



Conditions of entry for the  
Public & Press  
attending a  
Public Misconduct Hearing  
Thames Valley Police Headquarters  
Oxford Road  
Kidlington  
Oxford  
OX5 2NX

## **Introduction**

The Police (Conduct) (Amendment) Regulations 2015 direct that misconduct hearings and accelerated misconduct hearings will be held in public, subject to the discretion of the person chairing or conducting the hearing, to exclude any person from all or part of the hearing. Any member of the public or press wishing to attend a misconduct hearing may do so but due to limitations on space and capacity, attendance at the hearing will be administered and booked by application through the Thames Valley Police internet

<https://www.thamesvalley.police.uk/advice/advice-and-information/mis/misconduct-hearings/>

## **Legislation**

Hearings are held in accordance with the following legislation and guidance:-

*The Police (Conduct) Regulations 2012 and 2020;*

*The Police (Complaints and Misconduct) Regulations 2020;*

*Home Office Statutory Guidance 2018 and 2020;*

*Police (Conduct, Complaints and Misconduct and Appeal Tribunal) (Amendment) Regulations 2017;*

*Home Office Circular 012/2017: New former police officer and barred list regulations.*

## **Misconduct Panel composition**

The hearing will be conducted by a panel of three people. From 1 January 2016 all misconduct hearing chairs will be independent and legally qualified, and selected from an approved list held by the Office of the Police and Crime Commissioner. They will be joined by a lay person who will be selected from a similarly held list. The third panel member will be a senior police officer of at least the rank of superintendent, who has had no previous dealings with the incident or with the investigation.

## **Purpose of public hearing**

Misconduct hearings are held to present the facts of the case and allow officers to give an explanation of their conduct and the circumstances surrounding the allegation. Witnesses may also be called to be questioned. The purpose of a public hearing is to show that the Police disciplinary system is open and transparent and will demonstrate that we are effective in holding corrupt officers, or those found guilty of gross misconduct, accountable for their actions.

## **Hearing procedure**

Throughout the hearing officers are given the opportunity to speak personally or to have their legal representative and/or appointed Federation friend to speak on their behalf.

The hearing is conducted in two parts. The first part considers the facts of the allegation against the officer. At the end of this examination of facts, the Panel retire to decide whether the officer's conduct amounts to gross misconduct, misconduct or neither. A finding of gross misconduct means that the matter is deemed so serious that dismissal may be justified. The burden of proof remains with Thames Valley Police throughout and the Standard of Proof is the balance of probabilities, unless facts are admitted.

If it is established to the Panel's satisfaction that the officer's conduct did fail to meet the required standards, then the second part of the hearing will determine the outcome. In considering the outcome the Panel will take into account any aggravating or mitigating factors and consider evidence of the officer's character and record of service.

All misconduct hearings will be held in public, subject to any representations made by the

officer(s), witnesses and interested parties, which will be considered by the Chair. Notice of a public hearing will be made not less than 5 working days prior to the hearing. The hearing may be observed from within the hearing room or live streamed to an alternative room or venue at the discretion of Thames Valley Police. Should the hearing or part of the hearing be held in private, reasons will be given and published. At the conclusion of the hearing the Chair will decide whether to publish a notice which *may* include the name of the officer concerned, an outline of the alleged conduct, the Panel's rationale for finding the case proven, and the sanction imposed.

**Please note:**

If you are a witness to a listed hearing you will not be admitted to the hearing room until after you have given your evidence.

There may be occasions when a hearing is cancelled at short notice.

**Misconduct hearing venue**

Misconduct hearings are usually held at Thames Valley Police Headquarters, Oxford Road, Kidlington, Oxford OX5 2NX, unless otherwise stated in the notice.

**Apply to attend a hearing**

To request a place at the hearing please view the upcoming hearings and click on "Apply to attend" and provide your details in the email address provided.

<https://www.thamesvalley.police.uk/police-forces/thames-valley-police/areas/misconduct-hearings-and-outcomes/upcoming-misconduct-hearings/> if a place is available we will send you a confirmation email within one working day.

A limited number of seats will be set aside for members of the public and accredited press reporters/media representatives. Seats are allocated in advance via the Thames Valley Police internet booking procedure. If you wish to attend every day of the hearing you must include this in your initial request which must be made by midday on the working day before the hearing commences.

On the day of the hearing please bring with you;

- Your personal registration letter (confirmation email) issued to you by the Professional Standards Department and;
- Supporting photographic identification such as a passport or driver's license;
- Proof of address such as a recent utility bill.

**Conditions of entry**

Thames Valley Police staff **will** check your identification against the documents provided and your application to attend.

Members of the public and press, together with any bags **may** be subject to a security search. Sharp objects or blades will not be permitted. Police will retain the authority to seize any article found during a search which may cause harm to any person.

The Regulations state that the Chair may also impose further conditions of entry in addition to those set out in this document. If this arises the further conditions will be published on the website prior to the hearing.

### **Cameras**

Cameras must not be brought inside the building. Camera functions on other devices must not be operated inside the building. **The taking of pictures is forbidden** anywhere within Thames Valley Police premises, or in any premise used for misconduct hearings. It is requested that photographs are not taken of any person entering or leaving Thames Valley Police Headquarters. Failure to comply with this requirement will result in you being directed to leave and escorted off the premises.

### **Electronic equipment**

All mobile phones, pagers, recording machines or other electronic items must be switched off in the public hearing rooms. The use of recording or photographic equipment is strictly forbidden in the hearing rooms. Any person found to be using such equipment will be asked to leave by TVP staff. No person is permitted to make, or attempt to make a sketch of the hearing room or any person, being a panel member, or witness or other interested party to the misconduct proceedings.

### **Conduct within the hearing room**

Members of the public and press are requested **to remain silent at all times** whilst the hearing is in session. No-one attending the public hearing shall intervene in or interrupt the running of the hearing. If anyone behaves in a disorderly or abusive manner or otherwise acts inappropriately in the view of the Chair, then a member of TVP staff may exclude them from the remainder of the hearing. Should anyone breach these conditions of entry and refuse to leave, they will be ejected.

Members of the public and press will not be allowed to enter or leave the public hearing room whilst it is in session. If exceptional circumstances make it necessary to leave the public hearing room, you will be escorted to the public area by a member of TVP staff. It is requested that individuals do so as quietly as possible and during a natural lull in proceedings, such as a changeover in witnesses. Re-entry to the public hearing room will be facilitated at the next adjournment and you **may** again be subject to a security search.

Members of the public and press will be directed whilst in the building by Thames Valley Police staff. Members of the public and press **must** comply with evacuation procedures.

### **Directions by the Chair**

During the course of the proceedings the Panel Chair may provide brief explanations about the procedure to be followed, or impose certain conditions. Should any conditions be breached, you will be required to leave the public hearing room and will be escorted from the premises.

If the Panel Chair decides that the evidence to be given by a witness, or any other person should not be disclosed in public, you will be asked to leave the hearing room or, if the hearing is streamed, the screen will be blanked. Please note that the Chair may also decide to impose other conditions before or during the hearing.

### **Smoking**

Smoking is not allowed inside Thames Valley Police Headquarters nor in the entrance to the building.

### **Disabled access**

People who are deaf or disabled are welcome to attend misconduct hearings. A hearing loop system is available, if required. Space is set aside for wheelchair users and assistance dogs. Accessible toilets are available.

### **Parking**

We have no parking facilities at Thames Valley Police Headquarters. If you choose to drive the nearest available car park (fee required) is located at the Oxford Parkway Railway Station, Water Eaton approximately 1.2 miles from TVP HQ.

### **Start Times**

Hearing sessions can be found on the intranet site which will stipulate the commencement time for the hearings. Members of the public and press are advised to check the TVP website [www.thamesvalley.police.uk](http://www.thamesvalley.police.uk) the evening before to confirm daily start times. Please arrive 15 minutes prior to the start time. Entry will not be permitted once the hearing is in session and late attendees will be required to wait for the next break in proceedings.

### **Adjournments**

During the course of the proceedings it may be necessary for the hearing to be adjourned. The Panel Chair will announce the adjournment, the reason for it and if possible the time at which the hearing will re-commence. During adjournments members of the public and press will leave the hearing room.

The hearing will stop for lunch at a convenient point in proceedings for approximately one hour. A return time to re-commence proceedings will be announced by the Panel Chair. The Panel will normally rise each day around 5pm or at a convenient point in proceedings. Once the hearing has concluded for the day you will leave the building and return your identity pass to the reception staff.

### **Refreshments**

Members of the public and press will be required to make their own arrangements for lunch and to return to the building in time to repeat the entry procedure. You will not be permitted entry if the hearing has resumed. There are no facilities to purchase food inside Thames Valley Police HQ, although there are food outlets in the local vicinity. You will not be permitted to consume food in the hearing room.

### **Toilets**

Toilet facilities including disabled toilets are available.

### **Police Appeals Tribunals**

Police appeals tribunals hear appeals against the findings of gross misconduct brought by police officers or special constables. They are managed by and will be listed on the website of the Office of the Police and Crime Commissioner. Members of the public can attend appeal hearings subject to any conditions imposed by the Chair.