

Outcome

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

Former PC Kahled Miah

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 former PC Kahled Miah.
2. Mr Miah was not in attendance nor was he otherwise represented. Mr Miah, in his Regulation 54 response accepts that he has breached the standards of professional behaviour as related to Discreditable Conduct. He denies having breached the standard relating to Honest and Integrity and furthermore denies that his behaviour amounts to gross misconduct. I have however found that the breaches alleged are proven and that they do 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, Ms Ali.

4. 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.
5. In assessing the seriousness of the misconduct found, it is a matter of fact that Mr Miah, having pled guilty before Manchester Magistrates Court on 13th February 2024, was convicted of using a motor vehicle on a road without insurance.
6. Mr Miah was sentenced to:
 - a) 6 penalty points on his licence
 - b) A fine of £246
 - c) A surcharge of £98
 - d) To pay court costs in the sum of £85
7. In addition to the index driving offence, Mr Miah in seeking to evade his responsibility made various written submissions to the Central Ticket Office which were demonstrably untrue and contradicted statements made to the officer in the case at the time of his having been stopped.
8. Mr Miah resigned from GMP with effect 10th November 2024.

Outcome

9. In considering the appropriate disciplinary action to be imposed, I received written and verbal submissions from the AA that the appropriate disciplinary outcome, had the officer not resigned, would have been dismissal and the placing of his name on the College of Policing's barred list.

10. 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.
11. 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.
12. My approach has been to "adopt" the "3 stage approach" referred to in the College of Policing's Guidance.
13. I have assessed the seriousness of the conduct. I consider that Mr Miah's culpability must be regarded as high. He stands convicted of an offence which by definition amounts, at best, to culpable neglect. The circumstances in this case are such that I am satisfied, notwithstanding the conviction which is absolute, that the failure to insure his vehicle was calculated and deliberate.
14. Mr Miah's subsequent communication with the Central Ticket Office, characterised as it was by incontrovertible falsehoods, was unforced and designed to evade his responsibilities.
15. With regard to the aggravating factors set out in the College of Policing's Guidance, I repeat my comments as to the fact that Mr Miah now stands convicted of a statutory traffic offence. Mr Miah, then holding the office of constable, failed to live up to the responsibility reposed in him. The misconduct involved a course of conduct which was clearly designed to deceive for an illicit purpose namely, the concealment of wrongdoing by himself. As such the misconduct was planned, deliberate and carried out in the full knowledge that it was unwise, indefensible and potentially unlawful.
16. With regards to harm; the harm to the reputation and standing of the police service is very evidently established. Mr Miah's misconduct potentially posed a risk to the legitimate and fair course of public justice. At a time of heightened public concern surrounding the professional conduct of police officers, this matter falls squarely into

the context of things likely to further diminish public confidence in policing.

17. With regards to mitigation and the factors set out in the College of Policing Guidance, I have taken into account Mr Miah's personal record. I am unable to find any mitigation in this matter whatsoever.
18. In conclusion, the level of seriousness in this case must be assessed as high. Mr Miah's dishonesty in seeking to escape his deserved accountability, and his unapologetic response to this hearing, reveals clear character flaws which are simply incompatible with that required of a well conducted police officer. Had Mr Miah not resigned, I would have had no hesitation in dismissing him from the service. I order that Mr Miah's name be added to the College of Policing's Barred List.
19. This concludes today's hearing.

A handwritten signature in black ink, appearing to read 'S. Watson', with a large, sweeping flourish above the name.

Stephen Watson QPM
Chief Constable

11th November 2024