

Avon and Somerset Constabulary
Misconduct Proceedings - Outcomes (2017)

Date	Rank	Breach of Professional Standard	Summary	Misconduct/ Gross Misconduct	Outcome
09/01/2017	Police Constable	<ul style="list-style-type: none"> Discreditable Conduct 	<p>A police constable was convicted at Cardiff Magistrates court of driving or being in charge of a motor vehicle with an alcohol concentration over the prescribed limit contrary to S5(1) of the Road Traffic Act 1988 & Schedule 2 of the Road Traffic Offenders Act 1988.</p>	<p>Gross Misconduct (Public Hearing)</p>	<p>Following a Special Case Hearing the officer was dismissed (without notice).</p>
27/02/2017	Police Staff	<ul style="list-style-type: none"> Duties and Responsibilities 	<p>A member of police staff took property, namely a high intensity LED light and light shade from a premises they had attended as part of an investigation into cannabis cultivation. The property had not been recorded on the constabularies 'Detained Property Register' (DPR) system and the member of staff did not seek permission to take the items home.</p>	<p>Gross Misconduct (Public Hearing)</p>	<p>Dismissal (with notice). Changed to a 24 month final written warning on appeal.</p>
01/03/2017	Police Constable	<ul style="list-style-type: none"> Discreditable Conduct 	<p>The officer was the registered keeper of a vehicle, which was recorded by a mobile speed camera van to be exceeding the speed limit of 38 mph in a 30 mph limit.</p> <p>The officer was convicted at North Somerset Magistrates Court for failing to give information identifying a driver of the vehicle at the material time (S172(3) of the Road Traffic Act 1988). The court did not accept the officer's defence that they had shown reasonable diligence in identifying the driver of the vehicle.</p> <p>Later, Bristol Crown Court dismissed the officer's appeal.</p>	<p>Misconduct (Meeting)</p>	<p>Final written warning – 18 months</p>

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			In addition, in 2012 the officer was convicted of exceeding 30 mph on a restricted road at Bath Magistrates court. The officer did not inform the constabulary of this court conviction.		
16/03/17 to 17/03/17	Police Constable	<ul style="list-style-type: none"> • Authority, Respect and Courtesy • Discreditable Conduct 	A police constable engaged in an inappropriate emotional and then sexual relationship with a victim of domestic violence, in which he was the officer in charge of her case. In the course of that inappropriate sexual relationship, he took a photograph of his penis and sent that photograph to the female while on duty at Bristol Crown Court.	Gross Misconduct (Hearing)	Dismissed (without notice)
13/04/2017	Police Staff	<ul style="list-style-type: none"> • Honesty and Integrity • Discreditable Conduct 	The staff member on more than one occasion submitted a 'weekly overtime' record, claiming overtime they had not worked. The record was authorised and sent for payment. The staff member failed to inform their line manager that they had submitted 'weekly overtime' records for overtime they had not worked.	Gross Misconduct (Hearing)	Dismissed
24/04/2017	Inspector	<ul style="list-style-type: none"> • Duties and Responsibilities 	Allegation 1 –not proven Allegation 2 - It was alleged that between January 2014 and May 2016 the officer used an Apple iPad tablet computer issued to them by Avon & Somerset Constabulary for their own and for their family's personal use.	Misconduct (Meeting)	Management advice
02/05/2017	Police Constable	<ul style="list-style-type: none"> • Duties and Responsibilities 	On or around 18 th October 2009 at 04:15 hrs, the officer received a report of four males fighting in Richmond Street, Weston-Super-Mare. One of those males was a black male. On arrival the officer saw four males together with police officers	Misconduct (Meeting)	Management advice

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		<p>in attendance. The officer arrested a male for assault but not for racially aggravated assault and took him to a police station.</p> <p>The officer reviewed CCTV of the incident with a Sergeant and considered that it showed two parties contributing to an aggressive incident, who were equally culpable. However, the officer performed no further investigation as to what was said and by whom before the incident, to establish why it started.</p> <p>The officer contacted the injured male to obtain further evidence and left a telephone voicemail message on or around 18th October 2009 at 06:43 hrs. The officer made no further attempt to contact him either to take a statement as to why the incident had taken place or at all, before the decision to close the matter and to take no further action.</p> <p>On 22nd October 2009, the officer telephoned the male to inform him that the investigation had concluded and that no action would be taken. On the male becoming upset and volubly irate at the inaction, the officer ended the telephone call.</p> <p>Allegation 1: Not proven at a misconduct meeting. Allegation 2: The officer was not diligent in the course of their duties and/or neglected the same in their inadequate handling and investigation of this matter.</p>		
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03/05/2017	Police Staff	<ul style="list-style-type: none"> • Authority, Dignity, Respect and Courtesy 	The member of staff acted in an aggressive manner towards colleagues; shouting abuse and made insulting comments.	Misconduct (Meeting)	Final written warning
03/05/2017	Inspector	<ul style="list-style-type: none"> • Confidentiality • Duties and Responsibilities 	At 07:29 on 13 th February 2017, the officer searched a name on a Police computer system. The search identified that the name was known to the Constabulary. At around 08:00 hrs on 13 th February 2017, the officer wrote an email to their line manager and others informing them that the search had been done and the officers rationale for doing the search. At 14:29 hrs on 13 th February 2017, the officer conducted a further search on a Police computer system (associated with the original name) and conducted a further search at 19:36 hrs. The search was not for a policing purpose.	Misconduct (Meeting)	Written warning valid for 12 months and a development plan.
13/06/2017	Police Constable	<ul style="list-style-type: none"> • Honesty & Integrity • Orders and Instructions • Discreditable Conduct 	The officer had entered into a sexual relationship with a person that they knew was believed to be involved in drug related criminality and failed to be open and honest when asked to provide details of that relationship.	Gross Misconduct (Public Hearing)	Dismissal (without notice)
26/06/2017 – 27/06/17	Police Constable	<ul style="list-style-type: none"> • Authority, Respect and Courtesy • Equality and Diversity • Discreditable Conduct 	The first allegation considered by the panel concerned an incident at the Magistrates Court in January 2017. It was alleged the officer said to a male “if you leave I will come and find you and beat the S**t out of you”. The panel found that the words that were used could be interpreted as being threatening but did not find that the officer had any intention of carrying out the threat. The panel	Gross Misconduct (Public Hearing)	Final written warning

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			<p>determined that the allegation amounted to misconduct.</p> <p>The second allegation considered by the panel concerned a number of Facebook posts shared/posted by the officer that could be deemed offensive to certain sections of the community on the basis of their nationality and religion. Furthermore, the officer posted a threatening comment on Facebook stating "if he touches my wife anymore I will rip his f***ing face apart".</p> <p>The panel concluded that the totality of the officer's behaviour amounted to Gross Misconduct.</p>		
28/07/2017	Police Staff	<ul style="list-style-type: none"> • Authority, Respect and Courtesy • Equality and Diversity • Discreditable Conduct 	The staff member posted a series of inappropriate comments on their Facebook page.	Gross Misconduct (Hearing)	Final written warning for 24 months.
10/08/2017	Police Staff	<ul style="list-style-type: none"> • Authority, Respect and Courtesy • Equality and Diversity • Discreditable Conduct 	It was alleged that the staff member made inappropriate comments to other staff members about a colleague that were discriminatory.	Gross Misconduct (Hearing)	Final written warning for 18 months
14/08/2017	Police Constable	<ul style="list-style-type: none"> • Honesty and Integrity • Authority, Respect and Courtesy • Discreditable Conduct 	The officer behaved in a controlling and coercive manner towards his partner. He assaulted his partner and caused her injury. He abused his position as a police officer for a personal reason. He submitted an intelligence report about a member of the public that he knew to be false.	Gross Misconduct (Public Hearing)	Dismissal (without notice)
23/08/2017	Police Constable	<ul style="list-style-type: none"> • Use of Force • Authority, Respect and Courtesy • Duties and 	The officer whilst on duty (in uniform) and dealing with an incident used unnecessary, disproportionate and unreasonable force on a 17 year old male.	Gross Misconduct (Public	Dismissal (without notice)

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		Responsibilities		Hearing)	
5-8/09/17	Inspector	<ul style="list-style-type: none"> Discreditable Conduct Honesty and Integrity Discreditable Conduct 	Following an Independent Police Complaints Commission (IPCC) investigation, the officer answered allegations that they knowingly provided incorrect, exaggerated information to the Coroner in their signed statement and oral testimony and to the IPCC in interview, concerning the demeanour of a detainee during their transportation to custody.	Not proven (Public Hearing)	Not proven.
07/09/2017	Police Staff	<ul style="list-style-type: none"> Duties and Responsibilities 	The staff member failed in their duty to reasonably care for a detainee and made inaccurate entries onto the custody record.	Gross Misconduct (Hearing)	Final written warning 24 months.
11/09/2017	Inspector	<ul style="list-style-type: none"> Orders and Instructions Duties and responsibilities 	Following an IPCC investigation, the officer attended a misconduct meeting to answer allegations that they failed to adequately assess a detainee's healthcare upon their arrival at a Police custody unit in 2010. It was further alleged that the officer failed to call for a healthcare professional and/or ambulance upon a) first suspecting the detainee was unresponsive when requesting that his pulse be checked in the police van and/or b) being aware that the detainee was unresponsive at all times thereafter.	Not proven (Meeting)	Not proven
20/09/2017	Police Staff	<ul style="list-style-type: none"> Authority, Respect and Courtesy Discreditable Conduct Honesty and Integrity 	The staff member undertook a course of anti-social behaviour against two complainants.	Gross Misconduct (Hearing)	Dismissal (with notice)
04/10/2017	Police Constable	<ul style="list-style-type: none"> Authority, Respect and Courtesy Discreditable Conduct 	Following an IPCC investigation, the officer attended a misconduct meeting to answer	Misconduct (Meeting)	Management advice.

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			allegations they acted unprofessionally in their dealings with a female who had received a death threat from her ex-husband. It was alleged the officer sought to minimise the female's concerns and did not keep an open mind when told about the offender's previous behaviour towards the female.		
04/10/2017	Police Constable	<ul style="list-style-type: none"> • Duties and responsibilities • Orders and instructions • Discreditable Conduct 	Following an IPCC investigation, the officer attended a misconduct meeting to answer allegations that their actions fell short of what was expected when dealing with a victim of domestic violence.	Misconduct (Meeting)	Written warning
10/10/2017	Police Constable	<ul style="list-style-type: none"> • Orders and Instructions • Equality and Diversity • Discreditable Conduct 	The officer shared posts on Facebook that were discriminatory and acted in a way that was not impartial.	Gross Misconduct (Public Hearing)	Final written warning
11-16/10/17	Police Constable	<ul style="list-style-type: none"> • Duties and Responsibilities • Orders and Instructions 	Following an IPCC investigation, three police constables attended a misconduct hearing. It was alleged that on 28/12/2014 a detainee received a blow to the head during a lawful and appropriate take down in a holding cell at Bridgwater Custody Suite. The panel determined that the officers failed to ensure that the blow to the detainees head was reported and logged.	Misconduct (Public Hearing)	No further action
17-19/10/17	Sergeant	<ul style="list-style-type: none"> • Duties and Responsibilities • Order and Instructions 	The officer was in charge of a custody suite in 2014 when their subordinate officer neglected their duties, meaning the sudden death of a detainee went unnoticed for two hours. The officer was also deemed to be careless in their record keeping.	Misconduct (Public Hearing)	Written warning

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19/10/2017	Inspector	<ul style="list-style-type: none"> • Duties and Responsibilities • Orders and Instructions 	<p>It was alleged the officer;</p> <p>a) Failed to disclose a fixed penalty notice for a motoring offence when completing a vetting form.</p> <p>b) Failed to notify the DVLA of a change of address.</p> <p>c) Provided inaccurate information in an online insurance application and renewal.</p>	<p>Misconduct Not proven</p> <p>(Meeting)</p>	Not proven.
19/10/2017	Sergeant	<ul style="list-style-type: none"> • Duties and Responsibilities • Orders and Instructions 	<p>Following an IPCC investigation, the officer attended a misconduct meeting regarding the care of a detainee in custody in December 2014. It was alleged the officer failed to make adequate enquires as to why a detainee in a holding cell was in the recovery position and to take necessary action.</p>	<p>Not proven</p> <p>(Meeting)</p>	Not proven
01/11/2017	Police Constable	<ul style="list-style-type: none"> • Duties and Responsibilities • Honesty and Integrity • Orders and Instructions 	<p>The officer failed to offer a vulnerable victim of domestic violence appropriate support and failed to investigate their serious allegations.</p>	<p>Gross Misconduct</p> <p>(Public Hearing)</p>	Dismissal (without notice)
07/11/2017	Police Constables	<ul style="list-style-type: none"> • Authority, Respect and Courtesy • Discreditable Conduct 	<p>Unbeknown to the two officers, they left a message on the complainants answer machine which included derogatory and offensive language about the complainant's vulnerable son.</p>	<p>Gross Misconduct</p> <p>(Public Hearing)</p>	Dismissal (without notice)
27/11/2017	Police Staff	<ul style="list-style-type: none"> • Discreditable Conduct 	<p>The staff member sent a female victim of crime a personal 'friend request' and messages via Facebook and Facebook Messenger.</p>	<p>Misconduct</p> <p>(Meeting)</p>	Written warning
11/12/2017	Police	<ul style="list-style-type: none"> • Equality and Diversity 	<p>The officer shared and/or commented on</p>	<p>Gross</p>	Dismissal (without

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	Constable	<ul style="list-style-type: none"> Discreditable Conduct 	Facebook posts that could be deemed as discriminatory and acted in a way that was not impartial.	Misconduct (Public Hearing)	notice)
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