NORTH YORKSHIRE POLICE

PROFESSIONAL STANDARDS DEPARTMENT

REGULATION 43 NOTICE

NOTICE OF OUTCOME OF MISCONDUCT PROCEEDINGS REGARDING ALLEGED BREACH OF STANDARDS OF PROFESSIONAL BEHAVIOUR

GROSS MISCONDUCT HEARING

REGULATION 43 POLICE (CONDUCT) REGULATIONS 2020

ame:	Former Officer	Rank & Number:	PC XXXX
Name of complainant (if applicable):		Ms X	
Case reference number:		PC/198/24	

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

ate(s) of misconduct proceedings:	27th - 28th October 2026
Location:	Police Headquarters, Crosby Road, Northallerton

Allegations from Regulation 30 Notice

1. You transferred to North Yorkshire Police on 2 November 2020.
2. At all times, you were subject to the standards of professional behaviour, on and off duty.
3. At all material times, you were the owner of a kickboxing club (name redacted), which was a legitimate business interest approved by North Yorkshire Police.
4. You were the coach of a vulnerable girl, Miss A, who was approximately 13 at the relevant times.
5. With the consent of Ms X, you communicated with Miss A via social media to assist with her coaching.
6. It is alleged that you misconducted yourself in respect of the said communication with Miss A in that you:
   a. Failed to set and/or maintain appropriate boundaries.
   b. You exchanged messages when you knew or believed Miss A to be at school.

c. The contact was excessive and beyond that which was required for coaching and/or mentoring.

d. The messages included a discussion about a boy about whom safeguarding concerns had been raised. Your messages included telling Miss A, “Don’t worry, I won’t tell your mum,” when asking her about her romantic relationship with a much older boy.

e. You discussed adult things with Miss A, including your partner wanting a baby.

f. You discussed your relationship with your partner.

g. You discussed your consumption of alcohol.

h. You discussed tattoos.

i. Asked Miss A to pass comment on the kit worn by another girl at the club.

j. Sent a picture of yourself making a rude gesture.

k. You discussed Miss A’s ADHD condition.

7. This conduct breached the standard of professional behaviour set out in Schedule 2 of the Police (Conduct) Regulations 2020. It is alleged that this conduct breached the standard of discreditable conduct.

8. This conduct is assessed to be Gross Misconduct in that it stands to seriously undermine trust and confidence in North Yorkshire Police and the profession.

Preliminary Matters

a. Between the 27th and 28th October 2026, a gross misconduct hearing was conducted at North Yorkshire Police, HQ, Northallerton.

b. This full written decision follows an outline of the panel conclusion and reasons delivered orally on 28th October 2026.

c. The hearing was convened to hear allegations relating to a Former Police Constable who will be referred to as “the Officer”.

d. An anonymity order had been previously granted preventing publication of his identity.

e. The Officer resigned from North Yorkshire Police on 29th June 2026.

f. The Officer did not attend the hearing.

g. The Officer was fully aware of the date, time, and nature of the proceedings, and understood the potential consequences of not attending but he voluntarily absented himself.

h. The delay of the proceedings, when the Officer clearly stated an intention not to engage, would have been contrary to the interests of justice.

i. The Chair determined that it was fair and appropriate to proceed with and conclude the hearing in the absence of the Officer (Regulation 37 (3)(b)).

j. The Appropriate Authority (AA) was represented by Counsel, Mr Oliver Thorne.

k. The Officer was represented by the Police Federation, Mr Rob Bowles.

l. The panel comprised of ACO Sarah Jackson and Independent Panel Members, Paul Harvey and Cai Mallett.

m. The panel was provided with an electronic bundle of evidence amounting to 285 pages. The AA provided an 8-page written opening note ahead of the hearing. The Officer submitted a 3-page opening note via his Federation Representative. This was provided to

the panel on day one. During the hearing, a further two-page statement was supplied from an additional witness. The panel also considered the Officers record of service at stage two.

n. The appointed Legally Qualified Person was Charles Blatchford. Legal advice was provided to all parties in advance of, and during, the hearing.

1. Role of the Panel

1.1. To manage the Misconduct Hearing in accordance with the Police (Conduct) Regulations 2020 as amended by the Police (conduct) (amendment) Regulations 2024 and 2026.

1.2. Regulation 33 (13): The person or persons conducting the misconduct proceedings shall review the facts of the case and decide whether the conduct of the officer concerned amounts-

(b) In the case of a misconduct hearing, to misconduct, gross misconduct or neither.

1.3. Regulation 33(14): The person or persons conducting the misconduct proceedings shall not find that the conduct of the officer concerned amounts to misconduct or gross misconduct unless- (a) he is or they are satisfied on the balance of probabilities that this is the case; or (b) the officer concerned admits it is the case.

1.4. The Home Office Guidance: Conduct, Efficiency and Effectiveness provides:

9.6 The purpose of a formal misconduct meeting/hearing is to:

a) Give the police officer a fair opportunity to make their case having considered the investigation report, including supporting documents, and to put forward any factors the police officer wishes to be considered in mitigation (in addition to the submission which must be sent in advance to the person(s) conducting or chairing the meeting/hearing for his/her consideration).

b) Decide if the conduct of the police officer breached the Standards of Professional Behaviour in a way that is so serious as to justify disciplinary action (misconduct) or in such a way that is so serious as to justify dismissal (gross misconduct). This determination is based on the balance of probabilities and having regard to all the evidence and circumstances. Those making the judgment on the level of seriousness of the breach of the standards can be partially guided by the Code of Ethics.

c) Consider what the outcome should be if the misconduct is proven or admitted. Consideration will be given to any live written warnings or final written warnings (and any previous disciplinary outcomes that have not expired) and any early admission of the conduct by the police officer. Those making the decision on outcome should consider the College of Policing's Guidance on Outcomes in Police Misconduct Proceedings.

9.7 All proceedings should be conducted in a fair and open manner following the principles of natural justice. That is to say that a duty to act fairly is incumbent on all parties to the proceedings. That includes the parties to the hearing providing the necessary notices and documents in a timely fashion and participating in the proceedings in a reasonable, courteous and fair manner.

Both the appropriate authority and the officer concerned should be allowed to make their case free from interference and the person conducting or chairing the proceedings should be demonstrably free of bias.

2.15 Discredit can be brought on the police by an act itself or because public confidence in the police is undermined, or is perceived to be undermined. In general, it should be the actual underlying conduct of the police officer that is considered under the misconduct procedures, whether the conduct occurred on or off-duty.

2.17 Police officers have some restrictions on their private life. Some of these restrictions are set out in the Police Regulations 2003. These restrictions have to be balanced against the right to privacy in common law and right to a private life, as set out in Article 8 of the Human Rights Act 1998. Therefore, in considering whether a police officer has acted in a way which falls below these standards while off-duty, due regard should be given to that balance and any action should be proportionate, taking into account all of the circumstances.

2.18 As a result of the nature of the office of constable, a police officer is always subject to the Standards of Professional Behaviour even when off-duty. As such police officers should not behave in a manner that discredits the police service or undermines public confidence at any time. Police officers must be particularly aware of the image that they portray when representing the police in an official capacity even though they may be off-duty. In determining whether a police officer's off-duty conduct discredits the police, the test is not whether the police officer discredits themselves but the police as a whole.

1.5 As the Officer has resigned from the police, the proceedings are conducted in accordance with *Misconduct Procedures for Former Officers* in chapter 20 of the Home Office Guidance.

2. Standard of Proof

2.1 Regulation 33 (14) (a) balance of probabilities applies.

2.2 The Home Office Guidance: Conduct, Efficiency and Effectiveness provides:

9.10 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. Conduct will be proved on the balance of probabilities if the persons conducting the meeting or hearing are satisfied by the evidence that it is more likely than not that the conduct occurred. The balance of probabilities is a single unvarying standard (i.e. there is no sliding scale). The seriousness of the allegation of misconduct and/or the seriousness of the consequences for the officer do not require a different standard of proof, merely appropriately careful consideration by the panel before it is satisfied of the matter which has to be established. The inherent probability or improbability of the conduct occurring is itself a matter to be taken into account when deciding whether, on the balance of probabilities, the conduct occurred.

9.11 In making a decision whether the alleged conduct of a police officer is proven or not, the persons conducting or chairing will need to exercise reasonable judgement and give appropriate careful consideration to the evidence.

3. Home Office Guidance- Standards of Professional Behaviour

3.1 The Panel have had regard to the following;

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.

4. The Code of Ethics and Policy

4.1 The panel has had regard to the Code of Ethics, in particular those passages relating to Conduct.

4.2 It has received and considered the College of Policing and NPCC's guidance *Maintaining a professional boundary between police and members of the public.*

5. The Alleged Misconduct

5.1 The allegation of misconduct is set out in the notice of referral to the misconduct proceedings under Regulation 30. The panel have carefully read and considered the documents provided under Regulation 30, including copies of the witness statements and records. The former Officer provided a Regulation 31 response. He was interviewed under caution and gave a prepared statement. He denied the allegations.

5.2 An anonymity direction was also given in relation to the child in question, who will be referred to as Miss A and her mother, who shall be referred to as Ms X.

5.3 There was no oral evidence at the hearing.

5.6 The panel had a copy of the Police (Conduct) Regulations 2020 and were provided with a copy of the Home Office Guidance. The panel also considered The College of Policing Guidance on outcomes in police misconduct proceedings (2023).

6. Findings of Fact and Reasons for them

6.1 Introduction and General Observations

6.1.1 The allegations against the Former Officer arose from his off-duty conduct while coaching a vulnerable 13-year-old girl in the sport of kickboxing.

6.1.2 The Officer had extensive social media contact with a child whom he was coaching as part of his kickboxing club. The child, Miss A, was vulnerable and the Officer was fully aware of this.

6.1.3 Although Ms X, Miss A's mother, had given some consent to direct contact, the extent of the Officer's contact, over one thousand messages having been exchanged between March 2023 and March 2024, and the content of some of the messages, as highlighted in the following Allegations, were clearly inappropriate. The public would expect police officers to set a high standard for safeguarding children, both on and off duty.

6.2 Specific Allegations

The specific allegations that the former Officer faced were:

1. You transferred to North Yorkshire Police on 2 November 2020.

2. At all times, you were subject to the standards of professional behaviour, on and off duty.

3. At all material times, you were the owner of a kickboxing club, which was a legitimate business interest approved by North Yorkshire Police.

4. You were the coach of a vulnerable girl, Miss A, who was approximately 13 at the relevant times.

5. With the consent of the Mis As mother, you communicated with Miss A via social media to assist with her coaching.

6. It is alleged that you misconducted yourself in respect of the said communication with Miss A in that you:

    a. Failed to set and/or maintain appropriate boundaries.

    b. You exchanged messages when you knew or believed Miss A to be at school.

    c. The contact was excessive and beyond that which was required for coaching and/or mentoring.

    d. The messages included a discussion about a boy about whom safeguarding concerns had been raised. Your messages included telling Miss A, “Don’t worry, I won’t tell your mum”, when asking her about her romantic relationship with a much older boy.

    e. You discussed adult things with Miss A, including your partner wanting a baby.

    f. You discussed your relationship with your partner.

    g. You discussed your consumption of alcohol.

    h. You discussed tattoos.

    i. Asked Miss A to pass comment on the kit worn by another girl at the club.

    j. Sent a picture of yourself making a rude gesture.

    k. You discussed Miss A's ADHD condition.

7. This conduct breached the standard of professional behaviour set out in Schedule 2 of the Police (Conduct) Regulations 2020. It is alleged that this conduct breached the standard of **discreditable conduct.**

8. This conduct is assessed to be Gross Misconduct in that it stands to seriously undermine trust and confidence in North Yorkshire Police and the profession.

6.3 The panel considered the written evidence placed before it, the submissions of Mr Thorne on behalf of the AA and the written note provided by the former Officer which was read onto the record in the hearing.

6.4 The panel have, when considering the particulars of the allegations, predominantly focussed on the evidence of the Facebook Messenger message exchanges between the Officer and Miss A. The Panel have also considered the exchange of photographs, memes and emojis that were shared through the same messaging system, and their context against the written messages. The relevant bundle pages are referenced in brackets where appropriate. The Facebook messenger system also showed a number of sound messages interspersed with the written messages, emojis, memes and photographs. These have not been heard or relied on as evidence.

6.5 The panel noted that in the unchallenged statement from Ms X, the mother of Miss A, she states that there were additional messages exchanged on the WhatsApp platform, but these have not been preserved.

6.6 The panel were satisfied that given the Officer was Miss A's coach, he would have known that she was 13 years old at the material time.

6.7 The Officer also knew that Miss A had been diagnosed with and was being treated for ADHD. Therefore, the Officer would have known that Miss A was a vulnerable child.

6.8 It is clear from the message exchange that Miss A also knew that her coach (the Officer) was a serving police officer which, together with the coach/student and adult/child context, provides an unambiguous power imbalance.

6.9 In his regulation 31 response, the Officer stated that he did not blur any boundaries. He did not remember sending the number of messages that have now been provided. He had no intention of forming an improper relationship with Miss A. The Officer states that throughout this time he was suffering with his mental health and trying to manage his ADHD. He stated that as a result he was not acting in his normal manner and allowed himself to be drawn into communications that he would not normally engage in.

6.10 However, the Officer has, in the pre-hearing procedure expressly accepted that his ADHD diagnosis is not linked to causation.

6.11 The Officer voluntarily did not attend the hearing, thereby forfeiting his opportunity to give evidence or be cross examined on it.

6.12 The panel considered the particulars of the allegations separately:

a. Failed to set and/or maintain appropriate boundaries.

The Officer had been given permission to contact Miss A directly by her mother.

However, the panel thought it was ill-advised for the Officer to have agreed to direct social media contact with Miss A without oversight from her parents.

As a police officer he would have known that it is standard practice that when an officer speaks to a child, this is almost exclusively (except in extreme circumstances) done in the presence of an adult. This is done to safeguard both the child and the officer.

Whilst the Officer was not on duty, it can be reasonably concluded that this approach would be equally relevant in the context of an adult coaching relationship with a child.

Therefore, by virtue of his role as both a police officer and a sporting coach, the panel were satisfied that the Officer would have known that contact with a vulnerable child without third party oversight would have been extremely unwise.

This became even more relevant when the panel were provided with a statement from a person who had previous experience working with Miss A and Ms X. This was in his capacity as a Marshall Arts teacher. He had specifically warned the Officer that Miss A and Ms X had moved clubs several times as a result of being “over friendly” and troublesome. He was concerned they would cause issues for the Officer. This should have resulted in an even greater degree of caution by the Officer.

Whilst the panel accept that Ms X had given permission for some messaging between the parties, it should have been restricted to coaching matters only.

Ms X states that she did not realise the extent and content of the messages that were being exchanged.

The Officer used the Messenger platform to discuss inappropriate and adult themed matters which were “out of coaching” in context.

At no point during the message exchange does the Officer tell Miss A that it would not be appropriate to discuss themes that go beyond coaching or training, or that she should not be messaging throughout the night, or whilst she was at school.

There were many opportunities for the Officer to sensitively withdraw during the message exchanges, but this did not happen. He instigated converations about adult themed matters such as alcohol, tattoos, sexual relationships and horror movies with her.

The responsibility for maintaining appropriate boundaries in terms of volume and content of contact clearly lay with the Officer.

FINDING - The panel found the Allegation proven on the balance of probabilities.

b. **You exchanged messages when you knew or believed Miss A to be at school**

The panel found at least two occasions where the Officer messaged Miss A whilst she was at school (pg. 114). On both these days the Officer proactively began the chat. The Officer would have known it to have been a school day. Miss A confirmed on one of those occasions that she was in school. The panel were satisfied that the

Officer knew Miss A was in school as he replied “cool…. Now get some learning done”.

FINDING - The panel found Allegation b proven on the balance of probabilities.

c. The contact was excessive and beyond that which was required for coaching and/or mentoring.

The panel is satisfied that at least 1126 messages were exchanged between the Officer and Miss A.

Throughout the month of December alone 530 messages were exchanged (taken from the statement of the police analyst, pg. 95).

There were also several voice messages sent that have not been downloaded and therefore their content remains unknown.

The Officer states he does not remember the volume of messages. The panel reject this.

The volume of messages was far beyond what would be ordinarily expected between a coach and a student, and this is only exacerbated when considering these messages contained adult themed content, that were between a 41 year old coach and a 13 year old child, and undertaken in an unsupervised social media setting.

FINDING - The panel found Allegation c proven on the balance of probabilities.

d. The messages included a discussion about a boy about whom safeguarding concerns had been raised. The messages included telling Miss A, “Don’t worry, I won’t tell your mum,” when asking her about her romantic relationship with a much older boy.

During the message exchanges Miss A sends a screenshot of the length of time recorded of a phone call between her and a boy (pg 138).

The Officer questions Miss A about him and this culminates with the Officer sending a picture containing many love hearts with the writing “it must be love”.

Miss A replies to say “no, he’s 16”.

The Officers immediate response is “Don’t worry, I won’t tell your mum,”.

This message signals the Officer is happy to conduct an exchange that is secretive in nature. It is entirely the opposite of what should have occurred.

A police officer should have been wary about a child of 13 being in a romantic relationship with a 16 year old. It should have triggered a safeguarding concern and at the very least, the Officer should have proactively alerted Ms X, as opposed to telling the child he would actively avoid sharing this information with her mother.

FINDING - The panel found Allegation d proven on the balance of probabilities.

e. You discussed adult matters with Miss A, including your partner wanting a baby.

Immediately after the above messages regarding the 16 year old boy, the Officer steers the conversation to his relationship with his partner and states "Don't worry, I've got (redacted name of Officer's partner) asking me for another baby".

The Officer then proactively asks Miss A if she knew he was in a relationship with this person.

Included in the message exchanges, and in addition to the adult themes already listed in the particulars, the Officer also starts conversations relating to the serial killer, Jeffrey Dahmer (pg.206) and the sci-fi horror movie, Predator.

The Officer calls Miss A "tithead" in one thread (pg. 112)

The panel found that these are matters that should not be discussed with a 13-year-old child.

FINDING - The panel found Allegation e proven on the balance of probabilities.

f. You discussed your relationship with your partner.

Linked to the findings within Allegation e above, the message exchanges included references to the Officers partner kissing him (pg. 149), and that his partner was in the bath (pg. 145).

Miss A asks the Officer how long he has been in a relationship with his partner. (pg 146) He replies:

Officer: "a long while it's just been very complicated"

Miss A:" I didn't think it was complex but I could tell u to were dating because of last and before last budo" [sic]

Officer: "what mean?" [sic]

Miss A: "I saw her sitting on your lap like a wee one and u were cuddleing and everything. dw I won't tell no one" [sic]

Officer "Its OK. It's just a complicated situation, as anything in life tends to be".

Miss A "true but it's safe with me"

Officer "Hahah thankyou" [sic].

Miss A "its alr dw. I have lots of thing people have told me I never tell anyone not even my mum" [sic].

The Officer fails to challenge the suggested secretive nature of this exchange and moves on to another topic area.

The panel found the message exchanges to be wholly inappropriate and containing concerning adult and covert undertones.

FINDING - The panel found Allegation f proven on the balance of probabilities.

g. You discussed your consumption of alcohol.

The Officer states in his regulation 31 notice that he did not discuss his alcohol consumption with Miss A but accepts he mentioned in passing about a night out.

The panel rejects this.

The Officer voluntarily Officers up that “Me and (partner) got very very very very very drunk” and goes on to say that his partner is very hungover (pg. 231).

The Officer later volunteers that is having trouble sleeping and says “I think I need whisky” (pg, 212). He goes on to explain it is 43.1 % vs lager at 5%, and that this isn’t his strongest.

FINDING - The panel found Allegation g proven on the balance of probabilities

h. You discussed tattoos.

At 08.27 hours on 22nd December the Officer commences an unsolicited conversation by announcing "Tattoo day" (pg. 237).

The Officer then sends photos with the caption "let the pain begin".

The photos are of a tattoo table. There is an exposed leg with a tattoo artist using a needle on a pre-applied stencil.

This chat follows an earlier reference to tattoos where the Officer asks Miss A what she thinks he should get.

FINDING - The panel found Allegation h proven on the balance of probabilities

i. Asked Miss A to pass comment on the kit worn by another girl at the club.

There is a conversation initiated by the Officer where he discusses and sends pictures relating to another child at the club (pg. 149). The Officer makes a disparaging remark about the sporting kit the child is wearing. This was of concern to the panel as the Officer should not have been discussing other children with Miss A, and especially not in a derogatory manner.

FINDING - The panel found Allegation i proven on the balance of probabilities

j. Sent a picture of yourself making a rude gesture.

The Officer sent a photograph of himself holding a mug whilst giving a middle finger gesture to the camera (pg. 253).

FINDING - The panel found Allegation j proven on the balance of probabilities

k. k. You discussed Miss A's ADHD condition.

Miss A's ADHD is discussed in several places throughout the exchanges.

Of greatest concern to the panel is that (pg. 270) Miss A indicates she is "off her meds" and the Officer replies that "you're a legend when you're off them".

A child's medication is something that should not be commented upon without close medical or parental supervision.

By virtue of his position as the coach, any possible suggestion (to a vulnerable and impressionable child) that she is somehow better without medication could result in significant harm and would be classed as an immediate high risk safeguarding concern.

FINDING - The panel found Allegation j proven on the balance of probabilities

7. Breach of the Standard of Professional Behaviour - discreditable conduct.

7.1 The panel were satisfied that the Officer engaged in a wholly inappropriate social media message exchange that continued over a twelve-month period. More than one thousand messages were exchanged and a very high volume related to adult themes and non-coaching topics. The Officer did so knowing that Miss A was 13 years old and was additionally vulnerable because of her ADHD.

7.2 He was also a serving police officer at the time. The public put their trust in the police. There is statutory guidance (Working Together to Safeguard Children) that demands the police and other agencies (including sporting clubs) prioritise the safety of children, and the Officer would have known this.

7.3 The parents of the children at his club would expect that their child was safe in the presence of their coach. This would be an even stronger belief given that the coach was also a serving police officer. The Officer has grossly undermined his position because of his conduct.

7.4 It follows that he has behaved in a manner which would discredit the police service and undermine public confidence in it, and therefore the panel find that he has breached the relevant standard of professional behaviour relating to discreditable conduct.

8. Conclusions on the basis of the findings

8.1 The panel considered whether the conduct amounts to misconduct or gross misconduct.

8.2 In doing so we referred ourselves to the four-stage test for seriousness as laid down in the College of Policing Guidance on Outcomes in Misconduct Proceedings.

Culpability

8.3 Culpability denotes the Officer's blameworthiness or responsibility for their actions. The more culpable or blameworthy the behaviour in question, the more serious the misconduct and the more severe the likely outcome.

8.4 The outcomes guidance specifically denotes the types of misconduct which should be considered especially serious, and that relates to conduct involving vulnerable people.

8.5 The Officer knew this to be the case as he knew Miss A was 13 years old, and she had ADHD.

8.6 The Officer had been previously warned to be cautious by someone who knew Miss A and Ms X.

8.7 The panel concluded that culpability was at a high level.

Harm

8.8 Ms X provided a statement that indicates a profound impact on Miss A in the aftermath of this matter.

8.9 Public confidence in policing would be significantly harmed if they knew about the gross breach of trust because of his position as an Officer and his role as a sporting coach.

8.10 The panel concluded that harm was at a high level.

Aggravating factors

8.11 In his submitted statement, the Officer has deflected blame for this matter towards Miss A and Ms X. In his statement to the panel the Officer states he is "not totally unblameworthy in the situation and there are things I could have done differently or approached better", but he does not accept the factual allegations. The Officer's lack of insight into the grave nature of this safeguarding breach was of concern to the panel.

8.12 The conduct lasted for over twelve months and involved over one thousand messages continuing after the Officer should have realised that it was improper.

8.13 Whilst this does not fully align with the Violence Against Women and Girls strategy (as it is not "violence" per se), there is no question that the way Police Officers treat women and girls is of national concern.

Mitigating Factors

8.14 The Officer has claimed that his mental health and ADHD contributed to his conduct but later accepted that it was not linked to causation.

8.15 The panel were unable to find any other mitigating factors.

Seriousness

8.16 In the light of the panel findings above, the panel concluded that seriousness was overall at a high level and that this was a case that amounted to gross misconduct.

9. Stage Two. Outcome.

9.1 The panel reminded themselves of the three-fold purpose in police misconduct proceedings:

a) to maintain public confidence in, and the reputation of, the police service

b) to uphold high standards in policing and to deter misconduct

c) to protect the public

9.2 The Panel had sight of and considered the Officer's service record and noted there were no other live disciplinary findings.

9.3 To the Officer's credit the panel observed examples of notable achievements during his service, where he had been awarded three commendations for his contributions to policing.

9.4 Following further oral submissions from the AA and the Federation, the Panel re-adopted the staged process as outlined in the College of Policing Guidance on Outcomes in Police Misconduct Proceedings to determine the appropriate outcome, firstly re-assessing stage one views on culpability, harm, aggravating and mitigating factors. The panel made some changes to that assessment as follows (these are in addition to the stage one observations):

Culpability

9.5 The panel included in the further assessment that the officer held a position of trust at the relevant time and could have reasonably foreseen the risk of harm.

9.6 The panel considered Miss A's status relative to the Officer and whether the officer abused his position. The panel identified there was a power imbalance by virtue of the fact that the officer was 41 years old and held role of both coach and police officer, and that Miss A was 13 years old, his student and vulnerable.

9.7 Therefore, the panel found the culpability to be high.

Harm

9.8 The panel made no change to the assessment of harm and assessed this at a high level.

Aggravating Factors

9.9 The panel revisited the aggravating factors and made a minor change to the assessment by moving their observations on the Officer's view on mitigation into the following section (to avoid double counting).

Mitigating Factors

9.10 The panel considered the Officer's submission that his mental health difficulties affected his conduct. Whilst the panel accepted that the officer may have been experiencing mental ill health at the material time, the Officer did not provide any medical evidence that could assist the panel in that regard, and the impact that it would have on him.

9.11 The Officer's Federation representative suggested that the personal letter from the Officer included contrition and remorse. The panel revisited this letter and noted that the level of expressed contrition was minimal.

9.12 In his statement to the panel the Officer states "the way I get portrayed is unfair. I am not totally unblameworthy in the situation and there are things I could have

done differently or approached better". The Officer did not accept the factual allegations. The panel maintained their view that there was a concerning lack of insight from the Officer.

10. Consideration of Outcomes:

10.1 The appropriate authority submitted that only a finding that the Officer would have been dismissed had he still been in service would fulfil the purposes of this disciplinary process.

10.2 The Federation made representations on mitigation only. No submissions were made regarding outcome.

10.3 The panel was alert to the fact that the purpose of misconduct proceedings is not to punish an officer. The outcome should be no more than necessary to satisfy the purpose of the proceedings.

10.4 The panel firstly considered whether recording a finding of gross misconduct and taking no further action was appropriate.

10.5 Having regard to the purpose and all of the matters set out above, the panel decided that taking no further action would not be sufficient when considering the nature of the proven allegations, the purpose of the disciplinary regime and the protection of the public.

10.6 The evidence against the Officer was overwhelming.

10.7 The matter concerns a serious breach of trust involving a child and clearly could have an impact on public confidence in policing and the reputation of the police service.

10.8 His behaviour is such that he has demonstrated that he plainly has no future in the police service.

10.9 Therefore, the panel concluded that the most appropriate outcome was a finding that the Officer would have been dismissed had he still been a serving member of the police force and that this sanction does fulfil the purpose of the misconduct regime.

10.10 The Officer must be placed on the barred list.

10.11 In accordance with Police (Conduct) Regulations 2020 the Officer has a right to appeal to a Police Appeals Tribunal against the findings and outcome of a misconduct hearing.

Persons Chairing Misconduct Hearing:

ACO 5775 Sarah Jackson
Cai Mallett
Paul Harvey
29th October 2026

Determination of your alleged breach of the Standards of Professional Behaviour

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

……

Outcome - *If alleged breach found to be misconduct or gross misconduct*

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: 29th October 2026

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:

2. **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).

3. **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

4. 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 ☐

gnature of Officer concerned:		Date:	

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: -

ame:		Signature:		Date:	

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.