

IN THE MATTER OF MISCONDUCT PROCEEDINGS UNDER THE POLICE (CONDUCT)
REGULATIONS 2020 AS AMENDED BY THE POLICE (CONDUCT)(AMENDMENTS)
REGULATIONS 2024

BETWEEN

THE CHIEF CONSTABLE OF GREATER MANCHESTER POLICE
The Appropriate Authority

And

FORMER OFFICER 15214 BEARD

The officer

Hearing date 15th April 2026

Chairs report giving reasons and findings

Summary of the case

At the misconduct hearing, the panel found a breach of the Standards of Professional Behaviour of Honesty and Integrity and Authority, Respect and Courtesy to be proven.

References

In this report:

‘The 2020 Regulations’ means the Police (Conduct) Regulations 2020 as amended by the Police(conduct)(amendments) Regulations 2024.

‘The 2020 Home Office Guidance’ and ‘the Home Office Guidance’ refers to the Home Office Guidance Conduct, Efficiency and Effectiveness: Statutory Guidance on Professional Standards, Performance and Integrity in Policing (issued under section 87 and 87A of the Police Act 1996 published on 5 February 2020).

‘The College of Policing Outcomes Guidance’ and ‘the outcomes guidance’ refers to the College of Policing Guidance on Outcomes in Police Misconduct Proceedings (issued under section 87 the Police Act 1996) published on 17 August 2022 and updated (by having paragraphs numbers added) in March 2023.

Parties, representatives, panel members and other attendees

The AA is the Chief Constable of the Greater Manchester Police who is represented during the proceedings by Mr Steven Reed.

The Chair is ACC Matthew Boyle.

The LQP is Mrs Jane Wilson.

The IPMs are Ms Jan Lamping and Mr Alastair Cannon.

The Chair delegated the report writing to the LQP.

No Media attended the hearing.

Former Officer Beard did not attend the hearing.

Publicity

In accordance with Regulation 36(2) of the 2020 Regulations, the AA published notice of the misconduct hearing on the Greater Manchester Police website.

Background to The Incident

Former Officer Beard was an acting sergeant at the time of the allegations.

He entered into a relationship with DC A.

When questioned about that relationship, Former Officer Beard was dishonest in his responses.

Former Officer Beard engaged in inappropriate and unacceptable communication with DC A.

Former Officer Beard engaged in inappropriate and unacceptable communication with DC A about her colleague, DC B.

Application to proceed in the absence of the officer

Former Officer Beard resigned with effect from 29th October 2023. As he is no longer a serving officer this hearing will proceed pursuant to the 'former officer' provisions.

Former Officer Beard did not attend the hearing and was not represented.

Former Officer Beard has been sent the relevant papers in this matter.

At the prehearing on the 12th November 2025, The Police Federation Representative confirmed that Former Officer Beard's solicitors were no longer acting for the former officer.

In February 2026, the Police Federation Representative informed the Professional Standards Department that Former Officer Beard would not be attending the hearing, and neither would the police federation.

Mr Reed on behalf of the AA made an application to proceed in the absence of Former Officer Beard.

The Legally Qualified Advisor informed the panel that pursuant to Regulation 37(3)(b) of the Police (Conduct) Regulations 2020 where the officer does not attend the misconduct

proceedings, the proceedings may be proceeded with and concluded in the absence of the officer, whether or not the officer is so represented.

The panel accepted the advice of the Legally Qualified Advisor and was satisfied that notice of today's hearing has been served in accordance with the Regulations.

The panel were referred to the case of *R v Jones and Hayward* and *GMC v Adeogba*. This case involved the General Medical Council, but the Court of Appeal said that it was clear that the principles elucidated by the court applied with equal force to all regulatory tribunals.

The Adeogba case reminded the panel that it "Goes without saying that fairness fully encompasses fairness to the affected medical practitioner, but it also involves fairness to the GMC".

There is a clear public interest in the proper regulation of the police force. Public protection is the overall objective against which all other factors have to be balanced.

Parliament has determined that the public interest is to be overseen by the Police (Conduct) Regulations 2020.

The regulations provide a fair and economical, expeditious and efficient disposal of allegations made against police officers which is fundamental to that objective. Hearings should only be adjourned where there is a compelling reason to do so that overrides the key objective of the public protection.

Any decision to proceed in the absence of the officer should be informed by principles formed in the case of *R v Jones*.

The panel should consider –

- a. The nature and circumstances of the former officer's absence and in particular whether the behaviour was deliberate and voluntary and a waiver of the right to appear.
- b. If an adjournment was granted, could this result in the officer attending at a later date.
- c. Any disadvantage to Former Officer Beard in not being able to give evidence.
- d. The effect on delay in the memories of witnesses.

In reaching its decision, the panel took account of the following:

Former Officer Beard had informed the police federation that he would not be attending the hearing.

The panel concluded that this was indicative of Former Officer Beard's voluntary decision not to engage further in the regulatory process. The panel concluded that the former officer had expressly evinced an intention not to take part in the proceedings.

Former Officer Beard was not asking for an adjournment and therefore the panel concluded that it was unlikely that an adjournment would result in the Former Officer Beard's attendance at a later date.

There might be a disadvantage to Former Officer Beard in not being able to give evidence having regard to the nature of the case, but he had made the decision to voluntarily absent himself from the proceedings. The panel did note that the former officer had provided a Regulation 31 response and the panel would be examining all evidence in detail.

It was also noted that there was to be no oral evidence called, but nevertheless it was in the public interest that hearings were held and concluded expeditiously.

The panel reminded itself that it must avoid drawing any improper conclusion from the absence of Former Officer Beard. In particular, it must not treat Former Officer Beard's absence as an admission that an allegation is well founded.

Having weighed the public interest for expedition against the Former Officer Beard's own interests, the panel decided that former officer Beard had voluntarily absented himself and determined that it was therefore appropriate to proceed in the former officer's absence and that there was no unfairness or injustice in doing so.

Standards of Professional Behaviour

The Standards of Professional Behaviour are contained in Schedule 2 of The Police (Conduct) Regulations 2020

Honesty and Integrity

"Police officers are honest, act with integrity and do not compromise or abuse their position.

Authority, Respect and Courtesy

"Police officers act with self-control, treating members of the public and colleagues with respect and courtesy. Police officers do not abuse their powers or authority and respect the rights of all individuals".

The Allegations and Response

Allegations of Fact

You joined Greater Manchester Police in October 2013.

Around the end of October or early November 2022 you joined D Relief within CID covering the City of Manchester Central Division as Temporary Detective Sergeant.

"Detective Constable A" and "Detective Constable B" were part of your team.

It is alleged that you have breached the Standards of Professional Behaviour in that:

- a) DC A was more junior in service to you, and you had supervisory responsibility towards her. Shortly after you joined the team, you sent unsolicited messages to DC A which were inappropriate and unprofessional.
- b) After being warned by a colleague that it would be inappropriate to do so, you entered into a relationship with DC A which became sexual. You failed to report the relationship to supervision at any stage, and when challenged about it, you misled supervision. You knew or ought to have known that the relationship was inappropriate and unprofessional and could cause conflict within the workplace.
- c) You pressurised DC A into misleading supervision and other colleagues about a kiss that was exchanged between you and allowed her to continue to do so.
- d) You sent messages to DC A about DC B which were offensive and unprofessional.
- e) You allowed the relationship with DC A to cause conflict in the workplace and to let the situation and your mood influence the way you behaved towards DC A and DC B

PARTICULARS

Shortly after you joined the shift, you sent an unsolicited text to DC A. In the text you stated words to the effect that you found her to be "a very sexual person" and that you were

attracted to her. You subsequently sent her a further text which repeated that you found her to be “a very sexual person.”

You confided in DS Munnery that you found DC A attractive. DS Munnery warned you that such a relationship would be inappropriate as you were her sergeant with a supervisory responsibility towards her. Nevertheless, you entered into a relationship with DC A which became sexual.

DI McKeown became aware of inappropriate texts between a sergeant and a female member of staff and suspected it was you. She told you that you could be reverted if you started an affair with a DC in the office. When she asked you if you were messaging any other DC in the office, you replied that you only message DC A with whom you car shared and denied any inappropriate messages with her. Furthermore, you stated that DC A would discuss her dating life and if she was putting herself down, you would tell her not to and that she was really attractive. You were advised by DI McKeown not to message DC A except in relation to work matters.

On Friday 27th January 2023 you attended a social event with work colleagues in Manchester City Centre. Detective Constable 2828 Joseph Fourie observed you kissing DC A. DC A informed you that the kiss had been witnessed. You told her that you would lose your job and that you would kill yourself if the truth came out. You both concocted a story that you had been comforting her, and that she misread the signals, and she kissed you. When later challenged by supervisors, DC A was consistent with the account that she had instigated the kiss. Having pressurised DC A into taking the blame for this incident, you allowed her to continue to do so.

Detective Constable 2828 Joseph Fourie reported what he had seen to DS Munnery. When DS Munnery asked you about the kiss, you misled him as you did not disclose the full nature of your relationship with DC A and repeated the story that you had concocted.

DC B suspected that there was a relationship between you and DC A which DC A minimised. When DC B made a joke about DC A to you, you told her that you were sick of her having a go at DC A. DC B stated that she felt she could no longer go to you for advice even though you were her direct sergeant; that her enthusiasm for her job dwindled; that she struggled to concentrate when you were in the office and her investigations suffered.

You sent offensive, inappropriate and unprofessional messages to DC A about DC B. Your messages included: “Tell moody twat (DC B) to put a smile on her face”, “(DC B’s) a moody virtuous cunt” and “I’m going to start being a cunt with (DC B) at work”.

It is alleged that you have breached the Standards of Professional Behaviour in relation to:

Honesty and Integrity:

Authority, Respect and Courtesy:

Regulation 31 response

Former Officer Beard accepted that he had some flirtatious conversations with DC A in-person. He cannot remember specific words that were exchanged but he does recall having a text conversation with DC A which Former Officer Beard saw as a continuation of the flirtatious, in-person conversation. For this reason, Former Officer Beard disputes that the sexual or flirtatious messages sent to DC A were ‘unsolicited’. These messages took place in a text exchange which was mutually flirtatious.

Former Officer Beard accepts that he started to car share with DC A to and from work. This was something that the former officer had suggested to DC B as well, but DC B went on a

course for some time afterwards. At times the former officer and DC A were in the car alone. During the course of the various car journeys, the flirtation between the former officer and DC A intensified. At one stage, Former Officer Beard recalls DC A suggesting that she pick the former officer up early so that they could engage in sexual activity in the car.

These text and in-person conversations continued until a physical relationship developed. This culminated in Former Officer Beard and DC A having sex off duty in November 2022.

Subsequently, Former Officer Beard attended a social event with work colleagues in Manchester City Centre. Although the former officer does not recall kissing DC A at the event, he does not dispute its occurrence. The following day, Former Officer Beard spoke to DC A on the phone. She informed him that DC Fourie saw the kiss at the social event and told some of the team, including DC B. Former Officer Beard told DC A that he was finding their relationship stressful and that he wanted to go back to his previous job. DC A encouraged the former officer not to leave the team as he was a good sergeant. DC A then suggested that they create a story about the kiss, which Former Officer Beard agreed to. Former Officer Beard strongly denies threatening to kill himself if the truth about the kiss came out, as well as the allegation that the former officer 'pressurised' DC A into taking the blame for the kiss. The suggestion originated from DC A and Former Officer Beard assisted in its creation.

Former Officer Beard recalls DC A speaking to DS Munnery in work and texting Former Officer Beard afterwards that she had relayed the made-up story to DS Munnery. When Former Officer Beard then spoke to DS Munnery, he did not disclose the extent of his relationship with DC A and relayed the made-up story surrounding the kiss.

Former Officer Beard does not recall a conversation with DS Munnery on 21st November 2022 as referred to within his statement.

Former Officer Beard denies the allegation that he allowed his relationship with DC A to cause conflict in the workplace and to let his mood influence the way he behaved towards DC A and DC B.

Former Officer Beard spent a good deal of time trying to develop DC B and denies treating her negatively or in such a way that would cause her to feel that she could no longer approach the former officer or perform effectively.

Former Officer Beard does recall coming to the defence of DC A when DC B tried to make a joke at DC A's expense.

Former Officer Beard accepts engaging in a mutually flirtatious and, at times, sexual relationship with DC A. He accepts that this culminated in an occasion where he and DC A had sexual intercourse. The former officer accepts that he failed to disclose the extent and nature of the relationship to supervision.

Former Officer Beard disputes the representation of the relationship as 'inappropriate' or 'unprofessional'. He denies sending 'unsolicited' messages to DC A that were flirtatious in content. These messages were reciprocated or, at times, instigated by DC A.

Former Officer Beard denies pressuring DC A into misleading supervision about a kiss the two exchanged on 27th January 2023. DC A's decision to tell supervision a fabricated story was her own and, indeed, the story was one she suggested to persuade the former officer not to leave the team.

Former Officer Beard denies allowing the relationship with DC A to cause conflict in the workplace. The relationship caused the former officer solely personal difficulties.

Former Officer Beard does not recall sending messages to DC A about DC B.

Former Officer Beard accepts certain conduct and the fact that it amounts to misconduct, thus demonstrating insight into his shortcomings. He accepts that the conduct amounts to a breach of Integrity under the Standards of Professional Behaviour, rather than Honesty. In addition, the conduct took place at a time when the Officer's mental health was poor and had been for 5 or 6 years. He was experiencing financial difficulties as well as depression and alcohol misuse. He experienced a bereavement of a close family friend in November 2022 which compounded the issues. The Officer ultimately resigned and is now in a better place. The Officer is remorseful in relation to the accepted conduct and is sincerely apologetic.

Witnesses

No live witnesses were called to give evidence. The AA presented the case based on the statements contained in the bundle.

DC A

DC A confirmed that Former Officer Beard was her sergeant. She was warned by others that Former Officer Beard had a reputation, but DC A decided to make her own opinion of him and did not want to prejudge him. Initially found him to be normal and professional.

DC A stated that Former Officer Beard contacted her on the 31st October 2022 in relation to a work matter. She was not in work at the time. Former Officer Beard stated that DC A owed him a pint. There was no further conversation that evening.

Shortly after that conversation, Former Officer Beard told DC A that he found her to be attractive. He later text DC A and said that he found her to be a 'very sexual person' and he was attracted to her. On another occasion he sent a message to say that he found her to be a 'very sexual person'. DC A was flattered by the compliment and thanked him and said he was "alright himself" or some words to that effect.

As Former Officer Beard and DC A lived near to each other, the former officer suggested that they should car share.

DC A said that she didn't think she could say no to car sharing without making an insinuation that she didn't trust his reasoning behind the car-share idea. DC A felt uneasy but didn't want Former Officer Beard to say she was "flattering herself" by thinking Former Officer Beard was using it as a means to get her alone. On the journeys to work Former Officer Beard would discuss affairs that he had had but told her that he would never leave his wife.

Former Officer Beard started to send flirty and sexual messages to DC A. DC A was flattered and would reciprocate. DC A said that it was nice to have attention and feel wanted.

Former Officer Beard asked DC A to send him naked photographs of DC A and she eventually sent him a photograph of her wearing her bra. Former Officer Beard was unimpressed with the photograph and called her a 'Boring cunt'. DC A said if she did not send a photograph, Former Officer Beard would say that it was not fair and that he was not going to text her again or would give her the silent treatment till she sent photographs. Former Officer Beard would ignore her and act off with her in work if photographs were not sent. He made it extremely uncomfortable and he would be rude. DC A could not approach him for support or advice with jobs when he was acting in this manner.

DC A says that eventually DC A and Former Officer Beard started to discuss engaging in sexual acts. Former Officer Beard would then pick DC A up and sexual activity would take place in their personal cars before work.

DC A felt as if she could not back out of any planned sexual activity as she knew she had to spend the whole day in work with Former Officer Beard and did not want him to get mad at her. She had heard how viciously Former Officer Beard spoke about other women who he felt had wronged him and DC A knew how the former officer had acted previously when he was mad at DC A. Although DC A didn't say no to sexual activity, she was afraid of being caught and losing her job and DC A also felt that she had gone too far with the flirting to say no.

Former Officer Beard text DC A to say that he wanted to have sexual intercourse with her.

DC A recalls that on the 22nd November 2022, Former Officer Beard was called into see DI McKeown. When he came out of DI McKeown's office the former officer was in a vile mood and Former Officer Beard text DC A to say that supervision was suspicious of him and females on shift.

On the 27th November 2022, Former Officer Beard and DC A had been flirting about having sexual intercourse. After their shift had been completed, they both left work. DC A considered driving home but she was afraid of Former Officer Beard's reaction as he had a habit of texting her and being derogatory if she did not do as he wanted. DC A said that she did not want the aggravation. DC A and Former Officer Beard had sexual intercourse in a car. This was the one and only time they had sexual intercourse and after the act was completed Former Officer Beard said to DC A "Fuck off then".

DC A and Former Officer Beard continued to exchange flirty messages. The former officer got jealous if other men spoke to DC A and when this happened, Former Officer Beard would then give DC A the cold shoulder.

On Friday 27th January 2023 there was a work evening out which Former Officer Beard and DC A attended. At this event Former Officer Beard approached DC A and touched her bottom. Former Officer Beard was very close to DC A and they kissed but DC A could not recall who instigated the kiss. The kiss was witnessed by DC Fourie. A third party told DC B that Former Officer Beard and DC A had kissed and DC B confronted DC A about this.

The following day, DC A and Former Officer Beard spoke on the telephone, and the former officer denied any knowledge of the previous evening. DC A reminded Former Officer Beard that the kiss had been witnessed, and Former Officer Beard said that he would lose his job if anyone found out that he had kissed DC A and further stated that he would kill himself if the truth came out. DC A then offered to take the blame for the kiss and it was decided that DC A would say that she was upset and so the former officer had hugged her and it was DC A that Kissed Former Officer Beard.

Former Officer Beard also told DC A to clear any conversations on her phone between DC A and Former Officer Beard.

DC A was asked about the kiss by DS Munnery and DC A maintained that it was she who kissed the former officer. She said this because she was afraid of the consequences, in that Former Officer Beard could lose his job.

DC A said that because of the incident with the kiss, people on her shift treated her differently. She was shunned by some.

Former Officer Beard continued to flirt with DC A and ask DC A for sexual photographs. If she did not send the former officer photographs, Former Officer Beard would call DC A, a "Boring cunt"

Sometime in February 2023, Former Officer Beard contacted DC A by text saying that someone had heard about their relationship, and he could not see her anymore.

Former Officer Beard started to message DC A about DC B saying "Tell (DC B) to put a smile on her face" and Former Officer Beard called DC B a "moody virtuous cunt"

DI McKeown approached DC A and advised DC A that she knew about the kiss.

Former Officer Beard then text DC A on Monday 15th May 2023 asking about her dating/sex life. He said he was drunk and then said that DC A had been cold with him lately.

DC A said that working with Former Officer Beard had a detrimental effect on DC A's mental health, stating that she walked on eggshells and had to appease Former Officer Beard. DC A said that she was sick of having to soothe Former Officer Beard's ego and found herself lying to supervision. DC A said that she was exhausted and could not see an end to it.

DC B

In October 2022, Former Officer Beard joined DC B's team as a sergeant.

DC B had been warned that Former Officer Beard had a reputation, but despite her concern around him, DC B thought if Former Officer Beard did not act inappropriately with the shift, DC B would be able to get on with him. DC B said that she was wary of Former Officer Beard and less than a week after him being with the team, DC A showed DC B a message Former Officer Beard had sent to DC A saying something along the lines of the former officer found DC A to be attractive. DC B told DC A to keep her distance from Former Officer Beard.

DC B also noticed that the former officer had 24 hour disappearing messages on his phone.

DC B became aware that DC A and Former Officer Beard were car sharing. DC A told DC B that she did not want to car share with Former Officer Beard, but she felt obliged to agree to avoid any awkwardness.

DC B became aware that Former Officer Beard was called in to speak to DI McKeown to discuss the former officer acting inappropriately with women on the shift. Former Officer Beard denied acting inappropriately. Former Officer Beard said that the only thing that he had said was that DC A was "an attractive girl". DC B knew that this was not correct as DC A had shown DC B the text where Former Officer Beard had called DC A "sexual".

At the end of January 2023, DC A, DCB and Former Officer Beard attended a works night out. It became clear that Former Officer Beard was buying DC A drinks. DC B commented on this and asked if Former Officer Beard was going to buy the rest of the shift a drink. Former Officer Beard did reluctantly purchase drinks for the shift.

During the evening, DC B made what she perceived to be an exaggerated joke about DC A and Former Officer Beard became angry and responded to DC B in an aggressive tone.

During the same evening DC Fourie informed DC B that he had seen DC A and Former Officer Beard kissing. DC B confronted DC A about this and DC A said that Former Officer Beard had only kissed DC A on the cheek. DC B realised that DC A was very drunk and could hardly stand and was slurring her words.

DC A and DC B spoke at a later date about this kiss. DC A said that it was she that had kissed Former Officer Beard and took full responsibility for the kiss. DC A told DC B that Former Officer Beard was on his final written warning, and he would be dismissed if this story were to get out.

It later became clear that DC Fourie had told Sergeant Munnery about the kiss. Former Officer Beard, PS Munnery and DC Fourie later had a conversation about the kiss and Former Officer Beard told PS Munnery and PC Fourie that DC A had instigated the kiss.

From this point, DC B did not speak to Former Officer Beard other than to answer work related questions. This was difficult as Former Officer Beard was DC B's direct sergeant and DC B did not feel she could go to him for advice.

DC B struggled to concentrate whenever Former Officer Beard was in the office and her investigations started to suffer. DC B said that she could not emphasise enough how much this affected her life.

On the 14th February 2023, DC A told DC B the true story about the kiss. DC A said that Former Officer Beard had initiated the kiss and had said he would kill himself if the truth got out. DC A asked DC B not to say anything and DC B attempted to carry on as normal. However, her hatred for Former Officer Beard continued to consume more of DC B's thoughts.

DC B wanted DC A to tell supervision the truth about the kiss. DC B wanted Former Officer Beard to be held accountable for what he had done, but DC B also felt constricted and thought Former Officer Beard may kill himself if anything got out and she did not want his death on her conscience.

DC B became aware that Former Officer Beard was messaging DC A stating that DC B was "a moody twat" and a "moody virtuous cunt" and that Former Officer Beard was going to "start being a twat to (DC B) at work"

Sometime towards late April, early May 2023, DC B was called into DI McKeown's office. DC B was asked how things were on the shift. DC B told DI McKeown that DC B and Former Officer Beard did not like each other. DC B told DC A about the conversation with DI McKeown and both DC A and DC B decided to tell DI McKeown about how Former Officer Beard had treated DC A.

DC B said that this experience has affected her in so many ways: her work was affected negatively. DC B considered taking sick days as she could not face the stress of seeing the former officer. 90% of DC B's thoughts from January until Former Officer Beard was reverted have been about the former officer.

DC Fourie

DC Fourie states that on the 27th January 2023, there was an arranged outing with work colleagues. The group were not all together in the venue; there were various comings and goings as people got drinks or went to the toilet.

During the evening, DC Fourie was sitting down, overlooking the bar below. As DC Fourie stood up, he noticed that DC A was standing at the bar ordering a drink. DC Fourie noticed Former Officer Beard approach DC A and that Former Officer Beard used his hand to make contact with DC A's bottom. From where he was, DC Fourie noted that Former Officer Beard's hand went quite low down. It looked like Former Officer Beard's hand went in between DC A's legs. It was not a spank. DC A and Former Officer Beard were very close together and then DC A and Former Officer Beard started kissing. DC Fourie could not say who initiated the kiss, but DC Fourie immediately told one of his colleagues what he had seen.

At a later point in the evening DC A was sitting at the table and DC Fourie could see that Former Officer Beard was touching DC A's leg underneath the table.

DC Fourie asked DC B if there was "anything going on" between DC A and Former Officer Beard" and DC B said, "not that she knew about". DC Fourie said that he had only been with the team for a few days, and he thought that it was best if DC B were to talk to DC A about this.

DC Fourie later told DS Munnery what he had seen.

DS Munnery

DS Munnery confirmed that DC A joined the team around May or June of 2022. Former Officer Beard joined the team around November 2022.

On 21st November 2022, Former Officer Beard told DS Munnery that he was attracted to DC A. DS Munnery warned Former Officer Beard that there was absolutely no room to act on those feelings as Former Officer Beard was DC A's supervisor. The former officer agreed with this.

There was a work night out on Friday 27th January 2023, partly to welcome DC Fourie to the team.

On Monday 30th January 2023, DC Fourie asked DS Munnery for a private conversation during which DC Fourie started that he had seen DC A and Former Officer Beard kissing in a bar on the 27th January 2023 and DC Fourie was struggling to know what he should do with this information. DC Fourie was concerned that this was an inappropriate relationship within the team.

DS Munnery spoke to Former Officer Beard. Former Officer Beard admitted that there had been a kiss between DC A and Former Officer Beard on the 27th January 2023. Former Officer Beard stated that DC A had taken it upon herself to kiss Former Officer Beard. Former Officer Beard said that he had not reciprocated: it was a one off and there had been no sexual contact previously between them.

PS Munnery wanted corroboration of the fact that the kiss was a one off and so asked to see the messages between Former Officer Beard and DC A, however, the settings on Former Officer Beard's WhatsApp meant that all messages deleted after 24hrs.

PS Munnery spoke to DC A and DC A confirmed she had instigated the kiss, and it was a one off, and this was the first kiss between them. DC A was upset and tearful, but DS Munnery explained that there was absolutely no blame to be placed on DC A. The onus was on Former Officer Beard as her supervisor to maintain a professional relationship and set the example.

DI McKeown

DI McKeown stated that she became aware third hand about Former Officer Beard texting a female detective constable inappropriately.

On 21 November 2022 a meeting was held between DI McKeown and Former Officer Beard during which the former officer appeared to be very nervous. DI McKeown told Former Officer Beard that he would be reverted if he started an affair with any detective constable in the office. Former Officer Beard told DI McKeown that the only person that he messaged outside of work was DC A as they car shared. Former Officer Beard denied any inappropriate messaging or contact between the former officer and DC A. Former Officer Beard told DI McKeown that he should "stick to messages that he would be happy for his wife to read". DI McKeown told Former Officer Beard not to text any detective constables unless about work or work arrangements.

DI McKeown checked with DC A and DC B and no disclosures were made. DI McKeown was confident that Former Officer Beard was left in no doubt as to what his responsibilities were as a sergeant.

Sometime after the 6th May 2023, DI McKeown spoke to DC B. DCB confirmed that DC B felt that Former Officer Beard did not like her. DC B said that Former Officer Beard treated her differently to the other females in the team and that DC B felt she could not speak to Former Officer Beard about her crimes or anything at all. DC B disclosed to DI McKeown that Former Officer Beard would insult her via text messages which were sent to DC A. DC

B said that she felt isolated and unable to speak up as she saw the way that Former Officer Beard treated everyone in the team compared to her.

DI McKeown was concerned that this was a worrying pattern of behaviour for a supervisor to display.

DC A and DC B later spoke to DI McKeown, and DC A confirmed that Former Officer Beard was sending DC A messages calling DC B a “moody cunt”. DC A also told DI McKeown that within a week of Former Officer Beard starting his acting position, the former officer had messaged DC A to say that he found her attractive sexually. DC A confirmed she texted Former Officer Beard and did not discourage the attention when it began. DC A said that when she tried to pull away and not reply to Former Officer Beard’s messages, he would fall out with her and ignore her at work. DI McKeown says despite DI McKeown’s warnings to Former Officer Beard on the 21st November 2022, Former Officer Beard and DC A had entered into a sexual relationship.

The College of Policing, Appropriate personal relationships and behaviours in the workplace. Guidance – what you need to know

Relationships involving tutors, line managers and senior officers

Where a relationship involves any power imbalance, such as with tutors, trainers, line managers and senior officers, then it will always have the potential for a conflict of interest. These relationships should be carefully considered by the individuals involved and, if appropriate, guidance sought. Where a conflict of interest exists that would have an adverse impact on the service, the perception of the public of the service, or any individual, necessary and proportionate steps should be taken to ensure that the conflict is mitigated or other appropriate action taken depending on the facts of the case (for example reallocation of a tutor, or change in line manager).

The Issues to be Considered

The Standards of Professional Behaviour for all police officers are set out in the regulations and are expanded upon in the College of Policing Code of Ethics, which all officers are expected to adhere to.

The panel was reminded of the following:

The panel must not speculate about other matters such as other evidence it believes might be available, what it believes someone else might have said, or what it believes some other document, not in the bundle, might have said. If there are, in the panel’s judgement, ‘holes’ or ‘gaps’ in the evidence, then that is a matter that the panel must consider in deciding whether the AA has proved the allegations it makes.

Misconduct’ is defined as a breach of the Standard of Professional Behaviour that is so serious as to justify disciplinary action, and ‘Gross Misconduct’ is defined as a breach of the Standards of Professional Behaviour that is so serious as to justify dismissal.

For an adverse finding against the officer, it is not necessary for every single fact/allegation made against him in the Regulation 30 Notice to be proved. It is sufficient to prove only some of the facts/allegations, so long as what is proved amounts to a breach of the standard (or one of the standards) identified in the Regulation 30 Notice.

The panel noted that it is the AA who brings these allegations - it is the AA, therefore, who must prove them.

This standard of proof is concerned with whether the panel is satisfied something has been proved on “the balance of probabilities”. These are not criminal proceedings, and the panel does not need to be ‘sure’ of the matters founding any of the charges.

The starting and ending point of the panel’s analysis of these allegations is the wording of the Regulation 30 Notice. Those are the matters the AA seeks to prove. The panel is only determining the allegations set out in the Regulation 30 Notice and nothing more.

The case of Chief Constable of West Midlands v Police Misconduct Tribunal – PS Sriivastava states

“It is right to note that, under regulation 33(13) of the 2012 Regulations, it was for the panel conducting the misconduct proceedings to review the facts of the case and decide whether the conduct of the Officer amounted to misconduct, gross misconduct or neither”

The panel reminded itself that it must avoid drawing any improper conclusion from the absence of former officer Beard. In particular, it must not treat former officer Beard’s absence as an admission that an allegation is well founded

The panel was advised that the authorities are clear that the concepts of dishonesty and want of integrity are separate and distinct.

The leading case on integrity is Wingate, Evans and Malins v SRA 2018 which states

“Integrity is a broader concept than honesty

Integrity connotes adherence to the ethical standards of one’s own professional. That involves more than mere honesty. To take an example a solicitor conducting negotiations or a barrister making submissions to a judge or arbitrator will take particular care not to mislead. Such a professional person is expected to be even more scrupulous about accuracy than a member of the public in daily discourse.

The duty to act with integrity applies not only to what professional persons say, but also to what they do.

Obviously neither courts nor professional tribunals must set unrealistically high standards... The duty of integrity does not require professional people to be paragon of virtue. In every instance professional integrity is linked to the manner in which that particular profession professes to serve the public.”

The leading case on dishonesty is Ivey v Genting Casinos (UK) which says:

In deciding whether the officer was dishonest, the Panel must approach that question by taking the following approach:

Firstly - What did the officer actually know or believe at the time he did the matter that is said to be dishonest? In deciding that question, the Panel can consider the reasonableness or otherwise of what he says he knew or believed; it is not necessary, however, for that belief to be reasonable – an unreasonable belief is still a belief.

Secondly - Was the officers conduct, in light of his knowledge/beliefs, honest or dishonest by the objective standards of ordinary decent people?

The panel took the following approach:

a. First, to consider the facts of the case and to make findings in relation to each of the facts alleged by the AA.

- b. Second, to determine if facts were found proved, whether they constituted one or more breach(es) of the relevant Standards.
- c. Third, to consider if any conduct is found proven against Former Officer Beard if that amounts to Misconduct or Gross Misconduct
- d. Fourth, if appropriate, to decide what the outcome should be.

Admitted matters

The panel noted that the following matters were admitted by Former Officer Beard:

Former Officer Beard and DC A engaged in flirtatious and sexual conversations.

Former Officer Beard and DC A car shared and engaged in sexual activity in the car.

Former Officer Beard and DC A engaged in sexual intercourse in the car.

Former Officer Beard and DC A kissed at a works event in January 2023.

DC Fourie witnessed the kiss.

DC A told DS Munnery that she had instigated the kiss with Former Officer Beard.

Former Officer Beard did not disclose the extent of his relationship with DC A

Former Officer Beard accepts that his behaviour amounts to misconduct, but not gross misconduct.

Former Officer Beard accepts that the Standard of Professional Behaviour in relation to integrity has been breached, but not dishonesty.

The panels reasoning and decision

The panel find that on the balance of probabilities Former Officer Beard was dishonest.

On the balance of probabilities, the panel find that Former Officer Beard was dishonest in his communication with DI McKeown.

DI McKeown called a meeting on the 21st November 2022. (NOTE that DI McKeown refers to this meeting as being on the 21st November 2023, but the panel find that to be an error).

DI McKeown had concerns regarding Former Officer Beard communicating with female officers. DI McKeown asked Former Officer Beard about his communication with DC A, and Former Officer Beard denied any inappropriate contact or inappropriate messages had been sent.

Former Officer Beard was dishonest because at that time, he knew that he had exchanged messages with DC A that were sexual in nature and inappropriate.

On the balance of probabilities, the panel find that Former Officer Beard was dishonest in his communication with DS Munnery.

Former Officer Beard told DS Munnery that the kiss was a “one off” event and lasted a few seconds and that there had been no other sexual contact between Former Officer Beard and DC A. This was not true. At the time of stating this, Former Officer Beard knew that he and DC A had engaged in sexual intercourse.

The panel find that Former Officer Beard told DS Munnery that he was attracted to DC A. DS Munnery told Former Officer Beard that it would be inappropriate to enter into a relationship with DC A, as Former Officer Beard was DC A supervisor. Former Officer Beard, nevertheless, started a relationship with DC A.

Former Officer Beard also failed to report the relationship with DC A to supervision. This was in contravention of the College of Policing guidance on Appropriate personal relationships and behaviours in the work place, which clearly sets out that if the relationship involved any power imbalance (such as line managers) then that will always have the potential for a conflict of interest, and if a conflict of interest exists then proportionate steps should be taken to ensure that the conflict is mitigated.

On the balance of probabilities, the panel find that Former Officer Beard breached the Professional Standards of Behaviour of Authority, Respect and Courtesy.

Former Officer Beard sent DC A an unsolicited message stating that he found her to be a "Very sexual person". This was followed by a second text which repeated that the former officer found DC A to be "sexual". This was an inappropriate comment from a person in authority to DC A who was junior in years, and service and Former Officer Beard had a supervisory role with DC A. In sending this message Former Officer Beard did not treat DC A with respect and courtesy. It was an abuse of his power and authority.

The panel find that neither Former Officer Beard nor DC A knew who instigated the kiss. However, both agreed to run with the narrative that it was DC A who instigated the kiss.

DC A was pressurised into agreeing that she had instigated the kiss because Former Officer Beard told her that he stood to lose his job and threatened suicide if the nature of the kiss was made publicly known. The panel find that DC A felt pressure to concoct the story that she had instigated the kiss.

Former Office Beard requested sexual photographs from DC A. It is not appropriate to ask for sexual photographs of junior staff. But when these photographs were not provided, Former Officer Beard became abusive to DC A. He did not treat her with respect or courtesy

Former Officer Beard inappropriately used his relationship with DC A, to try to change DC B's demeanour. The comments about DC B's demeanour were accompanied by threats to treat DC B differently if she did not change her demeanour namely that he was "Going to start being a cunt with (DC B) at work"

Former Officer Beard sent messages to DC A stating that DC B was a "Moody virtuous cunt" and "tell moody twat to put a smile on her face". These messages were inappropriate and offensive and lacked respect and courtesy. These messages affected DC A as she was trying to bridge the relationship between DC B and the Former Officer. The messages affected DC B as they were offensive, and this had the effect on her that she no longer felt that she could go to Former Officer Beard for advice, despite him being her supervisor. Former Officer Beard was abusive to DC B when she made a joke on a night out.

The panel found that Former Officer Beard became upset if DC A talked to other males in the office. DC A also states that when Former Officer Beard became upset and in a bad mood, he created an atmosphere in the office. Former Officer Beard was abusing his power and authority.

The panel find that Former Officer Beard breached the Standards of Professional Behaviour in relation to Authority, Respect and Courtesy and Honesty and Integrity (dishonesty) and that the breaches amount to gross misconduct.

Sanction

The panel heard submissions on sanctions from Mr Reed.

The panel considered the Guidance on Outcomes in Police Misconduct Hearings, and the panel bore this in mind in its deliberations.

The panel had sight of and considered Former Officer Beard's service record.

The panel adopted the three-stage process as outlined in the College of Policing Guidance on Outcomes in Police Misconduct Proceedings to determine the appropriate sanction.

The panel bore in mind the threefold purposes of the police misconduct regime namely:

- (a) Maintain public confidence in and the reputation of the police service
- (b) Uphold high standards in policing and deter misconduct
- (c) Protect the public

The panel was reminded that misconduct proceedings are not designed to punish police officers,

"The panel is then centrally concerned with the reputation or standing of the profession rather than the punishment of the doctor (or police officer) per *Rachid v General Medical Council*.

The first stage is to assess the seriousness of the conduct.

This is assessed by reference to

The officer's culpability

The harm caused by the misconduct

The existence of aggravating features

The existence of mitigating features

The panel noted the College of Policing Guidance on Police Conduct Hearings reminds the panel must look at the appropriateness of the least onerous sanction before going on to consider more onerous sanctions and always chose the least severe outcome that deals adequately with the issues identified whilst protecting the public interest. If an outcome is necessary to satisfy the purpose of the proceedings impose it even where this would lead to difficulties for the individual officer.

The panel first considered the seriousness of the proven allegations.

Outcome

The panel directed itself that it must consider the officers' conduct is not more serious simply because the same action on his part involves him breaching multiple standards of professional behavior. The panel accepted that it is the conduct proven that matters, not the number of standards of professional behavior he has breached.

Culpability

The panel considers Former Officer Beard's conduct to be intentional, deliberate, targeted and planned.

It was planned in that it was Former Officer Beard who initiated sexual communication with DC A in the initial WhatsApp message where he referred to her as being "sexual"

The panel notes that any cases involving any form of dishonesty on duty will always be serious because of the importance in maintaining public trust and confidence in the police service. Former Officer Beard was asked on two separate occasions by two separate people about his relationship with DC A. On both occasions Former Officer Beard lied about the nature and extent of the relationship.

The panel noted that Former Officer Beard held a position of trust and responsibility, namely that he was an acting sergeant and senior to DCA in both years and service. There was an imbalance of power and authority.

The panel therefore assessed the officer's culpability as high

Harm

The panel noted that DC A said that working with Former Officer Beard had a detrimental effect on DC A's mental health, stating that she walked on eggshells and had to appease Former Officer Beard.

DC A said that she was sick of having to soothe Former Officer Beard's ego and found herself lying to supervision. DC A said that she was exhausted and could not see an end to it.

The panel found that psychological distress was caused to DC A.

DC B said that her work and homelife were affected. DC B considered taking sick days as she could not face seeing Former Officer Beard. This caused her to cry most days.

The panel note that both honesty of police officers and misogynistic and crude language used by male police officers to female police officers is of national concern.

If the circumstances of this case were known to the public, the panel believe that this would harm public confidence in the police force in the public would expect police officers to always be honest.

Members of the public may be less likely to engage with police officer if they lack the confidence that they will be treated with the appropriate respect and courtesy.

Former Officer Beard's actions and behavior undermines discipline and good order in the police service.

The panel therefore assesses the harm caused as high.

Aggravating Features

The panel, when considering aggravating features were mindful not to double count matters that have already formed part of the assessment of harm and culpability.

The panel noted that Former Officer Beard concealed his wrongdoing when questioned. Former Officer Beard told DS Munnery that he was attracted to DCA. DS Munnery told Former Officer Beard not to enter into a relationship with DC A. Despite this good advice, Former Officer Beard did enter into a relationship a very short time later.

The panel finds that there are aggravating features.

Mitigating Features

Matters that tend to reduce the seriousness of the proven conduct.

The panel notes that Former Officer Beard made limited admissions in his Regulation 31 response.

This is the full extent of the mitigating factors that the panel finds.

Taking all these factors into account, the panel assesses the seriousness of the conduct as High.

Personal mitigation

Former Officer Beard did not attend the hearing and was not legally represented. He did not advance any personal mitigation to the panel.

The panel noted that in the Regulation 31 response, Former Officer Beard accepted certain aspects of the AA case but stated that his conduct amounted to misconduct only and not gross misconduct. The former officer believed that his Regulation 31 response demonstrated insight into his behavior.

Former Officer Beard stated that his behavior occurred when he was suffering from mental health issues.

The panel does not accept that this amounts to insight or genuine remorse.

The panel has directed itself that it must test the appropriateness of the least onerous sanction first before considering more onerous sanctions.

Sanction

The panel considered whether a final written warning would be consistent with the public interest.

The panel concluded that a final written warning would not serve to mark the seriousness of the conduct or deter others from similar conduct and fulfil the purpose of the police misconduct regime. The panel has considered the matter fully including the nature and severity of the breaches of the Standards of Professional behavior. The panel has come to this conclusion because honesty is a fundamental part of policing and Former Officer Beard has committed repeated acts of dishonesty and Former Officer Beard has failed to act with Authority, Respect and Courtesy on repeated occasions to both DC A and DC B who he was supervising.

The gravity of Former Officer Beard's breaches of the Standards of Professional Behavior means that the panel do not consider that any sanction less than dismissal without notice is justified.

As such the panel's decision is that if Former Officer Beard had still been a serving officer he would be dismissed without notice and place on the College of Policing's barred list.

