



In the matter of the Police (Conduct) Regulations 2020
and in the matter of

PC Mohammed Moosa

Decision of Chief Constable Watson

Preliminary matters

1. I have today conducted an accelerated misconduct hearing at Unit A, GMP Force Headquarters, and have given consideration to various breaches of the standards of professional behaviour as pertain to PC Mohammed Moosa.
2. PC Moosa attended the hearing personally and he was represented by Ms Nash, a Barrister-at-Law, and supported by Insp Warner of the Police Federation. In the officer's Reg 54 Response, PC Moosa has accepted that he has breached the standards of professional behaviour namely: discreditable conduct, use of force; authority, respect and courtesy. I, having heard the evidence, and having given full consideration to all of the information provided, have determined that the breaches alleged are proven and that they amount to gross misconduct.

3. In coming to a determination as to the most appropriate outcome, I have taken cognisance of the submissions of the appropriate authority as contained within the bundle of evidence submitted to me prior to this hearing, with elements of the same being amplified in invited verbal submissions by the representative of the Appropriate Authority, Mr Madgewick.
4. The appropriate authority has submitted that the most appropriate outcome in this matter would be that PC Moosa is dismissed without notice and that his name should be placed on the College of Policing's Barred List.
5. Ms Nash, on behalf of PC Moosa, made a number of discreet submissions which collectively underpinned the final submission which was to suggest that this instance of misconduct should be regarded as exceptional and therefore capable of being fairly resolved by way of a final written warning.
6. In determining the appropriate outcome, I have had regard to the relevant provisions of the College of Policing's guidance on outcomes in misconduct hearings. I do recognise that it does not automatically follow that where breaches of the code of conduct are found to be so serious as to justify dismissal, that dismissal can be the only sanction implied. Nevertheless, it remains very powerfully the case that the principal objective in the conduct of these hearings must be to preserve public confidence in the police service.
7. In assessing the seriousness of the misconduct found, it is a matter of fact that PC Moosa, following an off-duty altercation with a member of the public, accepted a conditional caution for an offence of common assault. The offence stemmed from an assault upon a person with whom PC Moosa was acquainted by virtue of common service within a Mosque Committee. The

circumstances of the assault were that, following a verbal interaction in the kitchen area of a Community Centre, PC Moosa seized hold of the victim by the throat and held him violently prone for a period during which the officer sustained a continuing verbal interaction.

8. PC Moosa in accepting a criminal caution, which carries the same practical weight as a criminal conviction, also undertook to discharge a number of conditions which he duly did.

Outcome

9. In determining the appropriate disciplinary action, I have had regard to the relevant provisions of the College of Policing's Guidance on Outcomes in Misconduct Proceedings.
10. At the forefront of my mind has been the purpose of misconduct proceedings – these are expressly set out in the College of Policing's Guidance.
11. My approach has been to "adopt" the "3 stage approach" referred to in the same guidance.
12. I have assessed the seriousness of the conduct. I consider that PC Moosa's culpability must be regarded as high. He now holds a formal caution for a criminal offence. His actions were deliberate and, given his training and understanding, were carried out in the full knowledge that his conduct was patently unlawful and contrary to the very clearest corporate expectations as to the behaviours and standards required of police officers both on and off duty.

13. With regard to the aggravating factors set out in the College of Policing's Guidance, I have already pointed to the fact that the misconduct was deliberate, unforced and resulted in the infliction of an assault upon another. Whilst not an issue that PC Moosa can be held singularly accountable for, it cannot be ignored that public concern with regards the professional conduct of police officers, particularly in respect of unlawful violence, is currently both acute and pronounced.
14. I have noted Ms Nash's submission, contrary to that advanced by the Appropriate Authority, that the evidence does not conclusively signal an element of premeditation on the part of PC Moosa. There is however compelling evidence to suggest that PC Moosa was somewhat ill-disposed toward his eventual victim, he deliberately sought out the opportunity, and travelled to the venue in order to engage with the other party in a face-to-face manner and a physical assault resulted following a relatively brief conversation. The available footage shows no possible justification for the assault with PC Moosa's victim posing no obvious threat whatsoever. PC Moosa in his formal police interview accepts that his behaviour could not be justified and has made submissions as to the extent of his feeling that he needed to confront the other party given perceptions of personal slights and disrespect. Whilst it cannot be conclusively shown that PC Moosa attended the venue on that day with the singular intent of assaulting the other party, I find, on the balance of probabilities, that PC Moosa was intent on forcing a confrontation of sorts – an interaction during which he intended, at best, to impose upon another his strongly held objection to what had earlier passed between them. What is beyond dispute is that this confrontation, which had been deliberately engineered by PC Moosa, resulted in an unprovoked assault by him upon another.

15. In respect of harm, I refer principally to the effect of the assault in diminishing public confidence in the police. Notwithstanding the fact that PC Moosa was cautioned for an offence at the lesser end of the spectrum concerning criminal assault, the circumstances surrounding his offending behaviour will give legitimate offence to the public. I am certain that the wider public hold to the notion that police officers cannot, in any circumstances, commit criminal offences themselves. The victim in this case expressed great shock, upset and physical discomfort and was clearly motivated to pursue a legitimate complaint at the earliest possible opportunity.
16. With regard to mitigating circumstances, of those set out in the College of Policing's Guidance, I have taken into account PC Moosa's record of service. I have had particular regard to the statement provided by PC Moosa's wife, in which she clearly sets forth the very stressful circumstances which arose from a difficult pregnancy and resultant poor health in the weeks prior to these events. I have no difficulty in accepting the veracity of this statement and I am able to readily acknowledge the stresses that must have been inherent at the time. Whilst I have no doubt that such a worrying time in PC Moosa's life may well have played a part in his ultimately reacting very badly to a given set of circumstances, I am unable to conclude that such trying circumstances provide substantial mitigation toward his offending behaviour.
17. I have considered the very fulsome character references provided to me on PC Moosa's behalf. These references speak very positively to so much of PC Moosa's general performance, standards and values. Whilst again, these references do not serve to mitigate the nature of the offence, they do persuade me that the assault committed by PC Moosa was wholly out of

character. I will further acknowledge that it is to PC Moosa's credit that he has admitted his offence and the fact of his professional misconduct without equivocation. In meeting the conditions of his caution, I accept his expressions of remorse and regret as entirely genuine.

18. Notwithstanding all of the above, I reiterate the point that the core purpose of these proceedings is to sustain public confidence in the police. There is no doubt that the facts of this case have the obvious potential to substantially diminish public confidence. In conclusion, I consider that the level of seriousness in this case is high.
19. PC Moosa's offending behaviour was clearly unlawful, contrary to the clearest of instructions as to the standards required of our officers, and reckless as to the potential risk of inflicting more serious injury than occurred. I accept that PC Moosa appears to have developed a reputation as a decent and hardworking officer; and it is clear therefore that his misconduct represents a dramatic departure from that which those who know him best might have expected.
20. As is quite clear however, the principle concern of these hearings must be to preserve public confidence in the police. I have given thoughtful consideration to the submissions made on PC Moosa's behalf as to the appropriateness of a final written warning in this case. It is with an element of regret however, given the wasted potential of a promising officer, that I find it that I am unable to reconcile the maintenance of public confidence with doing anything other than dismissing PC Moosa without notice in these circumstances.

21. I order that PC Moosa's name be added to the College of Policing's Barred List.

22. This concludes today's hearing.

A handwritten signature in black ink, appearing to read 'S. Watson', with a stylized flourish at the end.

Stephen Watson QPM
Chief Constable

9th April 2024