

IN THE MATTER OF A POLICE MISCONDUCT HEARING

PURSUANT TO THE POLICE (CONDUCT) REGULATIONS 2020(as amended)

DEVON & CORNWALL POLICE

Appropriate Authority

v.

TPS 17634 JENNIFER BLACKBURN

("the officer")

NOTICE UNDER REGULATION 43

OUTCOME OF MISCONDUCT HEARING

Hearing Details

28-29 April 2026 in person at the Torquay Riviera Conference Centre

Panel

Retired ACC Ian Saunders – Devon & Cornwall Police (Chair)

Mr. Tim Smith (Independent Panel Member)

Ms. Claire Martin (Independent Panel Member)

Mr. David Tyme (Legally Qualified Person)- Remotely

Representatives

Counsel for the Appropriate Authority – Mr. Mark Ley-Morgan

Terminology:

“AA” - Appropriate Authority

“LQP” - Legally Qualified Person (the legal advisor to the Panel)

“The Officer” - TPS (Temporary Police Sergeant) Jennifer Blackburn

“The Guidance” - College of Policing Guidance on Outcomes on Police Misconduct Proceedings

Introduction

1. This is the record of a Police Misconduct Panel held under the Police (Conduct) Regulations 2020 (as amended) in relation to TPS Jennifer Blackburn.
2. The hearing was conducted in person at the Torquay Riviera Conference Centre. Members of the public were permitted to attend but none were in attendance.

Preliminary Matters

Anonymity – Mr. X

3. The Chair directed that the officer's sister's former partner was to be referred to as "Mr. X" during the proceedings. The Chair further directed that that Mr. X should not be referred to by his full name in any publication or notice concerning these proceedings.

Application to proceed in the Officer's absence

4. On 22 April 2026, the officer's Federation Representative informed the relevant parties that the officer had decided not to attend the hearing. He advised that the officer therefore relied upon her previous answers provided and her Regulation 31 Response as her submissions for this hearing. The officer's Federation Representative further stated that he would not be in attendance on her behalf as he had not received any instructions to represent the officer in her absence.
5. At the outset of the hearing, the AA submitted that in accordance with Regulation 37(3)(b) the hearing should proceed in the absence of the officer. In support of this application, the AA noted that the officer was aware that the hearing was taking place, that she had chosen not to attend the hearing and had not requested that the hearing be adjourned.

6. Following this application, the Panel requested advice from the LQP on the considerations that it should attach in making its determination. In summary, the following legal advice was provided by the LQP in relation to the application made by the AA to proceed in the absence of the officer.
 - (i) The case of *GMC-v-Adeogba 2012*, held that a misconduct Panel has a discretion whether to proceed in the absence of the officer and that such discretion should be exercised with great care.
 - (ii) In considering whether to proceed, the Panel should be mindful that fairness to the officer is of paramount concern. However, fairness to the AA must also be considered when making its decision.
 - (iii) In determining the issue, the Panel should have regard to the following:
 - a) The nature and circumstances of the officer's behaviour absenting herself.
 - b) Whether an adjournment might result in the officer attending voluntarily and/or not disrupting the proceedings, and the likely length of any such adjournment.
 - c) Whether the officer wishes to be legally represented or has by her conduct waived her right to be represented.
 - d) The extent of the disadvantage to the officer not being able to give her account of events.
 - e) The risk of the Panel reaching an improper conclusion about the absence of the officer.
 - f) The general public interest and the particular interests of the victims and witness that a hearing should take place within a reasonable time of the events.
7. Having considered the AA's submissions, the information provided by the officer's Federation Representative and the legal advice provided by the LQP, the Panel directed that the hearing should proceed in her absence.
8. This decision was made on the basis that the officer had voluntarily absented herself from the hearing and an adjournment was therefore unlikely to secure her

attendance in the future. The Panel found that it would not be unfair upon the officer to proceed in her absence.

Documentation

9. The Panel was provided with two bundles of documents in advance of the hearing which included the following:

- a) Regulation 30 Notice dated 10 March 2026.
- b) Investigators Report in relation to Allegations 1 and 2 dated 29 July 2025 and 29 January 2026, respectively.
- c) Statement by Mr. X dated 2 June 2023.
- d) Images of Instagram posts.
- e) MOA revision booklet and answer sheet.
- f) Screenshot of two tabs open on a laptop.
- g) Misconduct Interview Transcript dated 28 January 2026.
- h) Regulation 31 Response dated 15 April 2026.
- i) Photos of the examination room where the officer took the LSO and MOA exams.

10. The Panel confirmed at the hearing that it had read the two bundles prior to the start of the hearing.

Witnesses

11. During this hearing, live oral evidence was heard from PS Steven Brookes and PC Richard Loxton. The Panel found that the evidence provided by both witnesses was honest and credible.

The Allegations

12. The Allegations as detailed in the Regulation 30 Notice dated 10 March 2026 are shown in full below:

Allegation 1

Alleged Facts

1. *Mr X is your sister's ex-partner.*
2. *At all material times you knew that Mr X worked as a tattooist in a tattoo parlour ("the parlour").*
3. *On or about 29th and 30th May 2023 you sent the following Comment about Mr X to the Instagram account of the parlour:*
"I bet he loved doing that # womanbeater".
4. *On or about 30th May 2023 you sent the following Message about Mr X to the Instagram account of the parlour:*
"[Mr X] is a woman beating rapist! How can you let him tattoo women is beyond me. He doesn't pay for his kids even though he earns how much a week??? You need to really consider who you are employing".
5. *You sent the Comment/Message with the intention of:*
 - (a) *Causing Mr X distress and/or anxiety and/or embarrassment.*
 - (b) *Damaging Mr X's reputation.*
 - (c) *Damaging Mr X's earning capacity and/or his employment prospects.*
 - (d) *Damaging the reputation of Mr X's employer.*

Allegation 2

Alleged Facts

1. *In February 2025 you qualified as a Licensed Search Officer ('LSO').*
2. *On 1st October 2025 you were required to take two exams ('the LSO exam' and 'the MOA exam') as part of your LSO relicensing.*
3. *Both exams were to be taken using your laptop.*
4. *Before taking the exams, you were given a briefing during which you were told:*
 - (a) *If you failed to achieve the required pass mark your license could be withdrawn.*
 - (b) *The exams would be taken under exam conditions and therefore:*
 - (i) *There was to be no talking during the exams.*
 - (ii) *All tabs on your laptop other than the exam should be closed.*
4. *You took the LSO exam first using your laptop and failed to achieve the required pass mark.*
5. *You were given the option of taking the MOA exam using a paper copy rather than your laptop.*

6. *You chose to use your laptop to take the MOA exam.*
7. *During the MOA exam:*
 - a. *You had the MOA Revision booklet open on your laptop.*
 - b. *You switched between the MOA exam and the MOA Revision booklet tabs on 9 occasions during the exam.*
 - c. *You used the MOA Revision booklet to assist you during the exam.*
8. *You failed the MOA exam and your LSO licence was revoked.*

The AA's Case

13. In relation to Allegation 1, the AA maintained that the alleged conduct amounted to a breach of the following Standards of Professional Behaviour:
 - (i) Authority, Respect and Courtesy
 - (ii) Discreditable Conduct.
14. In relation to Allegation 2, the AA maintained that the alleged conduct amounted to a breach of the following Standards of Professional Behaviour:
 - (i) Honesty & Integrity
 - (ii) Orders and Instructions
 - (iii) Duties and Responsibilities
 - (iv) Discreditable Conduct, and singularly and collectively amounts to Gross Misconduct.
15. The AA submitted that these alleged breaches both singularly and collectively amounted to gross misconduct.

The Officer's Response to the Allegations

Allegation 1

16. The officer had admitted that she sent the relevant messages described in the allegations and that upon reflection she should not have done so. However, the officer maintained that the messages were sent because of safeguarding concerns that she had concerning her sister, who was previously in a relationship with Mr X, whom she alleged caused her sister physical and emotional abuse during their relationship.
17. In all the circumstances, the officer asserted that her conduct amounted to misconduct only.

Allegation 2

18. The officer had denied that she cheated during the examination by accessing the relevant revision notes that were open on a separate tab on her laptop. Moreover, the officer maintained that because of her sight being impaired due to recent eye surgery, she did not realise that the exam guidance tab on her laptop was open.

Purpose of misconduct proceedings

19. In *R (On the application of Redgrave) v Commissioner of Police of the Metropolis* [2003] EWCA Civ 4 at [33], Simon Brown LJ made it clear that the character and purpose of misconduct proceedings was;

"..to protect the public and to maintain the high standards and good reputation" of the policing profession".

20. In *R (Green) v Police Complaints Authority* [2004] UKHL 6 Lord Carswell stated [para 78]:

“Public confidence in the police is a factor of great importance in the maintenance of law and order in the manner which we regard as appropriate in our polity. If citizens feel that improper behaviour on the part of police officers is left unchecked and they are not held accountable for it in a suitable manner, that confidence will be eroded.”

The Panel’s Approach

21. During this hearing, the Panel took the following approach:
- (i) First, to consider the facts of the case and to make findings in relation to each of the facts alleged by the AA.
 - (ii) Second, to determine whether those facts found proved constituted one or more breach(es) of the relevant standards.
 - (iii) Third, to determine whether any conduct found proven against the Officer amounted to Misconduct or Gross Misconduct.
 - (iv) Fourth, and if appropriate, to decide what the outcome should be.
22. The Panel reminded itself that the burden of proof was on the AA throughout the hearing and that the standard of proof to be applied was upon the balance of probabilities, namely what is more likely than not to have occurred.
23. The Panel reminded itself of the Home Office Guidance (Conduct, Efficiency and Effectiveness: Statutory Guidance on Professional Standards, Performance and Integrity in Policing, 2020) and, in particular, paragraph 9.10 which reads as follows: *“In deciding matters of fact, the persons conducting the misconduct meeting or hearing must apply the standard of proof required in civil cases, that is, the balance of probabilities.”*

Decisions on Facts

24. In making the following findings of fact, the Panel had regard to the available documentation it was provided, the oral evidence provided during the hearing, the officer's admissions of facts and submissions made by Counsel on behalf of the AA.

Allegation 1

25. Mr. X and the officer's sister were in a relationship for about four years which ended in about 2016. The officer was aware that Mr. X was employed in a tattoo parlour and that the artists at the salon posted photos of their work. On or about 29 May 2023 the officer commented on an Instagram posting made by Mr. X in terms:

"I bet he loved doing that # womanbeater".

26. Subsequently, on or about 30 May 2023, the officer sent a message to Mr. X's employer's Instagram account in the following terms:

"[Mr. X] is a woman beating rapist! How can you let him tattoo women is beyond me. He doesn't pay for his kids even though he earns how much a week??? You need to really consider who you are employing".

27. Mr. X found the messages distressing and offensive and was concerned that the messages would not stop and that his reputation would be adversely affected.
28. As a result, Mr. X reported the matter to the local police as a potential malicious communication offence.

Allegation 2

29. The officer qualified as a Licensed Search Officer (LSO') in February 2025. On 1 October 2025 the officer was required to take two exams (the first being the LSO exam' and 'the second, the MOA (Method of Attack) exam') as part of her LSO relicensing requirements both of which were to be taken by the officer using her laptop.
30. In her written submissions, the officer stated that she had decided not to prepare for LSO and MOA exams as this would have interfered with a holiday that she took.
31. During the pre-exam briefing the officer was told that the exams were to be conducted under exam conditions and therefore all tabs on her laptop, other than the exam question tab itself should be closed.
32. The officer used her laptop to take the LSO exam first and she failed to achieve the required pass mark. Due to her recent eye surgery, the officer was given the option by the directing staff of taking the MOA exam using a paper question sheet rather than her laptop. Despite being provided with this option, the officer decided to use her laptop for the MOA exam.
33. During the MOA exam, the officer was observed by the LSO training team instructors to have had the revision booklet tab open whilst using her laptop during the exam. This revision tab provided the officer with answers to the exam questions. This was in direct contravention of the order and instruction given to the officer (and other officers present) before the examinations commenced.
34. Witness and forensic computer evidence was provided to the Panel that described how the officer had switched between the MOA exam and the MOA revision booklet tabs on nine separate occasions during the exam. Notwithstanding this, the officer failed the MOA exam and as a result, her LSO licence was revoked.

Findings

35. The Panel found all elements of Allegations 1 and 2 were proven on the balance of probabilities.

Standards of Professional Behaviour Breached

36. Having determined the facts in this case, the Panel then considered which of the relevant Standards of Professional Behaviour (SPB) were engaged and had been breached by the officer's proven conduct.

Allegation 1

Authority, Respect and Courtesy

37. In considering this SPB, the Panel had regard to the following proven conduct:

- (i) The officer sent messages to Mr. X and his employer and in doing so, she had failed to act with self-control.
- (ii) The nature and content of the officer's Instagram communication with both Mr. X and Mr. X's employer failed to demonstrate respect and courtesy to either of them.
- (iii) The content of the communication sent to Mr. X's employer was factually inaccurate (which the officer admitted) in that, Mr. X had not been charged or convicted of any criminal offences in relation to her sister following an investigation.
- (iv) The proven conduct would damage the officer's personal reputation and that of the wider policing service.
- (v) The proven conduct and language deployed by the officer could reasonably be perceived to have been abusive, harassing and offensive by the public and/or her policing colleagues.

38. In all the circumstances the Panel determined that the proven conduct amounted to a breach of the SPB, namely Authority, Respect and Courtesy.

Discreditable Conduct

39. As described above, the Panel found proven that the officer used Instagram to send a message and comment to Mr. X and his employer accusing him of serious criminal offences. The Panel further found that the officer had sent those messages when she knew that those alleged offences had been investigated and that no criminal charges had been brought.

40. The Panel noted the submission from the officer that the comment/message were sent in furtherance of safeguarding concerns that she had for the public. However, the Panel found that the officer should or could have used formal safeguarding procedures should this have been her intention. As a serving police officer, TPS Blackburn would have been aware of these procedures. As a consequence, the Panel were not persuaded by this account provided by the officer in justification of her actions.

41. The Panel determined that the officer's proven conduct would bring discredit upon the police service and undermine public confidence and as such, amounted to a breach of the SPB, namely Discreditable Conduct.

Allegation 2

Honesty & Integrity

42. The Panel found proven that the officer used the MOA revision Guidance tab during the exam having been told expressly not to do so. The Panel further found that she did so on nine separate occasions to help her answer at least one question in direct contravention of the pre-examination instructions that she had been given. The officer had also been informed during the pre-exam briefing that integrity in this

process 'was non-negotiable'.

43. In all the circumstances, the Panel considered that the officer's proven conduct was dishonest and amounted to a breach of the SPB, namely Honesty & Integrity.

Orders and Instructions

44. The Panel found that the officer directly contravened the instruction given to her at the start of the exams on 1 October 2025 not to have any tab open on her laptop other than that for the exam questions. In this regard, the Panel noted that the evidence provided by PS Brookes and PC Loxton concerning the Officer accessing her laptop was supported by exhibit SW2 (Data During exam) dated 1 October 2025 which detailed each occasion that the officer had contravened that instruction.

45. In all the circumstances, the Panel considered that the proven conduct had contravened the relevant instructions provided to the officer and thereby amounted to a breach of the SPB, namely Orders and Instructions.

Duties and Responsibilities

46. The Panel considered that the officer would have been aware that she needed to maintain her LSO accreditation and comply with the standards set by the Police National Search Centre. Notwithstanding this, the officer failed to prepare for her exams and instead acted dishonestly in her attempt to pass them.

47. Furthermore, the Panel found that the annual LSO accreditation process required officers to demonstrate their competence in a very important and potentially high-risk policing activity, namely counter terrorism-related searching. Accordingly, the officer's proven dishonesty in the MOA exam could have resulted in her being accredited to conduct CT searching had her dishonest conduct not been identified by the examination directing staff.

48. In all the circumstances, the Panel found that the officer's proven conduct

amounted to a failure to carry out her duties and obligations to the best of her ability. They found that she had failed to prepare for the examinations by using information provided to her and training available to keep herself up to date on her roles and responsibilities as an LSO.

49. As such, the Panel determined that the proven conduct amounted to a breach of the SPB, namely Duties and Responsibilities.

Discreditable Conduct

50. The Panel considered that the proven conduct would bring discredit upon the police service. They found that the officer's proven conduct would undermine confidence in the police service because any right-minded member of the public would justifiably be concerned that a police officer had failed to prepare adequately or at all for her LSO relicensing exams and then cheated during the MOA exam.

51. In the circumstances, the Panel determined that the officer's proven conduct amounted to a breach of SPB, namely Discreditable Conduct.

Misconduct or Gross Misconduct

52. The Panel was then required to decide whether the officer's proven conduct amounted to misconduct or gross misconduct. In doing so, the Panel reminded itself that misconduct means a breach of the SPB that can justify disciplinary proceedings and that gross misconduct means a breach so serious as to justify dismissal.

53. In accordance with the Guidance on outcomes in police misconduct proceedings the Panel assessed the seriousness of the proven conduct in accordance with paragraph. 4.3.

54. Having considered seriousness, the Panel determined that the proven conduct was so serious that it could justify dismissal as a potential outcome. Accordingly, the Panel concluded that the proven breaches of the SPB amounted to **Gross Misconduct**.

Decision on Outcome

55. In determining outcome, the Panel had further regard to the Guidance, and they also received submissions made by the AA to assist them in their decision making.

56. In considering seriousness once again, and applying the Fuglers test, the Panel re-considered their preliminary assessment of seriousness in relation to culpability, harm, aggravating and mitigating factors.

57. The Panel was mindful, cautious and careful not to engage in double counting when assessing the seriousness for the purpose of determining an outcome.

58. With respect to the purpose of imposing disciplinary action in police misconduct proceedings the Panel reminded itself of the following;

- (i) The primary purpose is to protect the public confidence in and the reputation of policing;*
- (ii) The second purpose is the declaratory purpose of maintaining high professional standards by demonstrating to other officers that misconduct of a certain kind and/or a certain seriousness will be dealt with by disciplinary action of a certain severity; and*
- (iii) The third purpose is to protect the public and/or officers and staff by preventing the officer from committing similar misconduct again by excluding them from the police service.*

59. In *Redgrave v Commissioner of Police of the Metropolis* [2003] 1 WLR 1136 Simon Brown LJ (as he then was) at [33] approved the following dictum of Lord Diplock in *Zideman v General Dental Council* [1976] 2 All ER 334 at p.336: 72

“The purpose of disciplinary proceedings against a person convicted of crime is not to punish him a second time for the same offence but to protect the public who come to him as patients and to maintain the high standards and good reputation of an honourable profession”. (emphasis added).

60. In *R (Green) v Police Complaints Authority* [2004] UKHL 6; [2004] 1 WLR 725, Lord Carswell stated at [78]:

“Public confidence in the police is a factor of great importance in the maintenance of law and order in the manner which we regard as appropriate in our polity. If citizens feel that improper behaviour on the part of police officers is left unchecked and they are not held accountable for it in a suitable manner, that confidence will be eroded.”

61. Lord Bingham (when Master of the Rolls) had previously made the same point in relation to the solicitors' profession in *Bolton v Law Society* [1994] 1 WLR. In explaining the apparent harshness of sanctions imposed by the Solicitors Disciplinary Tribunal he identified the purpose of such sanctions and said at p.518H (emphasis added):

“The second purpose is the most fundamental of all: to maintain the reputation of the solicitors' profession as one in which every member, of whatever standing, may be trusted to the ends of the earth. To maintain this reputation and sustain public confidence in the integrity of the profession it is often necessary that those guilty of serious lapses are not only expelled but denied re-admission. If a member of the public sells his house, very often his largest asset, and entrusts the proceeds to his solicitor, pending re- investment in another house, he is ordinarily entitled to expect that the solicitor will be a person whose trustworthiness is not, and never has been, seriously in question. Otherwise, the whole profession, and the public as a whole, is injured. A profession's most valuable asset is its collective reputation and the confidence which that inspires.”

62. In *Salter v Chief Constable of Dorset Police* [2012] EWCA Civ 2012, Maurice Kay LJ found that it was appropriate to draw an analogy between police officers and legal professionals at [21] (emphasis added):

“Although police officers do not have a fiduciary client relationship with individual members of the public or the public at large, they do carry out vital public functions in which it is imperative that the public have confidence in them. It is also obvious that the operational dishonesty or impropriety of a single officer tarnishes the reputation of his Force and undermines public confidence in it. In these respects, the similarities between solicitors and police officers justify the analogy provided that, ultimately, the decision-maker, be it the PAT or a judge of the Administrative Court, appreciates at all times that the index case falls to be assessed in the context of policing.”

63. In *R (Coke- Wallis) V Institute of Chartered Accountants* [2011] UKSC 1 at [60] Lord Collins reaffirmed the purpose of professional disciplinary proceedings to be: (...to protect the public, to maintain public confidence in the integrity of the profession and to uphold proper standards of behaviour: see *Bolton V Law Society* [1994] 1 WLR 512, 518 per Sir Thomas Bingham MR; *Gupta V General Medical Council* [2002] 1 WLR 1691, para 21, per Lord Roger of Earlsferry.

Culpability

64. The Panel considered once again the officer’s culpability for the proven conduct and were assisted by paragraphs 4.9-4.16 of the Guidance.
65. Paragraph 4.11 of the Guidance states that ‘where harm is unintentional, culpability will be greater if the officer could reasonably have foreseen the risk of harm’.
66. In relation to Allegation 1, the Panel found that the officer was aware that there were no criminal proceedings underway for Mr. X following an investigation and

that she should have been aware of the impact or risk of impact upon the recipients of her Instagram communications.

67. The Panel further found that the officer's proven conduct in using a social media platform in relation to this allegation was evidence of her intentional, deliberate and targeted actions.
68. In relation to Allegation 2, the Panel found that the officer had made a conscious decision to cheat in the exam, in direct contravention of the instruction given to her not to access the revision guidance booklet. The Panel once again found that this was evidence of an intentional, deliberate and targeted action by the officer.
69. Accordingly, the Panel determined that the officer's culpability for the proven conduct in relation to both allegations, both singularly and collectively, was **HIGH**.

Harm

70. The Panel then considered again the harm caused by the proven conduct and were assisted by paragraphs 4.63-4.74 of the Guidance.
71. In relation to Allegation 1, the Panel identified the following factors arising from the proven conduct:
 - (i) Potential financial loss to Mr X and/or his employer
 - (ii) Psychological distress caused to Mr X
 - (iii) Reputational harm to Mr X, his employer and the police service.
72. In relation to Allegation 2, the Panel noted paragraph 4.66 of the Guidance which provides that regard should be had to the public confidence in policing if the circumstances of a case were known to the public. The Panel found that this consideration was engaged in its assessment of harm and the effect upon the police service and/or public confidence arising from the officer's proven conduct.

73. The Panel noted paragraph 4.68 of the Guidance which provides that where no harm has resulted from the proven conduct, they should consider the risks attached to the officer's behaviour including the likelihood of harm occurring and the gravity of harm that could have resulted.
74. The Panel determined that the officer could have been deployed to a high-risk CT search operation following her failure to properly complete her LSO exams. They found that because of a potential lack of knowledge arising from her failure to complete the LSO relicensing process, there was harm arising from a risk that she would not be able to properly complete the very specialist CT search process required of an accredited LSO on a live police operation.
75. The Panel found that this created a risk that an ineffective search may have led to the risk of injury to members of the public and/or colleagues.
76. Furthermore, the Panel found that the officer's proven dishonesty in relation to this allegation would likely cause serious reputational harm to the police service.
77. In all circumstances the Panel determined that the harm arising from the proven conduct in relation to both allegations both singularly and collectively was **HIGH**.

Aggravating Factors

78. The Panel was assisted by paragraphs 4.75-4.78 of the Guidance in their re-assessment of aggravating factors in this case. The Guidance states that when certain factors are engaged, the level of culpability or harm may increase.
79. Whilst mindful of 'double counting' the Panel found that the following aggravating factors provided in paragraph 4.76 of the Guidance were engaged in this case:
- (i) Premeditation, planning and taking deliberate steps (this factor is noted here for completeness however it was not included in the Panel's determination of

the outcome for 'double counting' reasons. The Panel has already considered this factor in its assessment of culpability).

- (ii) Malign intent for personal advantage.
- (iii) Regular and repeated behaviour over a period of time.
- (iv) Significant deviation from an order/instruction.
- (v) Leadership responsibility where there is an expectation of acting as a role model.

Mitigating Factors

- 80. The Panel were assisted by paragraphs 4.79-4.82 of the Guidance in their re-assessment of mitigating factors.
- 81. The Panel did not find any mitigating factors present in the Guidance or arising from their assessment of the circumstances of this hearing that would reduce the seriousness of the proven conduct.

Personal Mitigation

- 82. The Panel noted that paragraph 6.8 of the Guidance provides that personal mitigation may carry more weight where lesser outcomes are considered. However, the case law confirms that the interests of the profession, and the protection of the public are more important than those of the individual officer.
- 83. Given the purpose of police misconduct proceedings, the Panel kept in mind the fact that personal mitigation will carry limited weight and less than it might do in a different context [as explained by Holroyde J as he then was in *The Queen (on the application of Williams) v Police Appeals Tribunal* [2016] EWHC 2708 (QB)].
- 84. The officer was not present at the hearing and did not formally submit any personal mitigation to the Panel. However, in its wish to provide the officer with

fairness in their determination of outcome, the Panel considered as personal mitigation the officer's account that her actions in relation to Allegation 1 were motivated by a concern for the well-being of her sister and family.

85. However, the Panel was not persuaded that the seriousness of the proven conduct for Allegation 1 should be reduced by virtue of this justification for officer's conduct. This finding was made in the absence of any evidence that the officer had availed herself of any of the formal safeguarding procedures that would have been available to her.

Outcome Decision

86. The Panel reminded itself of paragraph 3.12 of the Guidance which provides that the available outcomes at a misconduct hearing are:

- a) Written warning
- b) Final written warning
- c) Reduction in rank
- d) Dismissal without notice

87. The Panel had regard to paragraph 7.4 of the Guidance which provides that less severe outcomes should be considered before more severe outcomes. Furthermore, Panel noted that the more serious the conduct found proven against an officer, the more likely it would be that that dismissal would be justified.

88. The Panel was provided with and carefully considered the officer's service record in their determination of an outcome.

89. Having assessed the totality of the proven breaches and the purpose of the police misconduct regime, the Panel discounted the outcomes of written warning or final written warning for the officer given the seriousness of the proven conduct.

90. The Panel also discounted the potential outcome of reduction in rank on the basis that the officer was not a substantive Police Sergeant. As such, this potential

outcome was not available to the Panel.

91. In all the circumstances and given the seriousness of the proven conduct, the Panel considered that ***dismissal without notice*** was the only appropriate outcome for the officer having regard to the purpose of the police misconduct proceedings.

Barred list information

92. The Chair has considered the relevant provision under the Police Barred List and Advisory List Regulations 2017 (“the 2017 Regulations”) and is satisfied that a report containing details of this case (in accordance with Regulation 3 of the 2017 Regulations) should be sent to the College of Policing within 5 working days. This is because there is no reason to depart from the general principle in this case.

Right of Appeal

93. The Officer will be notified that they have a right to appeal the Police Appeals Tribunal.
94. The AA will provide a notice to the Officer as to the procedure to be followed should she wish to submit an appeal.

Panel

Chair: Retired ACC Ian Saunders

IPM: Ms. Claire Martin

IPM: Mr. Tim Smith

11th May 2026