would wait around until the officer finished his deployment and if anything changed, she would make alternative arrangements.

84. The panel reviewed the evidence of DS BETCHLEY and noted that during the hearing she confirmed that if the officer had asked her if he could drop Ms STEELE off in London, she would not have allowed this. DS BETCHLEY stated police vehicles were not to be used for private appointments and further there was a requirement for those within the police van to maintain the covert nature of the van and this included wearing appropriate clothing in keeping with a covert officer's cover story.

85. The panel also noted the evidence of ADS O'NEILL during the hearing, who stated he would not have given permission for the officer to drive Ms STEELE into London if the officer had asked. ADS O'NEILL stated the actions of the officer had the potential to jeopardise the whole operation and there was no policing purpose to carry a passenger in such circumstances.

Paragraph 7

At 1220 hours PC A spoke to you and reminded you that you were to stay covert in a nearby location in case you were needed.

86. The panel noted that the officer denied that PC A had reminded him to stay covert in a nearby location in case he was needed. The panel noted that the officer stated:

    a) He had received telephone calls from PC A at 11:25, 12:01 and 12:11 concerning the nature of the tight parking space where the officer was required to locate the police van

    b) The officer stated that he subsequently parked the vehicle at the agreed location, made sure the equipment was working and he then called PC A to confirm everything was ready.

    c) The officer denied that PC A told him that he was required to stay in the adjoining streets to where he had parked the vehicle during the operation.

    d) The officer stated this element of the conversation had not taken place, therefore there was no room for confusion or misunderstanding

    e) The officer stated at the end of the conversation PC A had said to him 'the day is yours'

87. The panel reviewed the evidence of PC A and noted the following:

    a) PC A confirmed the calls detailed by the officer had taken place confirming the parking arrangements for the police van on the morning of 10th March 2025

    b) PC A stated the officer subsequently parked the police van at the agreed location and phoned him to inform him the van was ready and in place. PC A stated that he told the officer he could then leave the van and sit in the coffee shops in the next road along, as per the briefing he had given him on 7th March 2025.

88. The panel found that paragraph 7 of the Regulation 30 notice was factually proven. In reaching this conclusion, the panel preferred the evidence of PC A who stated that he was clear that he had reiterated to the officer he could leave the van, but he was to sit in the coffee shops nearby on the next road along so he could operationally respond if needed. The panel found no reason why PC A would state this instruction had been given if it had not and it was in keeping with the briefing that he had given the officer on 7th March 2025. The instruction was also consistent with PC A having not worked with the officer on such a deployment before and PC A's responsibilities as a highly experienced operational commander.

89. The panel considered it was implausible that PC A as the operational commander would say to the officer the day was his. The officer was on duty as a police officer, was the only officer who had access to the keys to the vehicle and it was implausible that PC A would tell the officer he was free to leave when he might be needed to move the van or be ready to respond to any prevailing operational requirements.

Paragraph 8

Instead of staying nearby and available you went by Tube to Soho House in White City.

90. The panel found that paragraph 9 of the Regulation 30 was not contested and determined it therefore factually proven.

Paragraph 9

PC A telephoned you at 1349 hours because there was a developing problem with the police van which might need to be moved, but you told him that you were not nearby and were some 20 minutes away. PC A told you to return.

91. The panel found that paragraph 9 of the Regulation 30 was not contested and determined it therefore factually proven.

Paragraph 10

PC A telephoned you again at 1410 hours because you had not arrived at the police van and told you that the issue had passed, but you should remain nearby.

92. The panel noted that the officer denied that PC A after the incident with the Traffic Warden had passed, told him he should remain nearby. The panel noted that the officer stated:
    a) At 14:10 hours PC A called him and told him that it was not necessary for him to return to the van as a decision had been made to leave the van where it was.

b) The officer stated during this call PC A did not tell him to remain nearby and in fact told him that he could go further afield, go shopping and have a coffee. In addition, the officer stated PC A and him also said they had a joke about the cost of shopping

c) The officer stated he therefore returned back to his original location in the White City area

93. The panel reviewed the evidence of PC A and noted:

a) PC A stated he had not heard from the officer by 14:10 hours to indicate that he had arrived back at the van and 20 minutes had passed, so he therefore called the officer again. PC A stated that as the traffic warden had now moved on and there was no sign of a tow truck, he decided to leave the van where it was and told the officer not to extract the van

b) PC A stated that it was not the time and place to raise with the officer his disappointment concerning him being 20 minutes away from the vehicle whilst the deployment was live, however he did tell him to remain close by

c) PC A stated that at no point did he tell the officer that he should go further afield and that he should go shopping. He stated that the officer had fabricated this.

94. The panel found that paragraph 10 of the Regulation 30 notice was factually proven. In reaching this conclusion, the panel preferred the evidence of PC A who stated that he was clear that he had reiterated to the officer he should remain close by to the vehicle. The panel found no reason why PC A would state this instruction had been given if it had not.

95. In reaching this conclusion the panel found it was totally illogical, that there having been an incident with the police van, that PC A as the operational commander would tell the officer to go further afield. PC A was very clear that the officer was the only person with the key to the van and as in line with his

previous directions, the officer needed to be close by to be able to respond to any spontaneous issues concerning his responsibility for the police van.

Paragraph 11

Instead of remaining near to the police van you:

a) Met Ms Steele at 'The Flying Horse' café in White City; and then

b) Went with Ms Steele to 'The Crown' public house in South Kensington.

96. The panel found that paragraph 11 of the Regulation 30 was not contested and were therefore factually proven.

Paragraph 12

After leaving The Crown you and Ms Steele walked along the XXXXX Road in Chelsea, into the area in which the surveillance operation was being conducted and you were spoken to by one of the surveillance operatives.

97. The panel found that paragraph 12 of the Regulation 30 was not contested and determined it therefore factually proven.

Paragraph 13

You then went into XXXX Bakery with Ms Steele before going to 'The Ivy' restaurant in XXXX.

98. The panel found that paragraph 13 of the Regulation 30 was not contested and determined it therefore factually proven.

Paragraph 14 and 15

At 1714 hours PC A telephoned you and informed you that the operation had concluded.
You then went to retrieve the police van and then picked up Ms Steele and drove her back to your home.

99. The panel found that paragraphs 14 and 15 of the Regulation 30 was not contested and determined it therefore factually proven.

Paragraph 16

On 17th March 2025 you were spoken to by DS BETCHLEYand DS O'Neill and you gave them a dishonest and incomplete account of what had happened, suggesting that PC A had not given you any instruction on where to wait and that you had seen Ms Steele for the first time that the day when you met her in a public house.

100. The panel noted that the officer denied that he had given DS BETCHLEY and ADS O'NEILL a dishonest and incomplete account of what had happened, concerning the instruction given by PC A and that he had seen Ms STEELE for the first time when they met in a public house. The panel noted that the officer stated:

a) The officer stated that he did not mean to suggest that he had not seen Ms STEELE or given her a lift before meeting her in Chelsea. The officer stated he was just answering the questions which he was asked

b) The officer stated he had been 'ambushed' by the meeting with his supervisors, but accepted in the hearing that his supervisors had the right to raise concerns with him and understand his position such that it could inform their decision making of what to do next

c) The officer stated he had told the truth in respect of the communications he had with PC A

101. The panel reviewed the evidence of DS BETCHLEYand noted the following:

a) DS BETCHLEYstated further to a couple of days leave, upon her return to work on 12th March she was briefed by DI McCARTHY and ADS O'NEILL that an incident had occurred involving the officer and Ms STEELE.

b) Further to some initial background fact finding, DS BETCHLEY stated that it was ultimately agreed that ADS O'NEILL and her would speak to the officer and Ms STEELE separately on 17th March 2025 concerning the issues which had been raised

c) DS BETCHLEY stated at 10-20 hours that day ADS O'NEILL and her met with the officer and she made non verbatim notes in her daybook. DS BETCHLEY stated she informed the officer that concerns had been raised relating to the distance he was away from the police van for which he had responsibility and then later the same day he had been seen walking with Ms STEELE through the surveillance location

d) DS BETCHLEY outlined that the officer gave the following summary account:

i. Further to inserting the police van having initially waited around the corner the officer went to a location in White City where he was a member. He stated he went to that location because it was quieter and had less distractions and therefore, he could learn ahead of his surveillance course. The officer confirmed he was monitoring through the covert radio system

ii. The officer stated that PC A had not said anything about where he had to wait further to inserting the police van

iii. The officer stated that whilst at the location at White City he became aware of a potential issue with the police van and he started heading back to its location before PC A contacted him

iv. The officer used the tube system to head back towards the police van location

v. The officer stated that Ms STEELE had a hospital scan in London the same day and he became aware they were in the same area from conversations they had on text

vi. The officer stated that he met Ms STEELE for a coffee in a pub near to the hospital

vii. The officer stated that whilst with Ms STEELE he missed the radio communication relating to the split of the subjects and they ended up walking where members of the surveillance team were

viii. The officer detailed that Ms STEELE and him had also had a coffee in the Ivy on the XXXXX Road

f. DS BETCHLEY stated the events described to her by the officer left her with the impression he had only met Ms STEELE for the first time that day once he returned to Chelsea from White City

g. DS BETCHLEY stated at no point in the conversation had the officer disclosed that he had driven Ms STEELE to London in the police van.

h. DS BETCHLEY stated that whilst she only asked a few questions of the officer and did not probe him, having raised the issue of the presence of Ms STEELE her clear expectation was that the officer

‘would give the fullest account possible’ and tell her and ADS O’NEILL how Ms STEELE and him came to be in London together that day.

i. DS BETCHLEY stated that further to speaking to the officer, shortly after ADS O’NEILL spoke to Ms STEELE.

j. On 10 March 2025, whilst on leave, she accepted the Officer's offer of a lift to London for an informal hospital scan, as he was travelling in that direction. She had stayed at the Officer's home the previous night and stated that he did not need to divert his journey to accommodate her.

k. They left the Officer's home at approximately 10.00 am and met again in White City at around 3.00–3.30 pm, before travelling to Kensington.

l. After having a soft drink in a pub, they encountered PC B. She recalled commenting that it was best to move elsewhere, given the presence of surveillance operatives nearby, and they went to The Ivy.

m. She stated that neither she nor the Officer appeared particularly concerned about the encounter. Following their drink, the Officer informed her that the operation had been stood down, he collected the vehicle, picked her up nearby and drove her home.

102. The panel reviewed the evidence of ADS O’NEILL and noted the following:

a) ADS O’NEILL confirmed that prior to discussing the incidents with the officer and Ms STEELE, neither of them had mentioned the incident to him or DI McCARTHY despite them working at the same location the day before

b) ADS O'NEILL confirmed that PC A had made the initial disclosure concerning the officer and Ms STEELE to him

c) ADS O'NEILL confirmed that on 17th March 2025, DS BETCHLEY and him spoke to the officer and in summary the officer stated:

i. PC A had not told him how far he needed to be from the van

ii. The officer had spoken to Ms STEELE who stated that she was nearby having a scan on her wrist, so they agreed to meet for coffee

iii. The officer stated that after parking the van he went to White City to a place where he was a member

iv. The officer stated that he had received a call from PC A detailing that there was an issue with a traffic warden giving the van a ticket and he had explained to PC A that he was approximately 20 minutes away

v. The officer stated that he got the tube back and went to café about three minutes away from the surveillance plot and went to the Ivy to have a coffee.

vi. The officer stated that he did have his earpiece in and did not realise the split had occurred in the middle of the plot where he was with Ms STEELE. The officer stated he realised 'the fuck up'

vii. The officer stated that he had not considered approaching a supervisor

103. ADS O'NEILL stated during the hearing it was his expectation that the officer would give a full explanation of what had happened and he did not

expect him to leave any gaps. He further stated that he expected the officer to act in accordance with the Code of Ethics and give a truthful account. ADS O'NEILL stated it was his expectation that when the officer was asked about Ms STEELE, he would have disclosed that she had travelled with him into London in the police van.

104. ADS O'NEILL confirmed in the hearing that he felt the opportunity had been created for the officer to tell the whole truth, notwithstanding the meeting with him was unannounced.

105. ADS O'NEILL outlined that DS BETCHLEY and him immediately after speaking to the officer, then spoke to Ms STEELE a summary of her evidence is outlined above at paragraph 101.

106. The panel found paragraph 16 of the Regulation 30 notice was factually proven.

107. In reaching this finding the panel considered the following:

a) It was not disputed that DS BETCHLEY and ADS O'NEILL met with the officer on 17th March 2025

b) In respect of concluding the officer gave a dishonest account when he suggested that PC A had not given him any instruction on where to wait:

i. The panel took into account PC A was categoric that he had specifically phoned the officer on 7th March 2025 prior to the deployment and set out the expectations of him and that he was required to stay close to the vehicle after it was inserted. PC A stated that he also spoke to the officer on 10th March 2025 after he had inserted the vehicle and again stated the

requirement to stay close to the vehicle. PC A further stated, on the same day, after the incident with the traffic warden he again told him to stay close to the vehicle.

ii. Noting that PC A was the ground commander for the operation and this was the first time he had worked with the officer, whilst he was fulfilling a specific role, the panel concluded it was logical that PC A would set out his operational expectations to the officer, including his expectations of him once he had inserted the police van. Accordingly, the panel found no reason why PC A would state the conversations had taken place with the officer if they had not.

iii. The panel also noted that PC A was a highly experienced and credible surveillance officer, who had undertaken the role of operational commander on in the region of thirty previous deployments. Contextually PC A stated there had never been an issue before where the police van operative had failed to follow his instructions concerning the requirement to remain close and deployable for any issues with a deployed police van.

iv. The panel noted that DS BETCHLEY stated the officer told her and ADS O'NEILL in the meeting that PC A had not said anything about where he had to wait

v. In summary, the panel preferred the evidence of PC A that he had briefed the officer on his expectations concerning staying close to the police van on three separate occasions. When asked about this in his conversation with DS BETCHLEY and ADS O'NEILL

the officer told them no such briefing had taken place. Accordingly, the officer had been dishonest when he made this statement to DS BETCHLEY and ADS O'NEILL L.

c) The panel concluded the officer also gave a dishonest and incomplete account relating to when and where he saw Ms STEELE on 10th March 2025. In reaching this conclusion, the panel took into account the following:

i. DS BETCHLEY stated the officer had said Ms STEELE had a hospital scan in London on the same day and he was aware they were in the same area further to texting. The officer stated that he met Ms STEELE for a coffee in a pub near to the hospital

ii. ADS O'NEILL stated he had spoken to Ms STEELE who stated that she was nearby having a scan on her wrist, so they agreed to meet for coffee.

iii. The officer stated that he did not mean to suggest that he had not seen Ms STEELE or given her a lift before meeting her in Chelsea. The officer stated he was just answering the questions which he was asked

iv. The panel noted that part of the reason for the conversation the supervisors had with the officer, was concerns that he had been seen with Ms STEELE walking in the surveillance location. Accordingly, there was a reasonable expectation that the officer would be open and honest concerning how Ms STEELE and him came to be together in London. Both DS BETCHLEY and ADS O'NEILL were clear that the account the officer gave was that Ms STEELE had messaged whilst she was in London and they

subsequently met up after the doctor's appointment at a pub near to the hospital. This account gave the impression that they had arranged to meet on the day when they became aware they were both in London and then had subsequently met for a coffee in a pub near to the hospital.

v. The panel concluded that the account given by the officer was fundamentally incomplete and dishonest. Not only did the officer fail to give an honest account that he had in fact given her a lift earlier that day in the police van and the arrangements had been made a number of days before. The officer also pro-actively gave a version of events which led his supervisors to conclude that the first time he had met Ms STEELE that day was whilst they were in London

Paragraph 17

On 30th May 2025 you provided a dishonest written account in which you stated that PC A had not told you to stay near to the police van and in fact had told you that 'the day was yours' and that you could go shopping.

108. The panel noted that the officer denied that he had provided a dishonest written account concerning what PC A told him.

109. The panel found paragraph 17 of the Regulation 30 notice was factually proven. In reaching this finding the panel considered the following:

a) The panel noted that further to his misconduct interview, on 30th May 2025 the officer voluntarily provided a written response to a number of questions which had been posed by PSD in his misconduct interview. In his response to the questions, the officer stated that PC A had not told him to stay near to the police van and had told him, 'The day was yours' and that he could go shopping.

b) The panel noted on 2nd July 2025, PC A was asked about the comments that he allegedly said to the officer and he provided a statement in which he addressed these issues. PC A stated:

> *'I have been made aware that THE OFFICER has said that at this point I suggested he should 'go shopping', 'go further afield if you want' after the incident happened with the traffic warden. This is nonsense and utter fabrication. I would not normally say 'go do what you like' particularly when every officer has a specific role to perform… there was no conversation about shopping …..'*

c) Based on its previous findings, the panel concluded that it made no logical sense that PC A would not tell the officer to stay near to the police van and instead tell him that the day was his and he should go shopping. Accordingly, the panel found that the officer had given a dishonest written account as alleged.

d) The panel concluded the officer by giving this untruthful account had called into question the professionalism of PC A and his competence as the operational commander. Put short he had implied that PC A had allowed the officer who was on duty to do as he wished, notwithstanding the ongoing surveillance operation.

e) The issue of fairness in relation to this allegation is dealt with under Allegation Six

Standards of Professional Behaviour

110. Having found all seventeen paragraphs of the Regulation 30 notice were proven, the panel then considered each of the alleged breaches of the Standards of Professional Behaviour:

Allegation One

111. **Using the Thames Valley Police police van to drive Ms Steele to and from a private appointment breached the standards of:**

- **Duties and Responsibilities' Standard of the Standards of Professional Behaviour because you were supposed to be working, not using a police vehicle for private errands; and**
- **'Discreditable conduct' Standard of the Standards of Professional Behaviour because driving your colleague to a private appointment in a sensitive police vehicle was likely to bring discredit on the police service and undermine public confidence in it.**

112. Having found paragraphs 1, 2, 3 4, 5 and 6 of the Regulation 30 notice factually proven, the panel reviewed the evidence and concluded the officer had breached the following standards as alleged:

a) Duties and Responsibilities - in reaching it determination this standard was breached, the panel concluded:

i. The officer had over five years police service as a constable

ii. The use of police vehicles is highly regulated within the police service, and the officer would have been aware, as he now admitted, that vehicles should only be used for a policing purpose

iii. Accordingly, carrying an off-duty police staff member to and from a personal appointment in London in a police vehicle was

totally inappropriate and the officer would have known this at the time

iv. The officer's policing purpose was that he had been entrusted to drive a covert policing vehicle to insert into a surveillance operation. The carriage of an off-duty colleague had the potential to risk exposing the covert nature of the vehicle which could have had serious ramifications for the ongoing operation and other future operations

v. The officer had stated that he was trying to assist Ms STEELE who had a broken arm/wrist and he did not think about the wider appropriateness of his actions. The panel noted that the officer made no attempt to seek the authorisation from a supervisor to ask if it was ok to use the vehicle in the manner he intended. Further the panel noted that his supervisor stated that if he had asked to do so, it would have not been authorised as it would not have been for a policing purpose

vi. The panel also noted that the officer did not disclose to the operational commander PC A that he was giving a lift to Ms STEELE. On the morning of the deployment, they had a number of conversations whilst he was enroute to London and the officer never raised that he had Ms STEELE on board

vii. The panel also noted that PC A was going to be present as the cover officer when the vehicle was extracted and as opposed to the officer going with Ms STEELE to retrieve the vehicle they split up and met up again away from this location. The panel concluded that if the officer thought it was ok to carry Ms STEELE in the vehicle he would have walked directly with her back to the police van.

viii. In summary, the panel concluded that the officer whilst he was supposed to be working, used the police vehicle to run a private errand by dropping Ms STEEL off for a private appointment in London and also then drove her home

b) Discreditable Conduct - in reaching it determination this standard was breached, the panel concluded:

i. The public rightly expect that publicly funded assets such as a police vehicle will only be used for official policing purposes

ii. The panel concluded that if members of the public were aware that a police officer had driven an off-duty colleague to a personal appointment and back in a sensitive police vehicle, they would be rightly concerned, and it would discredit the police service and likely impact public confidence in it

Allegation Two

113. **Failing to remain close to the police van. As instructed by PC A, breached the standards of:**

- **'Duties and Responsibilities' Standard of the Standards of Professional Behaviour because you failed to perform your duties diligently by leaving the area; and**
- **'Orders and Instructions' Standard of the Standards of Professional Behaviour because you failed to follow a lawful order given to you by a commanding officer.**

114. Having found paragraphs 3, 7, 8, 9 and 10 Regulation 30 notice factually proven, the panel reviewed the evidence and concluded the officer had breached the following standards as alleged:

a. Duties and Responsibilities and Orders and Instructions – the panel set out in the relevant paragraphs of the factual findings its respective

rationale for preferring the account of PC A and does not look to duplicate it below. In summary:

i. The panel were satisfied that PC A was a highly experienced operational commander, and he had told the officer on three separate occasions that he needed to stay close to the police van after it had been inserted into its designated position for the operation

ii. The panel was satisfied that the instruction given was clear and the PC A went further than stating the officer should stay close to the police van. Instead, he used his local knowledge of the area to tell the officer to go to a nearby busy road where there were cafes which would allow him to remain covert, but also close to be able to respond to the police van if needed

iii. The panel noted that the officer stated he was not confused in relation to anything that PC A had instructed him to do, and he denied any conversations had taken place. As per its findings the panel preferred the evidence of PC A

iv. In reaching its conclusions, the panel found it was relevant that overall, the operation had been successful. Therefore, PC A was not under any scrutiny concerning it from his own supervisory officers. Accordingly, set against this context it was PC A who proactively raised issues about the officer's performance to his supervisors. The panel considered that if PC A had not directed the officer correctly as the officer stated, it made no sense that he would raise these issues.

v. In summary, the panel concluded that the officer had been clearly instructed to remain close to the police van by PC A and this was a lawful order given to him by the commanding officer of the surveillance operation. Having been given the

order the officer left the area going against these instructions and failed in his duties and responsibilities

Allegation Three

115. **Socialising with Ms Steele at a café, public house and restaurant instead of remaining near to the police van breached the standards of:**

- **Duties and Responsibilities' Standard of the Standards of Professional Behaviour because you failed to diligently perform your duties by socialising when you were supposed to be working;**
- **'Orders and Instructions' Standard of the Standards of Professional Behaviour because you failed to follow a lawful order to remain near the police van given to you by a commanding officer; and**
- **'Discreditable conduct' Standard of the Standards of Professional Behaviour because socialising with your colleague when you were supposed to be working was conduct likely to bring discredit on the police service and undermine public confidence in it.**

116. Having found paragraphs 11, 12 and 13 of the Regulation 30 notice factually proven, the panel reviewed the evidence and concluded the officer had breached the following standards as alleged:

a) Duties and Responsibilities and Orders and Instructions - in reaching it determination these standards were breached, the panel concluded:

i. The officer was on duty deployed in an ongoing covert surveillance operation

ii. His designated duty was to have responsibility for the police van throughout the operation. A role which he had volunteered to do and had been entrusted with

iii. The operational commander had clearly instructed him that he needed to remain close to the police van such that he was in a position to be able to respond to any issues that arose with the operational deployment of the van.

iv. In line with the wider operational order, all officers on the deployment needed to be in a position to respond to prevailing situations if so directed by the operational commander

v. Instead of following the lawful order he had been given by the operational commander the officer chose to travel up to 30 minutes away from the location he had been told to be in and subsequently met up with Ms STEELE

vi. The officer was meant to be monitoring the covert radio system, but instead admitted he became distracted and he proceeded to socialise with Ms STEELE and visited and travelled to three separate hospitality venues

vii. The officer's actions meant that that he failed to follow the lawful orders and instructions given to him by PC A and when he should have been working, he chose to socialise with Ms STEELE and therefore also failed in his duties and responsibilities

b) Discreditable Conduct - in reaching its determination this standard was breached, the panel concluded:

i. The public rightly expect that police officers at all times are conducting their duties diligently and professionally in line with strategic and operational policing requirements

ii. The panel concluded that if members of the public were aware that an on-duty police officer, who was taking part in a surveillance operation targeting serious and organised criminality had decided to socialise with someone in the circumstances found. They would be rightly concerned, and it would discredit the police service and likely impact public confidence in it.

Allegation Four

117. **Walking through the middle of a surveillance operation with Ms Steele breached the standard of:**

- **Duties and Responsibilities' Standard of the Standards of Professional Behaviour because by doing so you failed to be diligent in your duties, risked compromising a surveillance operation and risked causing harm to your colleagues.**

118. Having found paragraphs 12 and 13 of the Regulation 30 notice factually proven, the panel reviewed the evidence and concluded the officer had breached the following standard as alleged:

a) Duties and Responsibilities - in reaching it determination this standard was breached, the panel concluded:

i. The area the surveillance ultimately ended up in was the area that PC A had told the officer to be in

ii. The panel noted that the officer was not at this point formally trained in surveillance and therefore may not have understood the significance of when the operation split on his radio

iii. The panel however noted that PC A stated that the nature of the radio communications was such that the location the surveillance was moving towards was clear

iv. The panel considered that if the officer was properly monitoring his radio, he would have been aware something was happening in the location he was in. Accordingly, notwithstanding his lack of training in surveillance as an experienced police officer he would have had enough information to recognise there was a potential risk with him being on the street with Ms STEELE

v. If the officer was confused it was open to him to call PC A and seek his guidance on what he should do in the circumstances

vi. Whilst the officer had been directed to be on the relevant street the order given to him was to go into a café and remain covert, therefore it would have been the realistic expectation of PC A that the officer had followed the order

vii. The officer instead had not acted on that order and had spent a number of hours away from that location meeting up with Ms STEELE. When he did finally return to the area, he was distracted and not properly listening to his radio and this led to him inadvertently ending up in the middle of the surveillance operation

viii. The panel concluded whilst this was not intentional it was avoidable and would not have occurred if the officer had followed the instructions of PC A to be inside a cafe and he had not met Ms STEELE and become distracted

ix. In summary, the officer's previous actions of failing to follow orders, going to a different location, meeting Ms STEELE and

becoming distracted meant that he was the architect of the circumstances that found him and Ms STEELE walking through the surveillance operation. Accordingly, he had failed to be diligent in his duties, and the situation had been avoidable

Allegation Five

119. **Giving an incomplete and untruthful account to DS BETCHLEY and ADS O'NEILL on 17 March 2025 by: (a) suggesting that you saw Ms Steele for the first time in Chelsea; (b) not mentioning that you had driven Ms Steele into and out of central London so that she could attend a personal appointment; and (c) asserting that you had not been instructed to stay near the police van, breached the standard of:**

- **'Honesty and Integrity' Standard of the Standards of Professional Behaviour because your account was dishonest and/or lacking in integrity.**

120. Having found paragraph16 of the Regulation 30 notice proven the panel reviewed the evidence and concluded the officer had breached the following standard as alleged:

a) Honesty and Integrity – the panel set out paragraph 16 of the Regulation 30 notice its factual findings and rationale for concluding the officer had given a dishonest and incomplete account to DS BETCHLEY and ADS O'NEILL. The panel does not look to repeat its findings in this section, however, sets out its specific conclusions in relation to the three parts of the allegation.

b) As an overarching point the panel took into account that both ADS O'NEILL and DS BETCHLEY stated it was their expectation that the officer would provide an open and honest account of firstly the direction that had been given to him PC A and secondly why he had come to be with Ms STEELE in London in the middle of a surveillance plot.

c) The panel considered that in relation to Ms STEELE the officer was under a duty to provide an open and transparent account of how they had come to be together in London. Whilst the questions asked may have not probed this issue, as a police officer the officer was under a duty to provide the full context of how they had come to be with Ms STEELE that day. In this regard both ADS O'NEILL and DS BETCHLEY stated it was their expectation that the officer would provide an open and transparent account to them.

Suggesting you saw Ms STEELE for the first time in Chelsea

d) The panel found the account provided by the officer was incomplete and untruthful. The officer's account was actively misleading, and both of his supervisors were left with the impression that the officer had met Ms STEELE in London, as a result of them both messaging each other during the day and realising they both happened to be in the same location.

e) The officer's account lacked integrity and was also dishonest as he knew that he had arranged to give Ms STEELE a lift into London a number of days before and then subsequently had driven her there that morning. By telling his supervisors they had met in London, he knew this was not true and the panel concluded an ordinary decent person would conclude the same.

Not mentioning that you had driven Ms STEELE into and out of central London so that she could attend a personal appointment

f) The panel found that the account given by the officer was incomplete and he was under a duty to openly tell his supervisors the totality of how Ms STEELE came to be in his presence in London. By not telling his supervisors this element of the chronology of events and his actions, his account was lacking in integrity. Put short an officer in such circumstances

would be expected to give an open and transparent account of what had happened.

g) The panel did not find that in relation to this aspect of the allegation the officer had been dishonest. The panel concluded that for the officer to have been dishonest he would have needed to have been asked a direct question concerning how Ms STEELE had travelled to London and then gone on to give an untruthful account.

Asserting that you had not been instructed to stay near the police van

h) In line with its findings in relation to Allegation Three the panel concluded that the officer had given an untruthful and dishonest account to his supervisors. The officer knew that he had been told by PC A to stay near to the van and that he had given him instructions where to go. The officer therefore telling his supervisors he was given no such instructions, he knew to be outright dishonest and an ordinary decent person with the same facts would conclude the same.

Allegation Six

121. **Giving an untruthful account in writing on 30th May 2025 asserting that you had not been instructed to stay near the police van and that PC A had told you that 'the day was yours' and that you could go shopping, breached the standard of:**

- **'Honesty and Integrity' Standard of the Standards of Professional Behaviour because your account was dishonest and/or lacking in integrity.**

122. In relation to this allegation, the panel firstly considered the representations by counsel for the officer that this allegation should be removed. Council cited relevant case law that an officer must be able to deny

allegations and advance a defence and not face the jeopardy of additional allegations of dishonesty against them if the defence was rejected.

123. The panel noted that the AA agreed with the principles set out in the relevant case law, however stated in the case against the officer, the officer had gone further than just denying the allegation. Counsel for the AA stated the officer in the context of Allegation Six had asserted that PC A had said things which he had not and he was therefore trying to blame PC A. Accordingly, the officer had denied the allegation but also attempted to blame someone else.

124. The panel requested legal advice from the LQA on this matter, and this was circulated and agreed by all parties. The panel took into account the advice of the LQA and noted:

a. The authorities emphasise that an officer must be able to deny allegations and advance a defence without the mere rejection of that defence automatically giving rise to additional allegations of dishonesty.

b. However, the authorities do not prevent separate allegations of dishonesty where there is an independently identifiable allegation that the officer knowingly gave false information.

125. The panel noted there is a clear distinction between denial and blatant dishonesty, and each case turns on its facts and an assessment of fairness to the officer.

126. The panel concluded that Allegation Six was a separate allegation and alleged Honesty and Integrity relating to the account that the officer had given in a prepared statement relating to what he was told by PC A.

127. The panel concluded that the officer had the right to deny the allegation and in the context of the case this would be to state his position that PC A did not tell him to stay near the police van. Accordingly, if the officer had confined his response in that way, then it would be oppressive and unfair for him to face a dishonesty allegation if the panel rejected his account as they subsequently did.

128. The panel noted it was alleged that the officer had gone further than denying the instruction was given to him but instead stated that PC A had said to him that 'the day was yours' and that he could go shopping. In this respect it was alleged that the officer had looked to blame PC A and state something which he knew to be untrue.

129. The panel therefore concluded that there was no material unfairness in relation to Allegation Six and it was alleged that the officer had gone further than denying he had been given the instruction. Accordingly, the panel determined it was fair to make a determination and finding on the allegation.

130. In relation to whether the officer had breached the standard of Honesty and Integrity on 30th May 2025, the panel found that that the standard had been breached as alleged. The panel provided a full rationale for its factual findings at Paragraph 17 of the Regulation 30 notice and therefore does not look to repeat this here. In summary, the panel's rationale for the breach of the standard was:

a) At the point the officer gave his statement on 30th May 2025, he was formally under investigation and had been interviewed where he provided a prepared statement and a no comment interview

b) On 30th May 2025, the officer of his own volition, chose to respond in writing to some of the questions that had been posed to him in his misconduct interview

c) The officer denied that he had been instructed to stay near the police van but also stated that PC A had told him, ‘the day was yours’ and to go shopping

d) PC A categorically denied that this had taken place and stated that the officer had fabricated this account. As per its factual finding at Paragraph 17 of the Regulation 30 notice, the panel preferred the account of PC A. Accordingly, the panel concluded that the officer had actively looked to blame PC A for his actions and had submitted an account which he knew to be dishonest.

e) The panel concluded that if a decent ordinary person was aware of the facts they would conclude the officer had been dishonest

f) In summary, the panel concluded the officer had provided an untruthful account in writing on 30th May 2025, and this account breached the standard of honesty and integrity

Seriousness Assessment

131. Further to all of the allegations being found proven, the panel went onto to consider under Regulation 41(15) (b) of the 2020 Conduct Regulations whether the conduct amounted to misconduct, gross misconduct or neither.

132. The panel reminded itself that under Regulation 2(1) that misconduct meant a breach of the Standards of Professional Behaviour that is so serious as to justify disciplinary action. Whilst ‘Gross Misconduct’ meant a breach of the Standards of Professional Behaviour that is so serious as to justify dismissal.

133. The panel noted that the AA submitted that the conduct found proved overall amounted to gross misconduct. The panel noted the officer submitted his admitted conduct did not amount to misconduct.

134. The approach taken by the panel when considering seriousness was that identified by Mr Popplewell J in Fuglers LLP v SRA [2014] EWHC 179 (Admin) which is in these terms:

135. "*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…….*"

136. The panel accordingly considered each factor in turn:

Culpability

137. 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.

138. The panel concluded the following in relation to each proven allegation:

a) Inappropriate use of the police vehicle – was found to be intentional, deliberate and planned

b) Failing to remain close to the police van as instructed – was found to be intentional and deliberate

c) Socialising with Ms STEELE – was found to be intentional, deliberate and planned

d) Walking through the surveillance operation – was found to be unintentional, however it was brought about by the officer being distracted and careless in the performance of his duties

e) Giving an incomplete and untruthful account to his supervisors:

i. Suggesting he met Ms STEELE for the first time in Chelsea – was found to be intentional and deliberate

ii. Not mentioning driving Ms STEELE to London – was found to be intentional and deliberate

iii. Account concerning instructions from PC A to stay near the police van – was found to be intentional and deliberate

f) Giving an untruthful written account that PC A told he was told the day was yours and to go shopping – was found to be intentional, deliberate and planned

139. The panel noted its findings on dishonesty and decided to deal with these as an aggravating factor.

140. The panel concluded that overall, the officer's level of culpability for his actions was HIGH

Harm

141. In relation to each of the proven allegations the panel observed the following actual or potential risk of harm:

a. The actions of the officer had the potential to put in jeopardy the surveillance operation tactics. In turn the officer's actions had the potential to put the safety of his colleagues at risk

b. The panel noted that the purpose of the operation was to target human trafficking and modern slavery and the officer's actions had the potential to undermine the investigative objectives and evidence collection in this case which may have led to vulnerable victims being exposed to further risk and harm

142. The panel concluded that the proven allegations, if known by the public, would have an obvious impact on trust and confidence in the police service (4.66). Put clearly, if the public were aware that a police officer had inappropriately used a police vehicle, had failed to follow instructions, had met up and socialised with a person when they should have been focused on an operational deployment and when asked about their actions by supervisors, they had given an incomplete and dishonest account - they would be rightly concerned, and it would undermine confidence in the police service

143. The Panel found the overall level of harm to be HIGH

Aggravating factors

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

145. The panel concluded the following were aggravating factors:

146. The panel was clear there was a delineation in seriousness between the actions of the officer in relation to the use of the police vehicle, failing to follow orders, socialising with Ms STEELE and potentially undermining the surveillance operation. The officer's conduct in this regard was cumulatively serious, however his conduct overall was significantly aggravated by the fact

that when he was spoken to by supervisors and he gave his written account, he gave incomplete and dishonest accounts concerning his actions.

147. Whilst the panel found the proven dishonesty did not amount to operational dishonesty, the panel was clear that any form of dishonesty by a police officer on duty is serious because of the importance of maintaining public trust and confidence in the police service. The public have to be able to trust and be confident that police officers have the highest levels of integrity and are honest at all times

148. The panel found allegation six to be a particularly aggravating factor in the case. In stating that PC A had told the officer the day was his and to go shopping, had potential serious implications for PC A. PC A had been entrusted to undertake the role of operational commander and the officer's dishonest account called into question PC A's competence and operational professionalism. The panel concluded the officer had attempted to conceal his wrongdoing and had attempted to blame PC A.

149. The panel found that the failure to follow the instructions given by PC A on three separate occasions evidenced a pattern of significantly deviating from orders and instructions. The panel noted even after the incident with the Traffic Warden, the officer chose to return to the area in White City as opposed to returning to where PC A had told him to be

150. The panel concluded there were multiple proven allegations across four of the standards of professional behaviour

Mitigating factors

151. The Panel considered carefully all the factors that are detailed in paragraph 4.79 of the Guidance. 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.

152. The Panel noted that the officer accepted that he now realised his use of the police vehicle and meeting Ms STEELE in London was professionally inappropriate

Misconduct, Gross Misconduct or neither

153. The Panel reminded itself that “Misconduct” is defined as a breach of the Standards of Professional Behaviour so serious as to justify disciplinary action, and “Gross Misconduct” is defined as a breach of the Standards of Professional Behaviour so serious as to justify dismissal.

154. The panel carefully considered the four stages of the seriousness assessment, the totality of the proven allegations and the breaches of the standards of professional behaviour and concluded the conduct of the officer amounted to **Gross Misconduct**

Sanction and Outcome

156. In reaching its decision regarding the disciplinary outcome in this case, The Panel gave due consideration to all the evidence and information put before it. The panel also considered the following:

- The officer’s record of service from PSD.
- The officer’s training record

- The comments of ADS O'NEILL concerning his view on the character of the officer
- The officer's last three PDR's
- Submissions made on behalf of the AA
- Submissions of mitigation on behalf of the officer.
- The nature of the allegation
- The interests of the public
- The interests of the Thames Valley Police.

157. In coming to its conclusion about the appropriate outcome, the panel had regard to the College of Policing '*Guidance on outcomes in police misconduct proceedings*' ('the Outcomes Guidance'), Home Office Guidance 2020 and the relevant authorities.

158. The Outcomes Guidance makes it clear that there is a 3-stage process, which a panel is required to adopt when deciding upon what is the correct sanction in misconduct proceedings. Case law is unequivocal that this 3-stage process should be adopted in police misconduct proceedings when deciding upon what is the appropriate outcome.

159. The 3-stage process originates from the ***Fuglers*** case and requires a panel to:

a) assess the seriousness of the misconduct
b) keep in mind the purpose of imposing sanctions; and
c) choose the sanction which most appropriately fulfils that purpose for the seriousness of the conduct in question

Seriousness Assessment

160. Having undertaken an initial seriousness assessment at the findings stage, the panel revisited its assessment at the outcome stage. The panel concluded that the seriousness assessment had not changed.

161. The panel then considered personal mitigation which had not been considered at stage one of the proceedings.

162. The panel noted the representations made by counsel for the officer, which submitted the officer was a talented young officer whose career trajectory prior to these allegations had been positive and he could still be an asset to Thames Valley Police

163. The panel noted that no character references had been submitted on behalf of the officer, however revisited the evidence of ADS O'NEILL during the hearing and noted:

- ADS O'NEILL described that he had been a Detective Constable with the officer and found him to be a very professional hard-working colleague and his view had not changed of him even when managing him.

- ADS O'NEILL stated he thought the behaviour of the officer on 10 March 2025 was bizarre and he felt disappointed in him because he had, had a lot of respect for him. ADS O'NEILL stated the officer went above and beyond to assist in investigations when he did not have to and previously, he had no doubt about his honesty and integrity.

164. The panel reviewed the last three Performance Development Reviews for the officer and noted:

- <u>March 2023</u>

  The officer was described as:

  - showing enthusiasm and self-motivation

- March 2024

  The officer was described as:
  - Having an ability to adapt to new environments
  - Evidenced an ability to work as part of a team
  - Had managed a tutee and conducted investigations independently
  - Was proactive and had shown leadership skills

- March 2025

  The officer was described as:

- Achieving a lot in a short period of time during his time in SEROCU
- He had managed a high level of work and had a very successful year

165. Due to the nature and purpose of disciplinary proceedings, the weight attributed to this material was necessarily limited, particularly having found serious misconduct. *(Refer COP Outcome guidance Para 6 and Salter v Chief Constable of Dorset [2012] EWCA Civ 1047 Para 23).*

The purpose of imposing sanctions

166. Having assessed seriousness, stage 2 of the structured approach required the Panel to remind itself of the purpose for which sanctions are imposed.

167. The purpose of the police misconduct regime is unequivocally identified in the *Outcomes Guidance*:

"Police officers exercise significant powers. The misconduct regime is a key part of the accountability framework for the use of these powers. Outcomes should be sufficient to demonstrate the individual accountability for any abuse

or misuse of police powers if public confidence in the police service is to be maintained. They must also be imposed fairly and proportionately."

168. The three-fold purpose of sanctions is explained in the *Outcomes Guidance* as:

1. Maintaining public confidence in and the reputation of the police service
2. Upholding high standards in policing and deterring misconduct
3. Protecting the public

169. The panel considered its factual findings and determined purpose one and two was engaged in this case

Outcome and Sanction

170. The Panel finally, having reminded itself of the purpose of misconduct proceedings, was required to determine, given the finding of Gross Misconduct, the sanction that most appropriately met the purpose.

171. The panel reminded itself of the purpose of imposing sanctions, as set out at Para 2.8 of the College of Policing Guidance:

"However, the outcome imposed can have a punitive effect, which should therefore be no more than is necessary to satisfy the purpose of the proceedings. Consider less severe outcomes before more severe outcomes"

172. The Panel referred themselves to the College of Policing Guidance on Outcomes at paragraph 2.8 and considered the following in ascending order:

(i) A final written warning
(ii) Dismissal without notice.

173. The panel noted that the AA had submitted that dismissal without notice was the position of Thames Valley Police and counsel for the officer submitted that the imposition of a five-year Final Written Warning would satisfy the purpose of the misconduct regime.

Final Written Warning

174. In considering whether the imposition of a five-year extended written warning was appropriate to uphold the three-fold purpose of the misconduct regime and having made findings in relation to Honesty and Integrity, the panel reminded itself of Paragraph 4.26 of the College of Policing Guidance which states:

Honesty and integrity are fundamental requirements for any officer. Treat any evidence that an officer is dishonest or lacks integrity seriously. In the words of Lord justice KAY in salter V The Chief Constable of Dorset, police officers, carry out vital public functions in which it is imperative that the public have confidence in them. It is also obvious that the dishonesty and impropriety of a single officer tarnishes the reputation of his Force and it undermines public confidence.

175. The panel also reminded itself of Paragraph 4.30 of the College of Policing which states:

> *"There may be cases where an officer has behaved dishonestly but the dishonesty is unconnected to a police operation or investigation and could be regarded as minor or trivial in nature. Examine the circumstances of the case with care by reference to the four categories for assessing seriousness outlined above. Cases involving any form of dishonesty on duty will always be serious because of the importance of maintaining public trust and confidence in the police service.*

176. The panel noted that it had not found operational dishonesty but nevertheless had found two of the six proven allegations related to Honesty and

Integrity. In respect of those allegations the panel took into account that the officer had lied to his supervisors on 17th March 2025 and then had gone onto lie again in his written submission to PSD on 30th May 2025. In totality there were three incidences of dishonesty on two separate occasions:

a. His account concerning the instruction given to him by PC A
b. His account concerning how he came to be in London with Ms STEELE
c. His account in relation to PC A telling him the 'day was yours and that he should go shopping.

177. Accordingly, the panel concluded the officer's dishonesty was not confined to one instance or occasion.

178. Whilst not the determining factor, the panel also took into account that the dishonesty and integrity findings, would create a practical deployment issue for Thames Valley. In short, the findings relating to dishonesty and integrity would mean that it would be very difficult for the Force to put the officer into the evidence chain again as this would need to be disclosed to the Crown Prosecution Service as part of the disclosure process

179. Taking all of these factors into account, the panel concluded the imposition of a five-year final written warning would not satisfy the three purposes of the misconduct regime.

Dismissal without notice

180. The panel having considered all the issues, including the three principles highlighted and the serious nature of the misconduct, concluded the outcome that appropriately fulfilled the purpose of these principles was dismissal without notice.

181. The Panel therefore directed that The officer be dismissed from the police service without notice and further directed that his name be placed upon the College of policing Barred List.

182. The Panel noted that the AA is required to notify the college of Policing in accordance with the Police Barred List and Police Advisory List Regulations.

Right of appeal

183. The Officer has a right of appeal to a Police Appeals Tribunal, in accordance with regulation 43(2) of the Police (Conduct) Regulations 2020, against the findings and outcome of this misconduct hearing.

184. Subject to the provisions of the Police Appeals Tribunals Rules 2020, notice of appeal must ordinarily be given before the end of 10 working days beginning with the first working day after the day on which the officer is supplied with a written copy if the relevant decision.

Publicity

185. In accordance with regulation 43(6) of the 2020 Regulations, the Appropriate Authority will publish this report on the Thames Valley Police website for not less than 28 days as soon as practicable after receipt of the report and notification to the officer concerned, subject to any reporting restrictions, anonymity directions, or other restrictions previously imposed during the proceedings.

186. If the Officer exercises his right to appeal to a Police Appeals Tribunal, the AA will, following the conclusion of the appeal proceedings, be required to re-publish this report, to the extent that it was previously published, in accordance with rule 26(11)(b) of the Police Appeals Tribunals Rules 2020.

187. This concludes the Outcome Report.

Former Deputy Chief Constable Paul MILLS QPM
Gross Misconduct Panel Chair

9 November 2026