NOTICE UNDER REGULATION 63

OUTCOME OF ACCELERATED MISCONDUCT HEARING PURSUANT TO THE POLICE (CONDUCT) REGULATIONS 2020 AS AMMENDED BY THE POLICE (CONDUCT) (AMMENDEMENT) REGULATIONS 2024

DEVON & CORNWALL POLICE.

(Appropriate Authority)

v.

FORMER PC 18154 HARRY BALLARD

(“The former officer”)

Panel

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

Representatives

Counsel for the Appropriate Authority – Mr Mark Ley-Morgan

References

(i) 'The Chair' – ACO Ian Saunders
(ii) AA – Appropriate Authority
(iii) 'The former officer' – Former PC 18154 Harry Ballard
(iv) The Police (Conduct) Regulations 2020 (Amended) 2024 will be "the Regulations", or as 'Regulation' and then the Regulation number referred to.
(v) The Statutory Guidance on Professional Standards, Performance and Integrity in Policing issued by the Home Office will be the 'H.O.G' and the relevant paragraph number an example being [H.O.G 9.10].
(vi) The College of Policing Guidance on Outcomes in Police Misconduct Proceedings 2023 will be referenced as 'the Guidance' and on occasion together with the relevant paragraph number.
(vii) Pages from the hearing bundle will be referenced for example as [HB page1 or pages 1-3].

Introduction

1. This is the Regulation 63 notice of an Accelerated Police Misconduct Panel held under the Police (Conduct) Regulations 2020 (as amended) into the conduct of former PC 18154 Harry Ballard (the former officer).

2. On 20th July 2026, DCC Colwell (the AA) certified that the special conditions as set out in Regulation 49(2) were satisfied and that this case should be dealt with as an accelerated misconduct hearing (now referred to as 'the hearing' for the remainder of this Regulation 63 notice).

3. The hearing was conducted in person at Devon and Cornwall Police Headquarters, Exeter on 6th August 2026.

4. Members of the public were permitted to attend however, none did so.

5. The former officer was not made subject of criminal proceedings in relation to the matters considered in this hearing.

6. On 23rd April 2026, the former officer appeared at Taunton Magistrates Court and was made subject of an Interim Sexual Risk Order until 1600hrs on 22nd October 2026.

7. This was a case to which the Police (Conduct, Performance and Complaints and Misconduct) Amendment) Regulations 2025 applied. The effect of this amendment to Regulation 62(1) is that if gross misconduct was found proven, the officer must be dismissed unless there were exceptional circumstances that could justify a final written warning (if still serving).

8. The former officer submitted his resignation from Devon and Cornwall Police on 19th March 2026, and his last day of service was on 17th April 2026. This hearing was therefore dealt with under the former officer provisions of the Regulations and Guidance.

Representation

9. The AA was represented by Counsel, Mr Mark Ley-Morgan.

10. The former officer was not present at the hearing and nor was he represented (see paragraphs 14-18 below).

Papers considered

11. During this hearing and the Chair's subsequent deliberations, he was provided with, and carefully considered the following papers:
    (i) Hearing bundle (HB pages 1-44).

(ii) Counsel for the AA's opening note.

(iii) The former officer's record of service

The Allegations/ Alleged Breaches

12. The allegations made against the former officer were recorded on the Regulation 51 notice [HB page 3].

13. To assist readers of this Regulation 63 notice, the allegations against the former officer are provided in full below:

(i) On 8th June 2023 you uploaded an indecent image of a child via Snapchat.

(ii) On a date or dates that the AA is unable to particularise you wrote two short stories depicting sexual activity with children.

(iii) On various dates between 11th May and 26th July 2025 you visited web pages concerning child abuse and bestiality.

(iv) On various dates the AA is unable to particularise you made web searches for pornography concerning bestiality and 'teen' pornography.

It is alleged that you have breached the Standards of Professional Behaviour concerning Conduct. Your behaviour discredits the police service and undermines public confidence in it because a reasonable member of the public would be justifiably concerned hat a police officer had:

1. *Been in possession of and/or had distributed an indecent image of a child*
2. *A sexual interest in a child and/or bestiality.*

It is alleged that your conduct constitutes gross misconduct and that it is in the public interest that your name be added to the College of Policing Barred List.

Proceeding in the absence of the former officer

14. The Chair was informed that the former officer had chosen not to serve a Regulation 54 response to the AA.

15. The Chair was also informed that the former officer had decided not to be present during this hearing and that the Police Federation had therefore disengaged from this case.

16. Counsel for the AA invited the Chair to direct that the hearing should proceed in the absence of the former officer pursuant to Regulation 57(3)(b).

17. The Chair was informed that the former officer had been made aware that this hearing was taking place on 6th August 2026 and that it could proceed in his absence. The former officer had submitted no objection to that course of action.

18. On that basis, the Chair determined that the hearing could proceed in the absence of the former officer. He had considered the submissions made by the AA and balanced these against his duty to ensure proceedings were conducted efficiently, fairly, transparently, and without unnecessary delay.

The Hearing

19. The Chair approached his task by:

    i. Firstly, deciding the facts, (**Factual Determination**);

    ii. Secondly, determining on the facts found, if any professional standards had been breached, (**Breaches of Professional Standards**), and if so;

    iii. Thirdly, deciding at what level, the Chair assessed the seriousness of the breaches, (**Level of Breach**).

    iv. Lastly and following consideration of the Amended Regulations, deciding the outcome for the Officer, (**Decision on Outcome**).

Purpose of Misconduct Proceedings

20. Counsel for the AA reminded the Chair of the threefold purpose of the police misconduct regime as detailed at paragraph 2.3 of the Guidance:

i. To maintain public confidence in, and the reputation of the police service.
ii. To uphold high standards in policing and to deter misconduct.
iii. To protect the public.

Burden and Standard of Proof

21. The Chair was mindful that:
(i) The burden of proof was upon the AA and,
(ii) The standard of proof, which must be applied in this hearing was that as required in civil cases, namely upon the balance of probabilities.

Factual Determination

22. The Chair considered the statement of evidence provided by DC 13832 Sophie House dated 10th November 2025 [HB pages 20-23].

23. On the date of her statement, DC House was serving on the Force's Paedophile Online Investigation Team (POLIT). She stated that she had been involved in this area of investigation since 2020 and was a qualified digital media investigator, an indecent image grader and a digital device examiner.

24. In her statement, DC House described how Devon and Cornwall Police received a referral from the National Crime Agency (NCA) on 14th August 2025 that provided evidence of an indecent image being uploaded to a Snapchat account at 22.55.35hrs on 8th June 2023. She stated that this image had been graded by the NCA as Category C and that it was a known image on the Child Abuse Image Database (CAID).

25. DC House described a Category C image as 'Any other indecent image not falling within A or B (e.g. erotic posing)'.

26. DC House provided evidence that the Snapchat account used to upload this image was registered to the former officer and his personal email address.

27. DC House stated that the uploaded image was also reviewed by herself and the POLIT victim identification officers, DC 16901 Jacobs and DC 16234 Smith. The image was assessed as being a GSAM (Generated Sexual Abuse Material) which meant that it was likely created by using artificial intelligence. Whilst the image was not therefore of a real-life child abuse victim, it was still classified as an indecent image of a child for the purposes of criminal breaches of the relevant legislation.

28. The hearing bundle contained a description of the image which the Chair has determined was not appropriate to record on this Regulation 63 notice.

29. The former officer was arrested by DC House on 19th August 2025 on suspicion of possession and distribution of indecent images of children. DC House seized the former officer's mobile telephone as exhibit SH/01 which was secured in an evidence bag and conveyed to the Force Data Forensic Unit for digital examination.

30. Mr Harry Parker is a Data Forensic Investigator employed by Devon and Cornwall Police. Mr Parker provided a witness statement [HB pages] 24-30 on 29th August 2025 in which he described his examination of exhibit SH/01 which was found to contain the following items of relevance to this hearing:

    (i) 1 x Category C image
    (ii) A number of undated Google searches where the search terms used were of a sexualised nature and related to bestiality and other indecent acts.
    (iii) A number of 'Safari searches and website visits between 11th May 2025 and 26th July 2025 of a sexualised nature and related to bestiality and other indecent acts.
    (iv) Two 'stories' held within the Apple Notes section on the exhibit that described sexual activity involving children.

31. The Chair was provided with the full detail of the information described by Mr

Parker however he had determined that it was not appropriate to record or describe this material on this Regulation 63 notice due to its highly sexualised nature and explicit references to child sexual abuse and bestiality.

32. The former officer was interviewed as a criminal suspect for these matters on 19th August 2025 by DC House and PC 8286 Martin. During this interview, the former officer was represented by his solicitor, Mr J Wickham. The former officer provided a prepared statement during the interview which was read into the recording by DC House. The former officer refused to answer any other questions during his interview. Of relevance to this hearing, in his prepared statement, the former officer stated that:

> *'I have no knowledge of ever uploading any indecent image of a child to Snapchat or via Snapchat and have never done so, nor have I done so on any other Internet platforms.*
> *I accept that the email address referred to in the disclosure is my email address as is the phone number and address.*
> *I do not have a Snapchat account on my phone'.*

33. The former officer's prepared statement also addressed a number of additional matters, including his willingness to provide passwords and his knowledge of various other exhibits seized during the criminal investigation. The Chair determined that these matters were not relevant to his determination of the facts in relation to the allegations advanced by the Appropriate Authority in these proceedings. Accordingly, they have not been included within this Regulation 63 notice.

34. Having carefully considered the evidence of DC House, the Chair was not persuaded by the former officer's assertion that he had no knowledge of the upload of the indecent image of a child, nor by his claim that he did not have a Snapchat account on his phone. DC House's evidence was that the NCA had investigated the Snapchat account used in the offending and established that it was linked to an email address which the former officer subsequently accepted was his own [HB page 38].

35. The Chair also noted the submission provided by the former officer's solicitor during the SRO hearing at Taunton Magistrates' Court on 23rd April 2026. In this submission it was advanced that the former officer had been in a controlling relationship at the time of the concerning internet searches and that he had written the short stories subject of one of the allegations in this case.

36. The Chair found that the former officer had not advanced this potential defence of his being controlled by a third party for the purposes of this hearing. This defence was therefore not considered by the Chair in his determination of facts.

37. Following his review of the evidence provided to him, the Chair found the following facts proven for the reasons as shown:

    (i) DC House's evidence allowed the Chair to determine that the former officer uploaded a Category C indecent image of a child to his Snapchat account on 8th June 2023.

    (ii) The evidence provided by Mr Parker allowed the Chair to determine that the former officer wrote two short stories in which he described sexual activity with a child.

    (iii) Mr Parker's evidence allowed the Chair to determine that the former officer used Safari search terms and visited a number of websites between 11th May 2025 and 26th July 2025 concerning child abuse and bestiality.

    (iv) Mr Parker's evidence allowed the Chair to determine that, on unspecified dates, the former officer made a number of Google searches for bestiality and 'teen' pornography.

38. On that basis, the Chair determined that the facts alleged by the AA in these proceedings, as shown at paragraph 13 in this Regulation 63 notice were found proven.

Breaches of Professional Standards

39. The AA alleged that the former officer had breached the Standard of Professional

Behaviour namely Discreditable Conduct. The AA submitted that his behaviour discredits the police service and undermines public confidence in it because a reasonable member of the public would be justifiably concerned that a police officer had been in possession of and/or had distributed an indecent image of a child and also had a sexual interest in children and/or bestiality.

40. Having found the facts alleged in this case proven, the Chair determined that the officer's conduct was in breach of those Standards of Professional Behaviour as alleged by the AA.

41. The Chair made this decision on the basis that a member of the public would be deeply concerned that a serving police officer had committed the acts subject of these allegations which had been found to be proven.

42. On that basis, the Chair determined that the former officer had breached the Standards of Professional Behaviour, namely Discreditable Conduct.

Level of Breach

43. In determining the level of breach, the Chair was mindful of his obligations as described in the Regulation 61(15). This states that he should review the facts of this case and decide whether the former officer's conduct amounted to gross misconduct.

44. The Chair was further assisted by Regulation 61(16) which states:

'The person conducting or chairing the accelerated misconduct hearing must not find that the conduct of the officer concerned amounts to gross misconduct unless:

(a) they are satisfied on the balance of probabilities that this is the case, or

(b) the officer admits this is the case'

45. The Chair reminded himself that misconduct is defined in the Regulations as a breach of the Standards of Professional Behaviour that is so serious as to justify

disciplinary action whilst gross misconduct is defined as a breach of the Standards of Professional Behaviour that is so serious as to justify dismissal.

46. In accordance with the Guidance, the Chair assessed the seriousness of the proven misconduct by reference to paragraph 4.3 of the Guidance and his consideration of the following;
    - The Officer's culpability for the misconduct
    - The harm caused by the misconduct
    - The existence of any aggravating factors
    - The existence of any mitigation factors

47. The Chair was mindful to avoid 'double counting' in his assessment of seriousness.

48. Because the former officer was neither present nor represented at the hearing, the Chair was unable to receive his submissions on seriousness. The Chair was however provided with submissions from the AA to assist in his assessment of seriousness which are incorporated into record as shown below.

Culpability

49. The Chair found that the former officer's proven actions and breaches of the Standards of Professional Behaviour were intentional and deliberate.

50. The Chair did not find as proven that he had been acting under duress when he took the actions that subject of these proceedings.

51. The Chair determined the former officer's culpability for his proven actions was therefore **HIGH.**

Harm

52. The Chair was assisted by paragraphs 4.63-4.74 of the Guidance in his assessment of the harm caused by the former officer.

53. The Chair determined that it went without saying that the public would be rightly and properly horrified at the prospect of a serving police officer uploading an indecent image of a child. He found that they would be equally as horrified at the content of short stories that he had created, the internet search terms he had used and the websites he had visited.

54. The Chair found that the proven actions of the former officer would have created a very high risk of harm to public trust and confidence in the police service. The Chair determined that the public would be justifiability concerned that the proven actions were committed whilst the former officer was a serving police officer and that he was now subject of an Interim Sexual Risk Order.

55. The Chair has previous experience gained during his policing career of investigating matters of a similar nature to those considered in these proceedings. He is aware that the downloading, uploading and viewing of indecent images of children, together with accessing websites associated with child sexual abuse, contributes to the demand for such material. That demand, in turn, creates and sustains a market in which children may be exploited and abused. Whilst the Chair does not seek to draw any direct connection between the former officer's proven actions and any specific instance of child abuse, he found it more likely than not that those actions contributed, to some extent, to that wider demand and therefore increased the risk of harm to unidentified children.

56. Having carefully considered the Guidance, the Chair determined that the harm caused by the former officer's proven actions and breaches of the Standards of Professional Behaviour was **HIGH.**

Aggravating Factors

57. The Chair then considered the list of aggravating factors provided at paragraph 4.76 of the Guidance.

58. The Chair found that the proven misconduct of the former officer engaged several of those aggravating factors:

(i) Premeditation, planning and taking deliberate and predatory steps.

(ii) Malign intent for sexual gratification – Based upon the content of the material uploaded, accessed and created, the Chair determined that it was more likely than not to have been motivated by the former officer's sexual interest in children and bestiality and was therefore sexually motivated.

(iii) Scale or depth of a national concern about a particular issue - Whilst the Chair was mindful of the need to avoid double counting matters, he found that the proven misconduct was of a nature that would engage significant public concern. The conduct related to an issue that is plainly recognised as one of considerable national importance and concern, and the Chair was satisfied that this factor was therefore engaged.

Mitigating Factors

59. The Chair considered the factors detailed at paragraphs 4.79-4.82 of the Guidance and after careful consideration, found that there was no mitigating factor(s) engaged in the case.

Determination of Seriousness

60. Having carefully considered the former officer's culpability and harm in accordance with the Guidance, the Chair's starting point for his assessment of seriousness was deemed to be **HIGH.**

61. Following the Chair's consideration of aggravating factors, he found this starting point of seriousness was unchanged.

62. The absence of mitigating meant that the Chair's assessment of seriousness received no reduction and remained as **HIGH.**

63. The Chair found that the former officer's breach of the Standards of Professional Behaviour was so serious that it could justify dismissal and therefore amounted to **Gross Misconduct.**

Decision on Outcome

64. Having determined the seriousness of the former officer's misconduct, the Chair reminded himself again of the now amended Regulation 61(1) of the Police Conduct Regulations 2020. This Regulation was engaged for this hearing as it came into effect on 28th May 2025 which predated the service of the Regulation 17 notice on the former officer which took place on 19th August 2025.

65. The Amendment Regulations state that where the Chair finds gross misconduct proven, the outcome for the purposes of this hearing would be dismissal without notice unless he was satisfied that there were exceptional circumstances which would justify a final written warning as an alternative outcome

66. The Chair was aware there was no definition provided in the Regulations of what was meant by the term 'exceptional circumstances. He therefore applied a 'dictionary definition' to his application of this term.

67. The former officer was not represented at the hearing and was therefore unable to advance any proposed exceptional circumstances for the Chair's consideration. The AA submitted that there were no exceptional circumstances engaged for the former officer.

68. The Chair carefully considered the circumstances of this case and found that there were no exceptional circumstances engaged for the purposes of his decision on outcome.

69. The Chair was also mindful of paragraph 3.31 of the Guidance which deals with former officers and states:

'*Where the finding is gross misconduct, it can only consider two outcomes: disciplinary action or no disciplinary action. Where the finding is gross misconduct and disciplinary action is imposed, this can only be that the former officer would have been dismissed if still serving'.*

70. The Chair once again reminded himself of the purposes of police misconduct proceedings as defined at paragraph 2.3 of the Guidance which are repeated below:

(i) To maintain public confidence in and the reputation of the police service.
(ii) To uphold high standards in policing and to deter misconduct.
(iii) To protect the public.

71. The Chair having noted paragraph 3.24 of the Guidance stating that he must have regard to the officer's record of police service when considering the outcome was provided with his service record. This service record was carefully considered during his deliberations.

72. It was the Chair's view that the primary purpose of the police misconduct regime is the maintenance of the public trust and confidence in the police service. The proven gross misconduct of the former officer and his breach of the Standards of Professional Behaviour presented a real risk to that public trust and confidence in the police service.

73. This assessment is supported by the caselaw provided in:

'Redgrave v Commissioner of Police of the Metropolis [2003] EWCA Civ 4 at [38], 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'.

74. Having assessed the totality of the proven facts and the breach of the Standards of Professional Behaviour, the former officer's service record, the contents of the Guidance and the purpose of the police misconduct regime, the

Chair determined that **the former officer would have been dismissed without notice if he were still serving.**

Barred List.

75. The Chair directed that the former officer's name be added to the College of Policing Barred List.

ACO Ian Saunders
Chair of misconduct hearings
10th August 2026.