

**NORTH YORKSHIRE POLICE
PROFESSIONAL STANDARDS DEPARTMENT
REGULATION 43 NOTICE**



**NOTICE OF OUTCOME OF MISCONDUCT PROCEEDINGS REGARDING
BREACH OF STANDARDS OF PROFESSIONAL BEHAVIOUR
GROSS MISCONDUCT HEARING
REGULATION 43 POLICE (CONDUCT) REGULATIONS 2020**

Name:	[REDACTED]	Rank & Number:	[REDACTED]
Name of complainant (if applicable):			
Case reference number:	CM/12/24		

You are hereby given notification of the outcome of misconduct proceedings which relate to your alleged breach of the Standards of Professional Behaviour. Details are as follows:

Misconduct Hearing

Date(s) of misconduct proceedings:	26 th May 2026, 27 th May 2026 and 28 th May 2026
Location:	Police Headquarters, Crosby Road, Northallerton

Allegations from Regulation 30 Notice

It is alleged that the conduct of the officer breached the Standards of Professional Behaviour as follows:

1. Factual background

- (a) At all material times the officer worked in the Investigation Hub. He was in a relationship with a woman (AB). On 1st January 2024 AB reported to police that she had been assaulted by her ex-husband, CD. AB and CD have a child together.
- (b) On 2nd January at 10:30 The officer had an inappropriate conversation with PS Flowers about this incident including asking about plans to arrest CD.
- (c) When spoken to by Police as part of a separate investigation, AB's daughter had a note of viewing Body Worn Video with the officer, was able to recall the content of some of that Body Worn Video and also had a photograph of the officer showing her Body Worn Video.
- (d) The officer did not access police systems on any rest day in the period 21st November 2023 to 31st December 2023.

2. Allegation 1

- (a) On 1st January 2024 when on a planned rest day, the officer accessed the NYEYE Detained Log without a policing purpose at around 20:15-20:30.
- (b) This breach is contrary to the Orders and Instructions, Confidentiality, and Discreditable Conduct Standards of Professional Behaviour.

3. **Allegation 2**

- (a) On 2nd January 2024 at when on a planned rest day, the officer accessed the NYEYE Detained Log without a policing purpose at around 16:45-17:30 and around 18:50-18:55.
- (b) This breach is contrary to the Orders and Instructions, Confidentiality, and Discreditable Conduct Standards of Professional Behaviour.

4. **Allegation 3**

- (a) On 16th January 2024 at around 18:00 – 18:40 the officer showed AB's daughter 9 items of Body Worn Video footage without any policing purpose in circumstances where she was able to take a photograph and send it to another person.
- (b) This breach is contrary to the Orders and Instructions, Confidentiality, and Discreditable Conduct Standards of Professional Behaviour.

5. **Severity**

The above breaches are individually and taken together alleged to amount to gross misconduct.

Determination and Outcome of Misconduct Hearing

We, the panel, have considered our purpose within the misconduct regime which is:

- 1. To maintain public confidence and the reputation of the police service
- 2. To uphold high standards in policing and deter misconduct
- 3. To protect the public.

This is a case concerning matters as particularised in the Regulation 30 notice served upon the officer.

There were three allegations, with breaches of the same three Professional Standards of Behaviour on all counts, namely Orders and Instructions, Confidentiality, and Discreditable Conduct.

Findings of fact stage

The first stage for the panel is to make findings of fact in relation to the allegations.

In making the findings of fact, the panel was assisted by all the evidence before it, the evidence heard orally and, in the bundle, the submissions made by both Counsel for the Appropriate Authority (AA) and the officer. There was live evidence, given by the officer and AB, the partner of the officer.

The burden of proof is on the Appropriate Authority, and the standard is that of the simple balance of probabilities, i.e. what is more likely than not.

In this matter, the officer, has admitted the factual elements of the allegations of using police systems when on rest days and not at work. Therefore, there was no need for any AA witnesses to give live evidence pertaining to this factual part of the allegations.

The officer chose to give live evidence about those facts. The officer did not accept a breach of any of the standards of professional behaviour, regarding any of the above allegations, in his live evidence. There was also dispute in terms of the allegations as to whether they would amount to misconduct, or gross misconduct if proved individually or cumulatively. Therefore, this hearing was to decide the matter in terms of findings of fact surrounding the incident(s).

These distinctions were drawn upon by the AA, who cited such conduct was not mere misconduct but amounted to gross misconduct.

Factual background

- (a) At all material times the officer worked in the Investigation Hub covering the Hambleton and Richmond area. He was in a relationship with a woman (AB). On 1st January 2024 AB reported to police that she had been assaulted by her ex-husband, CD. AB and CD had children together.
- (b) On 1st January 2024 when on a planned rest day, the officer accessed the NYEYE Detained Log at around 20:15-20:30
- (c) On 2nd January at 10:30 the officer had an inappropriate conversation with PS Flowers about this incident including asking about plans to arrest CD.
- (d) On 2nd January 2024 at when on a planned rest day, the officer accessed the NYEYE Detained Log at around 16:45-17:30 and around 18:50-18:55.
- (e) When spoken to by Police as part of a separate investigation, AB's daughter had a note of viewing Body Worn Video with the officer, was able to recall the content of some of that Body Worn Video and also had a photograph of the officer showing her Body Worn Video.
- (f) The officer did not access police systems on any rest day in the period 21st November 2023 to 31st December 2023.

The material difference(s) of interpretation in the two version of events was provided by live evidence given by the officer and AB, at the hearing, on Tuesday 26th May 2026.

Factual Determinations

On 1st January 2024, an incident was reported to the police, involving the officer's partner AB, and her ex-husband, CD.

There were early indications on the 1st January 2024 that CD would be arrested soon after.

The officer attended Alverton Court on that day to make a witness statement in relation to the matter involving AB.

At 19:08 hours on 1st January 2024, there is a record of AB asking to be kept updated about developments, particularly in relation to the arrest of CD. The officer, despite being on a rest day, logged into his laptop at 20:15 and viewed the log of detained people on NYEYE at 20:16, including expanding the detained log which would ordinarily reveal the names of those people in custody. He viewed it again at 20:30.

The officer, in both written and oral evidence, gave the reason for checking the detained logs on this (and other) occasions was to keep himself abreast of policing activity in the area prior to his next tour of duty.

However, the officer had been absent from work since the 22nd December 2023, including a period of sick leave. His duty log shows that he was not due to resume until the 4th January 2024.

When considering what information could have been obtained at the time of logging into the NYEYE detainee logs, it is noted, and the officer has stated, that the custody record of CD may have been restricted. Therefore, we have assumed that CD's entry in the log would not have been visible.

At 11:07 on 2nd January 2024 the officer went into the police station (Alverton Court) and spoke to the Duty Sergeant, PS Flowers. He stated that his purpose was to enquire as to the expected timing of the arrest of CD. PS Flowers said that she thought this approach from the officer was unprofessional and reported the conversation to her Inspector.

The officer, in oral evidence, also confirmed that he wanted as a matter of courtesy to let the officers know that he and AB were planning to go out for the day, as AB may be needed for childcare. The officer said that he thought the arrest for this type of incident should have happened more quickly given this crime type was a priority for NYP. The officer showed his level of frustration that this was a safeguarding issue and that he felt it was very unprofessional that AB had not been updated more promptly as he would always keep his case victims updated.

The officer and AB then went out for the day together. At 15.45 hrs on 2nd January 2024 CD was arrested. That same day, just over one hour later at 16:47, the officer logged onto his laptop and then one minute later, at 16.48 he accessed the NYEYE detained log for 10 minutes. At 16:58 the officer then started to undertake more personal tasks such as checking his payslips. The screen locked at 17:27. At 18:50 the officer unlocked his computer and then checked the detained log at 18:51 hours. His screen locked four minutes later.

The officer also stated that this purpose of checking the prisoners lists in quick succession on the 2nd January 2024 was purely as a means of appraising himself of local policing activity in the run up to returning to work, which the panel noted would be on the 4th January 2024.

The officer stated in evidence that he would routinely log on to police systems to look at what had been happening on his days off.

During the period between 21st November 2023 to the 31st December 2023, there was no evidence presented that the officer had logged onto police systems whilst not on duty, be that a rest day, annual leave, or sick leave. The first time that the officer logged onto police systems whilst not on duty was on the 1st January 2024 and subsequently on the 2nd January 2024, when he directly accessed county custody records. These dates were during the specific time period when CD was expected to be / had been arrested.

The fact that the officer did not log on any police systems on the 3rd January 2024, the day before he was due to return to work after a period of 12 days absence, is in contrast to his statement that it would have been the norm for him to check what had been happening before going back to work.

Furthermore, the officer also did not log onto any police systems on the 6th, 11th or the 14th January 2024, which were the days preceding a return to work from rest days.

The panel then considered each allegation separately

Allegation one

- (a) On 1st January 2024 when on a planned rest day, the officer accessed the NYEYE Detained Log without a policing purpose at around 20:15-20:30.
- (b) This breach is contrary to the Orders and Instructions, Confidentiality, and Discreditable Conduct Standards of Professional Behaviour.

The panel considered the broad canvas of evidence presented when considering the specific allegations regarding the officer checking the detained log on the 1st of January

2026. The witness Sergeant Flowers reported that the Officer was concerned with the timings of the arrest of CD, on that specific day.

The Officer himself in oral testimony stated he was frustrated with the lack of updates regarding the arrest of CD, his partner's ex-husband. The Officer logged onto police systems directly checking the custody records at the time CD was due to be, or had been, arrested.

Taking all the above into account, the panel concluded that, on the balance of probabilities, his reason for accessing the custody records was without a policing purpose.

FINDING: The panel found Allegation one proven.

Allegation two

- (a) On 2nd January 2024 when on a planned rest day, the officer accessed the NYEYE Detained Log without a policing purpose at around 16:45-17:30 and around 18:50-18:55.
- (b) This breach is contrary to the Orders and Instructions, Confidentiality, and Discreditable Conduct Standards of Professional Behaviour.

Considering the totality of the evidence presented in the bundle and during live examination, the panel considered that the Officer did access the detained logs twice in quick succession on the 2nd January 2024 without a policing purpose.

The panel considered the positive character evidence showing plaudits of honesty, integrity, and genuineness and these did not indicate that the officer would show the propensity to undertake such a serious act as described but did nevertheless on these specific occasions.

FINDING - The panel found allegation two proven.

Allegation three

- (a) On 16th January 2024 at around 18:00 – 18:40 the officer showed AB's daughter nine items of Body Worn Video footage without any policing purpose in circumstances where she was able to take a photograph and send it to another person.
- (b) This breach is contrary to the Orders and Instructions, Confidentiality, and Discreditable Conduct Standards of Professional Behaviour.

On 16th January 2024 the officer was on "rest days".

At 18:09 he logged into the system which stores Body Worn Video (BWV) footage and viewed nine items of BWV from a range of dates between 6th March 2020 and 8th October 2023. All the footage was the officer's own BWV. It is alleged that he showed the footage to AB's daughter, then aged 15 years old.

As part of a separate investigation, DC Jackson spoke to AB's daughter on the 21st March 2024. DC Jackson has provided evidence that records the conversation she had with AB's daughter.

DC Jackson describes how AB's daughter showed her a note on her mobile phone (exhibited by DC Jackson). The note is a record she made on the 16th January 2024, detailing that the officer showed her, along with her mother (AB), and the officer's son, some BWV footage on his laptop.

AB's daughter recalled details of the footage and made specific reference to things she had witnessed such as:

- i. An incident where "mum's ex" was present - this is likely to be another police officer.

- ii. A domestic incident including the name of one of the people involved.
- iii. An incident where a dog was removed from a property.
- iv. An incident in a Tesco car park where *“a few officers ... had to tackle a member of the public.”*
- v. An incident where the officer *“sprayed or tasered”* a woman on a dark street.

AB's daughter had also taken a photo of the officer's laptop positioned sideways on a table, with the right hand of the officer hovering over the control area. AB's daughter later sent the photo to another person.

DC Jackson exhibited the photograph.

In oral evidence the officer accepted that the photograph was of his laptop and his arm, and that the photograph was taken in the kitchen at AB's home. the officer accepted that he viewed the nine items of BWV footage on the 16th January 2024 but denied showing the footage to any third party, and specifically to AB's daughter.

The panel observed some noticeable discrepancies in the Officer's account.

In his Regulation 18 response the officer stated he had viewed the BWV and that he did this to *“keep my skills up to date given that I am not frontline at present but wished to return to frontline policing. I usually do so with headphones in and although I cannot recall this specific incident, it is likely that I had them on that day and so will not have been aware of my surroundings. I believed I was in a safe and familiar space.”*

In his Regulation 31 response the officer *“denied that he showed AB's daughter 9 items of BWV on his laptop on 16 January 2024. He was reviewing items recorded from his own BWV camera on his work laptop whilst at home on a rest-day, once again to keep himself up to date and to be able to assess things that he might do differently or better in the future. At the time when he reviewed these items of footage, he thought he was on his own and is likely to have been wearing his headphones. The officer was not aware of AB's daughter in his vicinity when he was reviewing the footage, and certainly not aware of her taking a photograph. Whilst he accepts that he should have taken greater care to reduce the risk of the footage being observed by others, he denies deliberately showing her the footage and so denies breaching the standards of professional behaviour”.*

In his oral evidence the officer contradicted his Regulation 18 and 31 accounts.

The officer confirmed he was with his son, AB, and AB's daughter on the day he watched the BWV footage. His son was at the breakfast bar on his phone. He accepted that AB's daughter had been sat at the table as they had eaten dinner together. He was aware she was nearby when he was watching the footage. He saw that she was on her phone and thought she was texting.

The officer accepted he was at AB's house at the material time. He was not at home as stated in his Regulation 31. The officer stated he had only ever been to AB's house on two or three occasions as this was her home with CD. The panel was not convinced that this could be described as a safe and familiar space (as claimed in his Regulation 18), nor where someone would take their laptop, on a rest day, in the presence of two children, with the purpose of undertaking a review of BWVs that were up to four years old.

The nine clips of BWV were later reviewed during the investigation, and it was found that five of the nine videos contained incidents that show activity similar in nature to the description provided by AB's daughter.

The oral evidence from AB further undermined the officer as she described her daughter as hardly being in the room, the daughter was moving in and out of the room, and she believes that her daughter sneakily took a photo at hip level when passing. AB also stated that she was the only other person in the room with the officer. The officer had already stated that his son was present.

The panel have considered that the account provided by AB's daughter is technically hearsay evidence and have deliberated the weight that could be attached to it. The panel also noted that the officer and AB have suggested that AB's daughter was acting maliciously, at the instigation of her father, who wished to "frame" the officer. However, there was no evidence presented to the panel to support this assertion.

AB's daughter's account was recorded contemporaneously, and her recall recorded by DC Jackson when they met on the 21st March 2024. The details she provided regarding what she had seen on the BWV footage were consistent with the actual content of the relevant footage.

Therefore, the panel concluded that the daughter could not have provided her detailed recollection without being permitted sight and hearing of sensitive police data.

The panel considered the positive character evidence did not show the propensity to undertake such a serious act, but nevertheless he did on this occasion. The panel found the officer not to be a credible witness when giving live evidence. Therefore, on the balance of probabilities, the panel found it was more likely than not that he carried out this allegation of showing the footage, to another person, without a policing purpose.

FINDING - The panel found allegation three proven.

Breach of the Standards by The officer

The panel have been invited to consider whether the matters alleged breached the standards of professional behaviour relating to confidentiality, orders and instruction and discreditable conduct.

We have also considered our purpose within the misconduct regime which is:

1. To maintain public confidence and the reputation of the police service
2. To uphold high standards in policing and deter misconduct
3. To protect the public.

Confidentiality: "Police Officers treat information with respect and access or disclose it only in the proper course of police duties."

On the balance of probabilities, the panel found that the officer breached this standard. This is because:

1. The Officer repeatedly checked the custody system of North Yorkshire police at the time he knew that CD was going to be arrested or had been arrested (allegations one and two).
2. The Officer, whilst not on duty, showed highly sensitive videos showing members of the public being arrested (amongst other activities) to non-police personnel. A photograph of the footage was later sent to a further third party (allegation three).

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."

On the balance of probabilities, the panel do find that the officer has breached this standard. This is because he has behaved in a manner which could discredit the police service when he:

1. Whilst not on duty, and on more than one occasion, unnecessarily viewed the custody records of everyone in North Yorkshire, at a time when he also suspected that CD was going to be arrested or had been arrested (allegations one and two)
2. The Officer, whilst not on duty, showed highly sensitive videos showing members of the public being arrested (amongst other activities) to non-police personnel.

Orders and Instructions "Police Officers abide by police regulations, force policies and responsibilities".

On the balance of probabilities, the panel did find that the officer has breached this standard. This is because he failed to abide by the NYP Information Security policy, which states that Users should only access an information system for a policing purpose (allegations one, two and three).

This important direction is of such significance that all users of operational policing systems (as the officer) are provided with a "pop up" warning on Niche that reminds everyone of this requirement.

Furthermore, information held on police systems is relevant to the Data Protection Act, such is the level of security needed.

Seriousness assessment

In assessing the seriousness of the misconduct, the panel have considered the College of Policing Guidance on Outcomes in Misconduct Proceedings:

The officer's culpability.

His actions were deliberate. It is aggravated by the fact that he not only intentionally accessed data, but he also shared material that should have been treated with the strictest confidence.

The harm caused (and the risk of harm).

The public would see this behaviour as entirely unprofessional, and it could undermine public confidence in the police service.

The videos shown were of arrests, including the use of TASER, and these should not have been shown to children, or young adults.

The aggravating factors.

There are multiple proven breaches of the standards.

Mitigating factors.

The officer was at the material time involved in an emotional scenario that may have affected his judgement in the heat of the moment (allegations one and two only)

In conclusion, the panel found the seriousness overall is at the **high** level of seriousness.

There were no previous relevant allegations of misconduct brought to the panel's attention at this stage. Character evidence was served and considered. The panel found therefore that the officer's culpability was clear and the harm caused was high on multiple breaches and therefore the level of seriousness was high.

Level of Misconduct

It is alleged by the Appropriate Authority that the breaches amount to gross misconduct.

Gross misconduct means a breach of the standards of professional behavior which is so serious as to justify dismissal.

Misconduct means a breach of the standards of professional behavior that is so serious as to justify disciplinary action.

Having regard to the above and all the matters we have heard and considered we do find that this is a matter that does individually and collectively fall within the definition of gross misconduct.

This finding does fulfil the purpose of the misconduct regime which we reminded ourselves of when making this determination.

Stage two – Outcome

The panel have considered all the submissions, the evidence, the service record and references and the College of Policing guidance on outcomes.

We have also considered our purpose within the misconduct regime which is:

1. To maintain public confidence and the reputation of the police service
2. To uphold high standards in policing and deter misconduct
3. To protect the public.

In relation to the seriousness of the misconduct, we have already considered this and make no changes to that assessment.

Personal mitigation and the record of the officer was considered, albeit personal mitigation is less important than the interests of the profession and the protection of the public.

The panel were alert to the fact that the purpose of misconduct proceedings is not to punish the officer.

Outcome

The appropriate authority said that only a finding that the officer is dismissed without notice will fulfil the purposes of this disciplinary process. Counsel for the officer says that a final written warning would be sufficient.

This matter concerns multiple breaches of the standards and multiple violations of data privacy of the public. This could have an impact on public confidence in policing and the reputation of the police service.

Having considered all the above matters and the available outcomes, the panel firstly considered whether a final written warning was sufficient.

When considering the number of violations of sensitive personal data, the panel did not consider a final written warning would be sufficient to maintain public confidence and the reputation of the police service, or to deter misconduct and therefore to uphold high standards.

We therefore have concluded that the most appropriate outcome is a finding that the officer is dismissed without notice and that this sanction does fulfil the purpose of the misconduct regime.

The panel take no personal pleasure in making findings of this type and do have empathy for any officer who finds themselves in misconduct proceedings. There is no evidence of any other conduct of this nature by the officer and there is evidence of good work both in the police service and in other roles that the officer has undertaken outside of the police service. We acknowledge the officer's positive service prior to these matters, however this past record would not allow us to impose a lesser outcome, given the serious nature of our findings.

The officer has a right of appeal which his legal advisors and the Federation will be able to advise him about that.

Persons Chairing Misconduct Hearing:

ACO 5775 Sarah Jackson
Cai Mallett
Paul Harvey

Determination of your alleged breach of the Standards of Professional Behaviour

- Misconduct**
- Gross Misconduct**
- Misconduct / Gross Misconduct Not Found** (if neither state outcome below)

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Outcome – *Dismissal without notice & placement on the barred list*

Current status of the officer

- Subject of Management Restrictions**
- Suspended**
- Resigned Whilst Under Investigation**

Misconduct Hearing

*Where the person conducting or chairing the misconduct proceedings decides the conduct of the officer concerned amounts to **misconduct**, in accordance with regulation 41(15) The disciplinary action available at a misconduct hearing is:*

- Written Warning** - in which case this document constitutes the written warning (see explanatory notes 13, 14 & 15 attached)
- Final Written Warning** - in which case this document constitutes the final written warning (see explanatory notes 13, 14 & 15 attached)
- Reduction in Rank**

*Where the person conducting or chairing the misconduct proceedings decides the conduct of the officer concerned amounts to **gross misconduct**, in accordance with regulation 41(15) The disciplinary action available at a misconduct hearing is:*

- Final Written Warning** - in which case this document constitutes the final written warning (see explanatory notes 13, 14 & 15 attached)
- Reduction in Rank** - where Regulation 42 paragraph (5) or (6) below applies.

Dismissal - The former officer would have been dismissed if they had remained a serving member of a police force.


Dismissal without Notice – where Regulation 42 paragraph (5) or (6) below applies.

Regulation 42 (5) - This paragraph applies where a final written warning was in force on the date of the severity assessment under regulation 14(1) of these Regulations or under regulation 16 of the Complaints and Misconduct Regulations.

Regulation 42 (6) - This paragraph applies where it is decided at misconduct proceedings that the officer's conduct amounts to misconduct, and the decision is based on the officer's conduct arising from more than one incident and those incidents are not closely factually connected.

Person Chairing Misconduct Hearing:

Details of reasons for determination and outcome are stated below.

Signature:		Date: 3 rd June 2026
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Determination and Outcome of Misconduct Meeting / Misconduct Hearing

Right to Appeal (for full details see notes attached)

The following rights of appeal shall apply subject to various conditions and limitations as follows:

1. **Misconduct Meeting** – You have the right to give written notice of appeal to the Appropriate Authority within 7 working days of receipt of this notice (unless the period is extended by the Appropriate authority). If you admitted that your conduct amounted to misconduct you may only appeal against the disciplinary action imposed. If you denied the misconduct, you may appeal both the finding and the disciplinary action. The only grounds for appeal are that the finding / disciplinary action was unreasonable; that there is crucial new evidence or that there was a serious breach of procedure. (Regulation 45 (2) Police (Conduct) Regulations 2020).
2. **Misconduct Hearing** – You have the right to give written notice of appeal to the Police Crime Commissioner within 10 working days of receipt of this notice (you may give notice within a reasonable time after the end of such a period, the Chair of the Police Appeals Tribunal shall then determine whether it was reasonably practicable for notice to be given within the period and allow or dismiss the appeal).

Details of the person to whom you may submit your appeals are as follows;

Name/Address. Police Crime Commissioner’s Office, Harrogate Police Station, Beckwith Head Road Harrogate, North Yorkshire HG3 1FR

If you admitted that your conduct amounted to misconduct or gross misconduct you may only appeal against the disciplinary action imposed. If you denied the misconduct or gross misconduct you may appeal both the finding and the disciplinary action. The only grounds for appeal are that the finding / disciplinary action was unreasonable; there is new evidence that could not reasonably have been considered at the original hearing or there was a serious breach of the procedure. (Police Appeals Tribunal Rules 2020)

Service of Notice

I acknowledge that I have received a copy of this notice and my attention has been drawn to the accompanying notes.

I authorise a copy of this notice to be forwarded to my Staff Association.

Yes No

Signature of Officer concerned:		Date:	
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If the notice is not given to the officer by the person investigating, please append the name and signature of the person giving the notice below: -

Name:		Signature:		Date:	
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EXPLANATORY NOTES

1. This notice has been issued to confirm to you or inform you as soon as practicable and in any case within 5 working days of the conclusion of the misconduct proceedings, of the finding of the person or persons conducting the misconduct proceedings and any disciplinary action imposed. This written notice shall also set out a summary of the reasons for the finding(s) and outcome in this case (in accordance with Regulation 43 of the Police (Conduct) Regulations 2020).
2. **Where the case was decided at a Misconduct Meeting** and the officer concerned is an officer other than a senior officer (senior officer is a police officer holding a rank above that of Chief Superintendent), you may give written notice of appeal to the Appropriate Authority within 7 working days of receipt of this notice. This period may be extended by the Appropriate authority.
3. **Misconduct Meeting Appeals** shall be determined by a police officer at least one rank higher than the person who conducted the misconduct meeting or a police staff member who is more senior than that person. If the person who conducted the misconduct meeting was a police staff member then the appeal shall be determined by a member of a police force who is more senior than that person.
4. If the officer concerned is other than a senior officer and submits a notice of appeal following a misconduct meeting, you shall as soon as practicable be given written notice of the name of the person appointed to conduct the appeal meeting and the name of the person appointed to advise that person.
5. If you admitted at the misconduct meeting that your conduct amounted to misconduct you may only appeal against the disciplinary action imposed. If you denied the misconduct, then you may appeal both the finding and the disciplinary action. The grounds for appeal are that the finding / disciplinary action imposed was unreasonable; that there is crucial new evidence that could not reasonably have been considered at the misconduct meeting; that there was a serious breach of the procedures or other unfairness which could have materially affected the finding or decision on disciplinary action. Regulation 45 Police (Conduct) Regulations 2020.
6. Where the officer concerned is a senior police officer and the case was decided at a misconduct meeting, he or she may give written notice of appeal within 10 working days following receipt of this notice, to the relevant Policing and Crime Commissioner and any such appeal shall be determined by a police appeals tribunal.
7. The proceedings at both a misconduct meeting and a misconduct hearing shall be recorded verbatim. As part of the notice of appeal, you may request a transcript of the misconduct meeting proceedings or part thereof (Regulation 44, Police (Conduct) Regulations 2020) or a transcript of the misconduct hearing proceedings or part thereof (Police Appeals Tribunals Rules 2020).
8. **Where the case was decided at a Misconduct Hearing** you may give written notice of appeal to the relevant police authority within 10 working days following receipt of this notice. Notice of appeal may be given within a reasonable time after the 10-day period and it shall be for the chair of the police appeals tribunal to determine whether or not it was reasonable for notice to be given within the 10 day period and grant leave to appeal or dismiss the appeal application.
9. Misconduct hearing appeals shall be determined by a police appeals tribunal.
10. If you admitted at the misconduct hearing that your conduct amounted to misconduct or gross misconduct (as the case may be) then you may only appeal against the disciplinary action imposed. If you denied the misconduct / gross misconduct, then you may appeal both the finding and the disciplinary action. The grounds for appeal are that the finding / disciplinary action imposed was unreasonable; that there is evidence that could not reasonably have been considered at the original hearing which could have materially affected the finding or decision on disciplinary action; that there was a breach of the

procedures or other unfairness which could have materially affected the finding or decision on disciplinary action.

11. In all cases the written notification of outcome of misconduct proceedings under Regulation 43 Police (Conduct) Regulations 2020 shall include the details of the person to whom an appeal should be sent.
12. Any disciplinary action (outcome) shall have effect from the date on which you receive a copy of the Regulation 43 Notice finding of the person(s) conducting the misconduct proceedings and the disciplinary action imposed. Where notification was given orally at the conclusion of the hearing, the disciplinary action (outcome) shall take effect from that date.
13. If the outcome was a written warning or final written warning, then a record of Regulation 43 notice shall be placed on your personal file until such time as the warning is expunged. **A written warning shall remain live for a period of 18 months and a final written warning shall remain live for a period of 2 years from the date on which it takes effect.**
14. You should be aware that if you have a live final written warning and are subject to further misconduct proceedings then those proceedings shall be a misconduct hearing and you will be at risk of dismissal from the service.
15. Subject to a written warning or final written warning being expunged, in cases of misconduct meetings or misconduct hearings where the outcome is a written warning or a final written warning, revelation of this information to the CPS may be required under Chapter 18 of the Disclosure Manual. Advice as to the question of revelation can be obtained from the Professional Standards Directorate. The Professional Standards Directorate will give you advice in relation to when the warning or final warning should be revealed.
16. Revelation must, if applicable, be made by submission of a completed MG6B with each relevant witness statement provided.
17. You need to be aware of the potential impact of a failure to comply with the requirements of Chapter 18 of the Disclosure Manual. Where this is the case the result may be unfairness to the accused but also convictions that are vulnerable to appeal. Where a police officer fails to fulfil their obligations, this may result in misconduct proceedings being taken against them.