Accelerated Misconduct Hearing

Regulation 63 – Notification of Outcome

Officer:	PC [redacted]
Date:	30-10-26
Chair:	Julia Debenham

The Decisions of the Hearing

Allegation No.	Allegations (See Regulation 51 Notice)	Finding Proven / Not Proven	Outcome
	Alleged Conduct 1. On 04 August 2025 you were contacted whilst off duty and asked to attend Coventry Central Police Station. 2. Prior to entering the police station for the second time you placed your personal mobile phone in a bush at the rear entrance of the station. 3. In the station, you were arrested for an offence and detained for interview. 4. During the criminal interview you were told by the interviewing officer that the investigating officer sought to seize your mobile devices. You were asked for the location and passcode of the mobile devices. You replied 'No comment' to these questions. 5. At 23:00pm, the Duty PACE Inspector attended your cell and asked you to confirm the location of your mobile devices. You subsequently informed the Duty PACE Inspector that you had placed your personal device into the bushes close to the police station and that your work mobile phone was in your stab vest inside the police station. The devices were then retrieved by officers.		

	6. After this disclosure, you voluntarily provided your PIN number for your personal mobile phone to the Duty PACE Inspector. 7. You have admitted you put your personal mobile phone in the bush because you 'panicked' and felt 'uncertain' about why you were asked to attend the police station, in the knowledge it was unlikely to be for a positive reason and concerned that your phone would be seized for a prolonged period. It is alleged that you breached the Standards of Professional Behaviour in that; a. You hid your personal mobile phone in a bush at the rear of Coventry Central Police Station with the purpose of preventing its seizure. By hiding the location of your mobile devices, your actions breached the Standards of Professional Behaviour relating to Discreditable Conduct and Honesty and Integrity: **Honesty and Integrity-** you failed to be honest and act with integrity **Discreditable Conduct-** your conduct has brought discredit on you as a police officer and policing generally, undermining public confidence in the profession Your conduct is considered so serious as to amount to gross misconduct.		

The reasons for the decision as to Finding:

I base my findings on the evidence that has been presented in documentary form, along with the submissions made on behalf of the Appropriate Authority and the case presented by the officer.
I make it clear that I am not aware of any of the details of the criminal allegations that are related to this officer.

I approach this in the following stages:

- Determination of facts
- Whether those facts are breaches of the standards of professional behaviour
- Whether any breaches amount to misconduct, gross misconduct or neither

FINDINGS OF FACT

1. On 04 August 2025 you were contacted whilst off duty and asked to attend Coventry Central Police Station – this is agreed and proved

2. Prior to entering the police station for the second time you placed your personal mobile phone in a bush at the rear entrance of the station -this is agreed and proved.

3. In the station, you were arrested for an offence and detained for interview – this is agreed and proved.

4. During the criminal interview you were told by the interviewing officer that the investigating officer sought to seize your mobile devices. You were asked for the location and passcode of the mobile devices. You replied 'No comment' to these questions.- this is agreed and proved. The AA does not seek to pursue any issue in relation to this matter. The officer's case is that he was acting in line with his legal advice.

5. At 23:00pm, the Duty PACE Inspector attended your cell and asked you to confirm the location of your mobile devices. You subsequently informed the Duty PACE Inspector that you had placed your personal device into the bushes close to the police station and that your work mobile phone was in your stab vest inside the police station. The devices were then retrieved by officers. This is agreed and proved.

6. After this disclosure, you voluntarily provided your PIN number for your personal mobile phone to the Duty PACE Inspector. This is agreed and proved

7. You have admitted you put your personal mobile phone in the bush because you 'panicked' and felt 'uncertain' about why you were asked to attend the police station, in the knowledge it was unlikely to be for a positive reason and concerned that your phone would be seized for a prolonged period. This is partially agreed and partially proved.

   The officer has explained that he had received a phone call whilst on annual leave from a sergeant who asked him to attend the police station.

The sergeant appeared anxious and abrupt. The officer told the sergeant that he was scaring him.
The officer's partner has provided a statement that corroborates his distress.
The officer has described a previous call he had received a few weeks earlier whilst off duty. This related to a death following police contact whereby the officer had been the last person to see the deceased. This had caused him upset.
The officer has described leaving home to go to the station in escalating fear. This account is not contested by the AA.
On arrival, the officer entered the police station whilst holding his personal phone. He went to the front office but no one was waiting for him and he did not know who to ask for. He describes going back outside and describes becoming more anxious. He was imagining that something serious had happened to a family member or had arisen as a result of a work related incident. He describes "**in a moment of acute panic, I impulsively placed it (the phone) beneath a bush without planning or considering the consequences."**
The officer went back into the station and was subsequently arrested.
The officer agrees that this action was not a rational or sensible thing to do, but denies that it was done dishonestly. Instead he says that it was done in a moment of panic.

There is no evidence presented to me to suggest that there was any information on the phone that would have assisted any investigation or that would have been incriminating to the officer for any matter. The allegation against the officer is purely that he hid it in the bush in order to avoid it being seized.

In his evidence the officer has stated that

- He was suffering from significant psychological distress
- Putting the phone in a bush was an irrational act
- He did not know that he was to be arrested and he was not trying to hide his phone for that reason.
- The phone was new, not backed up and he was frightened of losing access to it as it is full of personal information

The officer's state of mind at the time is relevant.

I have considered whether the evidence suggests that he panicked as he contends or whether this was a deliberate and dishonest attempt to conceal his phone to avoid it being seized?

On balance, I accept that the officer was panicking. The evidence that supports this includes

1. The account of his partner when he received the call from the sergeant.
2. His uncontested account of the phone call from the Sergeant who appeared anxious
3. His uncontested account that he arrived at the station and no one was there to meet him, thereby heightening his anxiety and leading him to exit the police station
4. The account that he provided to PS Lloyd the following day in which he said he had panicked but was not trying to hide anything.
5. The fact that there is no evidence to suggest that there was a reason for the officer to behave in a dishonest way as there was nothing on his phone to cause him concern.

6. I have also taken into account the custody record that supports the fact that the officer was distressed, albeit this is after he has been arrested [redacted].

Having determined that the officer was panicking when he put his phone in a bush, I then turn to whether the action was a breach of a standard of professional behaviour.

Honesty and Integrity

The officer panicked and hid his phone in a bush in an irrational moment because he did not want to lose access to it. He did not know why he had been summoned to the police station or what had happened but feared something very negative.

Was the placement of the phone in a bush dishonest or did it lack integrity?

At that time, the officer did not know that he was to be arrested. He was off duty and had attended on annual leave. He was fearful about what was going to happen and he was imagining a range of scenarios. He was fearful of losing access to his phone. At that time, he had no reason to think that his phone was to be needed for any evidential purpose as he was unaware of the allegation that had been made against him. He had not been asked to bring his phone with him when the sergeant called him.

In hindsight, he agrees that his action to hide the phone looks suspicious and was very unwise. It is, as asserted by the AA, an obvious consequence of hiding it, that it would be prevented from being seized.

This was a momentary action undertaken in a moment of panic whilst off duty, and that was unconnected to his role as a police officer.

The officer was arrested when he went back in to the station. He has described his distress at being arrested [redacted] and this is corroborated in the custody record. He subsequently received legal advice and made a prepared statement for interview. When asked about his phone during that interview, he made “no comment” replies as per his legal advice.

It is not contested that the first time that he is asked about the whereabouts of his phone, outside the criminal interview where he was following legal advice, was at around 2300 hr that night. He immediately provided the whereabouts of his phone and subsequently his pin number. I find that he provided those details as soon as he reasonably could following the interview for the criminal matters.

Whilst the placing or hiding of the personal phone in a bush was an ill-thought out action of this officer in a moment of panic whilst off duty, I do not find that it breaches the standard of professional behaviour of honesty and integrity.

Discreditable Conduct

I do not find that this standard has been breached.

The officer has made an irrational but not dishonest decision.

The officer has provided the whereabouts of his mobile phone when asked for it outside his PACE interview.

The officer's replies to questions during his PACE interview are consistent with his rights and were not improper.

The officer had no reason to believe that there was anything incriminating on his mobile phone.

Nothing incriminating was found on his mobile phone.

His behaviour does not bring the police into disrepute.

In summary, I find that there are no breaches of the standards of professional behaviour and as such no misconduct.

There is therefore no requirement to move on to the next stage of proceedings relating to outcome.

The reasons for the decision as to Outcome:

In determining that there has been no gross misconduct, the Regulations allow me to either dismiss the case or to return the case to the AA to deal with in accordance with Part 4.

This case centres around one factor – the fact that the officer put his mobile phone in a bush. In examining the evidence and coming to my finding, I have fully explored the evidence and I have come to a finding that this act does not amount to misconduct.

On that basis, I direct that the case is now dismissed.

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:			
Publish in the usual way, without identifying the officer as the anonymity ruling remains in place.			
Chair's Signature:		**Date:**	3/11/26