



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

Former Police Constable Lee Atherton

Decision of the Independent Chair Jonathan Roy

13th July 2026

Preliminary matters

1. I have today conducted an accelerated misconduct hearing via Microsoft Teams and have given consideration to various breaches of the standards of professional behaviour as pertain to former Police Constable Lee Atherton.
2. The Appropriate Authority was represented by Mr Richard Black. Former PC Atherton has chosen not to attend this hearing and has indeed resigned from Greater Manchester Police as of 31st May 2026. Former PC Atherton is aware that this hearing is taking place and has had opportunity to attend. I am therefore satisfied that it is appropriate for me to continue in his absence.
3. It was alleged that Former PC Atherton was made the subject of a Domestic Abuse Protection Order ("DAPO") at Manchester & Salford Magistrates Court on January 30th 2025 and thereafter breached the order on three occasions, namely February 2nd 2025, February 9th 2025 and February 19th 2025. He appeared at Liverpool Magistrates Court on September 29th 2025. He was due to stand trial on 1st April 2026 but changed his plea to 'guilty' and on May 14th 2026 he received a suspended custodial sentence of 16 weeks suspended for 18 months with an unpaid work requirement and a rehabilitation activity requirement.

4. Former PC Atherton has provided a statement, contained within the bundle however this does not address the allegations against him and as such we have no indication as to whether he accepted the allegations alleged or the breaches of the standard of behaviour for Discreditable Conduct. Nor did Former PC Atherton indicate if he accepted these allegations amounted to Gross Misconduct or not.
5. Having considered the evidence and the verbal submissions of the Appropriate Authority, I have determined it is appropriate for me to hear this case in the former officer's absence. There are sufficient grounds as evidenced in the bundle that former PC Atherton has breached the standards for professional behaviour in that he pled guilty to the criminal offences and was sentenced accordingly.
6. I also conclude that the breaches alleged are proven and that they are so serious that they do indeed amount to gross misconduct.

Outcome

7. In coming to a determination as to the most appropriate outcome, I have considered the submissions of the Appropriate Authority as contained within the bundle of evidence submitted to me prior to this hearing along with verbal submissions by the representative of the Appropriate Authority.
8. Former PC Atherton, as stated, chose not to engage with the investigation or process and was not in attendance although was aware he could be. There was no representation from the police federation or other representative on his behalf. Former PC Atherton had not responded to the allegations and provided no regulation 54 response and as such gave no mitigation, evidence or explanation.
9. 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 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.
10. It is a matter of fact that former PC Atherton has been convicted of a criminal offence.

11. I received written and verbal submissions from the Appropriate Authority that the appropriate disciplinary outcome in this case, had the officer not resigned, would be dismissal without notice and the placing of his details onto the College of Policing's Barred List.
12. 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.
13. What is of paramount importance is the purpose of misconduct proceedings – these are expressly set out in the College of Policing's Guidance namely;
 1. To maintain public confidence in, and the reputation of the police service
 2. To uphold high standards in policing and deter misconduct
 3. To protect the public
14. My approach has been to adopt the "3 stage approach" referred to in the College of Policing's Guidance. Namely to assess the seriousness of the misconduct, to keep in mind the purpose of imposing sanctions and to choose the sanction that most appropriately fulfils that purpose bearing in mind the seriousness of the conduct in question.
15. In coming to a determination in respect of outcome I have considered the submissions of the Appropriate Authority as presented by Mr Black.
16. Culpability denotes the officer's blameworthiness and responsibility for his actions. In this case his actions were very clearly intentional, deliberate & targeted. The harm caused to the victim was deliberate. The level of harm that could be caused to GMP and the police service as a whole, ought to have been foreseen by him.
17. He has broken the law, been convicted of offences and subsequently been sentenced by the courts to a suspended custodial sentence and also made subject of a restraining order.
18. I note the allegations of the former officer at page 25 of the bundle but in this case the criminal convictions both individually and collectively amount to gross misconduct and as such are in no way diminished. In assessing the seriousness

of the conduct, I consider that Former PC Atherton's culpability must be regarded as high.

19. In terms of harm there has clearly been psychological distress to the victim, who will have expected to give evidence at court until such time as the former officer entered a guilty plea.
20. Any criminal conviction is serious but where it concerns Violence Against Women & Girls it engages matters of local and national concern and has an increased impact on public confidence in policing. In this case harm does not need to be suffered by a defined group to undermine public confidence. Here, the actions of a serving police officer, in perpetrating acts of domestic abuse can only have a significantly injurious impact on the service and further harm attempts to rebuild trust and confidence with women and girls. The Appropriate Authority has highlighted the potential significant impact on the harm to the reputation of policing as demonstrated in para 4.66 of the guidance.
21. Aggravating factors as defined at 4.76 of the HoG are present, and I am careful not to double count in this instance.
22. There was clearly malign intent in former PC Atherton's actions in seeking a personal advantage over the victim. His behaviour was not confined to a single instance or short duration, and he ought to have known that his actions were improper.
23. I find that there are no mitigating factors present - Former PC Atherton has chosen not to engage with this process, and I am therefore unable to consider any further mitigations.
24. With regard to personal mitigation, of those set out in the College of Policing's Guidance, I have taken into account Former PC Atherton record of service. I note his previous good character and the submissions he has made to this hearing. The personal mitigation advanced does not in any way detract from his conduct and is not relevant to the seriousness of his conduct in this matter.
25. I reiterate the point that the core purpose of these proceedings is to sustain public confidence in the police. As articulated above, there is no doubt that the facts of this case have the obvious potential to seriously and substantially diminish public confidence. In conclusion, I consider that the level of seriousness in this case is very high.

26. Greater Manchester Police expects the highest standards of professional behaviour from its officers and staff both on and off duty. The behaviour of Former PC Atherton was totally unacceptable and not befitting of a police officer.
27. I am reminded that the presumption in cases of gross misconduct is dismissal and in this case I have heard no appropriate evidence to suggest deviation from that presumption. Had Former PC Atherton not resigned, I would have dismissed him from the service with immediate effect.
28. I also order that Former PC Atherton's name be added to the College of Policing's Barred List.
29. This concludes today's hearing.