

Accelerated Misconduct Hearing

Regulation 63 – Notification of Outcome

Officer:	Former Officer A
Date:	23 rd September 2026
Chair:	Debra Tedds

The Decisions of the Hearing

Allegation No.	Allegations (See Regulation 51 Notice)	Finding Proven / Not Proven	Outcome
	It is alleged that the officer breached the Standards of Professional Behaviour in that they misused Force computer systems by accessing and using policing systems outside the proper course of their duties as follows: a. On 1st October 2024, whilst on duty, the former officer conducted a search for an address of a house on the same street as their home address. b. On 1st October 2024, whilst on duty, the former officer conducted a separate search for a different address of a house on the same street as their home address. c. On 2nd October 2024, whilst on duty, the former officer repeated a search for an address on one of the houses on the same street as their home address. d. On 13th March 2025, the former officer conducted a search for the address of a local Lloyd TSB bank. e. On 13th March 2025, the former officer conducted a search on their home post code and opened the location detail for that address. It is alleged that the officer's conduct has breached the Standards of Professional Behaviour relating to Confidentiality and Discreditable Conduct: Confidentiality – you failed to treat sensitive policing information with respect, and you did not access it for policing purposes in the proper course of your duties.		

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	Discreditable Conduct – your conduct has brought discredit on you as a police officer and policing generally. You have abused your position as a police officer which gave you privileged access to confidential policing information. Accessing such information without a policing purpose is a significant breach of trust, causing a loss of public trust and confidence in the profession. Your conduct is considered so serious as to amount to gross misconduct.		
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The reasons for the decision as to Finding:

Prior to and at the commencement of the hearing representations were made by the former officer in respect of the hearing being held in private and reporting restrictions being put in place in order to protect her identify due to her own mental health and the welfare of her daughter.

Having considered the representations made on behalf of the former officer by her federation representative and supporting medical and third party evidence, I was satisfied that the hearing should be held in public, supporting the openness, transparency and legitimacy of police misconduct hearings but reporting restrictions should be put in place in order to protect the identify of her daughter and her ongoing safeguarding and welfare. I therefore made a direction under regulation 59 (2) (c) that the former officer should be referred to as Former Officer A within any public facing documents or publications. There should be no publication of her name or of any other information capable, whether by itself or in combination with other information that could identify her.

In addition, any part of the hearing that deals with any private medical information should be held in private and not reported upon.

I was satisfied that Former Officer A had had proper notice of the hearing and that it would be fair and in the interests of justice to proceed in her absence.

As Chair, under the regulations, I am asked to approach this case in stages, which I have done so.

Police Misconduct regulations 41(16) sets out:

The person or persons conducting the misconduct proceedings must not find that the conduct of the officer concerned amounts to misconduct or gross misconduct unless:-

- a. They are satisfied on the balance of probabilities that this is the case, or*
- b. The officer admits it is the case.*

I have read all the papers received as part of the bundle and considered what was said at hearing. FO A admitted to breaching the standards of professional behaviour and offered an apology for her actions within her regulation responses. She did not outline whether she accepted that her conduct amounts to misconduct or gross misconduct and therefore I must assume that she does not accept the conduct amounts to misconduct or gross misconduct.

The burden is on the Appropriate Authority to prove the allegations on the balance of probabilities. The Appropriate Authority relied upon the evidence submitted by way of IT audits showing that FO A logged onto the systems as per the allegations outlined in the regulation 51 notice. In addition, that the former officer had undergone relevant training in respect of use of force systems and therefore knew or should have known her actions breached force policy.

Based on what I heard and read, I found that the factual allegations against Former Officer A to be proven and breached the standards of professional behaviour – namely confidentiality and discreditable conduct.

In determining the seriousness of the breach of professional standards of behaviour and having regard to the College of Policing guidance on outcomes

and the definition of gross misconduct in regulation 2 of the regulations in my view, these breaches of the standards of professional behaviour amount to gross misconduct, that is to say that is so serious that the officers dismissal would be justified.

The reasons for the decision as to Outcome:

As a former officer the only outcome I can arrive at is either:

- Disciplinary action – the former officer would have been dismissed had they still been a serving member of the Force or
- No disciplinary action.

In arriving at my decision, I carefully considered what the appropriate outcome is in this case and focused upon the evidence presented, the officers record of service and character evidence.

I have also recognised the purpose of the police misconduct regime, to maintain public confidence in, and the reputation of, the police service, uphold high standards in policing and to deter misconduct and protect the public. I have utilised the College of Policing Guidance on outcomes to assist in determining the most appropriate outcome. This included the three stages to determining the appropriate action and assessing the seriousness of the proven conduct through culpability, harm, aggravating and mitigating factors before any personal mitigation.

Culpability

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. Conduct that is intentional, deliberate, targeted or planned will generally be more culpable than conduct that has unintended consequences, although the consequences of an officer's actions will be relevant to the harm caused.

I believe that FO A's actions were intentional, deliberate and to an extent planned. The misuse of police computer systems or confidential police information more generally is a particular concern. The public have a right to expect personal information held by the Police to be treated in strictest confidence, properly protected and only used for legitimate policing purposes. FO had no policing purpose to access the systems and the information that she did and did so for her own personal reasons. By doing so FO A breached local and national policy and abused her position as a police officer.

Harm

Harm caused by an officer's actions can be considered in various ways. Where an officer commits an act that would harm public confidence if the circumstances were known to the public, this should be taken into account. FO A was only able to access the systems due to being a police officer. Whilst there was no direct victim, her actions, if known to the public, would undoubtedly have a negative impact on trust and confidence within the police and cause reputational damage to West Midlands Police and the wider service.

Policing relies on members of the public reporting matters and sharing information in order to uphold the law and protect the public.

Aggravating Factors

Aggravating factors are those tending to worsen the circumstances of the case, in relation to either the officer's culpability or the harm caused.

I have sought to avoid double counting either within the list of with the factors already considered as part of my assessment.

I have already stated that I believe FO A's actions to be intentional and deliberate and for her own personal reasons. She abused her position as a police officer and significantly deviated from her training, force and national policy. FO A should have raised her concerns to a supervisor or a on duty officer and asked for help.

Access was made on multiple occasions, accessing several systems on different dates over a prolonged period of time.

The proven misconduct has found a breach of more than one standard of professional behaviour.

Mitigating Factors

Mitigating Factors are those tending to reduce the seriousness of the misconduct.

I accept that FO A made an early admission when she was questioned about the conduct and has offered an apology appearing to be remorseful for her actions which has ended over 20 years of service with West Midlands Police. There is no evidence to suggest that the former officer shared the information obtained with any third party and used for her own person reassurance.

Personal Mitigation

The weight of personal mitigation will necessarily be limited, particularly where serious misconduct has been proven. Nonetheless, personal mitigation is always relevant and should always be considered.

As stated above, FO A has served for over 20 years and has an otherwise unblemished policing career. I have taken note of the former officers record of service and character evidence submitted on her behalf which details her as a caring officer who has been dedicated to policing.

Selecting the Appropriate Outcome

Having regard to the three fold purpose of police conduct proceedings as detailed above each is relevant in my decision as to the appropriate outcome and ensuring it is a proportionate means of achieving the aim of the misconduct regime.

Having considered all of the circumstances, I have decided that the only appropriate outcome to reflect the seriousness of the proven gross misconduct is to impose disciplinary action and therefore if the Former Officer was still serving then she would have been dismissed.

I have considered the personal mitigation put forward by the officer in respect of her mental health and the medical evidence confirming the former officers anxiety and depression. I have considered the medical evidence and whether this is likely to engage considerations under the Equality Act 2010.

I have taken care to ensure that the former officer has not been treated less favourable because of those matters. I am satisfied that the outcome reached is proportionate based on the gravity of the misconduct, the repeated nature over a prolonged period of time, the seriousness assessed and remains legitimate to meet the aims of the misconduct regime.

The officers name will be placed on the College of Policing Barred List.

Reg 63(2) Right of Appeal:

You have a right of appeal against the outcome under the following circumstances: -

- a) the finding or outcome was unreasonable;
- b) 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; or
- c) there was a breach of the procedures or other unfairness which could have materially affected the finding or decision on outcome.

Should you wish to appeal this must be done to the Police Appeals Tribunal by writing to the Police and Crime Commissioner, West Midlands Office for Policing and Crime **within ten working days** beginning with the day after receipt of this notice. Please note that the tribunal can increase any outcome imposed as well as reduce or overturn the decision of the chair. You have the right to be legally represented at the appeal hearing.

Decision on Publication:

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Chair's Signature:	DJ Tedds	Date:	29 th September 2026