

POLICE (CONDUCT) REGULATIONS, 2020

MISCONDUCT HEARING – PC Lucy Guy

Hearing Chair	Assistant Chief Constable Chris Sykes
Hearing Members	1 st Independent Panel Member –Mark Turner 2 nd Independent Panel Member -Leon Parkes Legally Qualified Advisor – Stephen Gowland
Additional Members	AA Solicitor- Richard Black AA Counsel- None Officer Team None
Date of Hearing	Wednesday 27 th May 2026
Venue	Unit A, Fujitsu Building, Northampton Road Manchester M40 5BP
Officer Concerned	PC Lucy GUY

DECISION OF THE PANEL

1) The Absence of the Officer

- a. The AA applied to proceed under Regulation 37(3)(b).
- b. PC Guy resigned from Greater Manchester Police (“GMP”), with her last working day being 31st May 2026.

They did not attend the proceedings, but the Panel was satisfied that PC Guy was aware of them.

- c. PC Guy was a serving police officer when these matters came to the attention of the AA, has received both the Regulation 17 and Regulation 30 Notices and has responded to the allegations via Regulation 31.

The Panel considered that it was both in the interests of justice and in the public interest for the Hearing to proceed and conclude in the absence of the Officer.

2) The Facts

In our deliberations, we make it plain that the Panel reviewed and considered the entirety of the facts and evidence presented to us.

The law in respect of factual determinations

The burden of proving the facts pleaded rests with the appropriate authority.

The standard to which the Appropriate Authority must satisfy the panel is the simple balance of probabilities. The inherent probability or improbability of an event remains a matter to be taken into account when weighing the probabilities and deciding whether, on balance, the event occurred. Within this context, there is no room for a finding by the panel that something might have happened. The panel may decide that it did or that it did not: **Re B [2008] UKHL 35**.

Findings of fact must be based on evidence and not on speculation. The decision on whether the facts in issue have been proved to the requisite standard must be based on all of the available evidence.

In determining whether the Appropriate Authority has discharged the burden upon it, the panel looks at what has been described as ‘the broad canvas’ of the evidence before it. The role of the panel is to consider the evidence in its totality and to make findings on the balance of probabilities accordingly. Within this context, the panel must consider each piece of evidence in the context of all of the other evidence: **Re T [2004] 2 FLR 838**.

The panel must always bear in mind that a witness may tell lies in the course of an investigation. The panel must be careful to bear in mind that a witness may lie for many reasons, such as shame, misplaced loyalty, panic, fear or distress. The fact that a witness has lied about some matters does not mean that he or she has lied about everything: **R v Lucas [1982] QB 720**.

The panel also need to consider their purpose within the misconduct regime which is:

1. to maintain public confidence and the reputation of the police service
2. to uphold high standards in policing and deter misconduct
3. to protect the public.

Role of the panel

The role of the panel has four steps, usually approached in two stages:

Stage 1

- (a) first, determining the facts, based upon what is admitted by the officer or proven on the balance of probabilities;
- (b) second, determining whether on the basis of those facts the officer has breached the Standards of Professional Behaviour alleged;
- (c) third, deciding whether the breaches found amount to gross misconduct or not;

Stage 2

- (d) deciding what the outcome should be.

The four steps should not be conflated. Each requires discrete findings with sufficient reasons.

The AA brings the allegations, and it is for the AA to prove them. The standard of proof is the balance of probabilities, that is to say whether they are more likely than not to be true. The balance of probabilities is a single unvarying standard. (see the [Home Office Guidance](#) paragraph 9.10).

The Regulation 30 Notice we accept as an accurate summary :

1. On the 6 June 2022 Mr EA reported that his brother, Mr DA was missing, a log GMP 2903-06062022 was created. Mr DA had been assaulted on the 2 June 2022 and GMP had commenced a criminal investigation.
2. You were tasked with conducting the initial enquires with regards a missing from home report ("MFH report") You attended the home address of Mr EA and spoke to him and his sister, Ms A. You recorded your conversation with Mr EA and Ms A. During that conversation you were informed of Mr DA's last movements, his usual habits and it was explained why they were concerned about lack of contact with him.
3. Ms A is recorded on your Body Worn Video ("BWV") informing you that Mr DA resides in bed and breakfast accommodation, the address was [REDACTED] and you were clearly informed that Mr DA's room was on the first floor opposite the top of the stairs.
4. Your role as part of the missing from home report was to investigate and identify lines of enquiries and to gather information to enable a formal risk assessment to be carried out and if necessary amend the FCC THRIVE grading.

5. Your conduct of the investigation is alleged to have been in breach of Section 5.2 of GMP Missing Persons Police and Procedure by failing to identify relevant risk factors for the risk grading. The risks included a financial inheritance leading to Mr DA 'flashing cash around' and leaving a large sum of money at his B & B address. Secondly that Mr DA's disappearance was highly unusual and he maintained regular contact with his siblings.
6. In addition, in breach of the policy you failed to:
 - Carry out a thorough search of the residence of Mr DA or for any information that may assist to locate the missing person;
 - Establish circumstances surrounding the missing episode;
 - Conduct a formal risk assessment, identify a risk categorisation, check risk with district supervision and record agreed risk into the iOPS MSP Event - amending the FCC risk if necessary;
7. You failed to discharge your duties effectively in completing the initial Missing Person enquiries and failed to act in accordance with the GMP Missing Persons Police and Procedure as set out above.
8. In addition, you completed the Missing Persons Report using a completed proforma copying and pasting into it without proof reading and checking the relevance to the current case.
9. You were informed by Mr EA that a spare key for his brother's B & B was kept at [REDACTED] the adjacent property. You obtained the key to [REDACTED] from the receptionist at [REDACTED] having activated your BWV and you were also recorded on CCTV at the property. You can be seen entering the property for a period of 1 min 20 seconds and during that period you failed to make any attempt to go up to the first floor where Mr DA's room was situated.
10. At 0150hrs on 7 June 2022 you updated the MFH report stating:

'Completed a thorough physical searches of home address/place last seen, outbuildings, outside areas and immediate local area. Bedroom of both (Mr EA's home) and [REDACTED] have been searched, nothing seems out of place.'
11. Mr DA was subsequently found on the 8 June 2022 deceased on the floor of his room at [REDACTED] it is accepted that it is likely he had died in the aftermath of the assault on the 2 June 2022.
12. Following the discovery of the body of Mr DA, as part of an inquiry, you provided a duty statement outlining what actions you had taken in the investigation of the disappearance of Mr DA on 6 June 2022. In that statement you described

obtaining the key to [REDACTED] and entering the communal area. You went on to state that:

"I have then returned to [REDACTED] and entered the lounge area, to which a TV was on but with nobody inside. I have then knocked on the doors on the ground and first floors, however, there was no answer. I returned the key back to the manager and made my way to [REDACTED]."

13. The account of your actions set out above was false in that you did not enter [REDACTED] for a second time and did not knock on doors on the ground and first floor. Not only was this not recorded on your BWV and the CCTV of the property, but also your account was contradicted by the data tracking your personal radio and the account provided by the receptionist at [REDACTED].
14. As a result of the matters set out above at paragraphs 1 – 12, it is alleged that you have breached the following standards of professional behaviour:
 - (a) Honesty and/or Integrity, you in the course of your duties failed to act with honesty and/or integrity by:
 - Updated the MFH report to falsely state that you had conducted a search of Mr DA's bedroom at [REDACTED] and
 - You, in a duty statement, falsely stated that you returned to [REDACTED] after your initial search, entered the property and knocked on doors on the ground and first floors.
 - (b) Duties and Responsibilities, you failed to be diligent in the exercise of your duties and responsibilities by :
 - failing to comply with the GMP Missing Persons Policy and Procedure by;
 - Not conducting thorough searches;
 - Failing to carry out an appropriate risk assessment;
 - Failing to update the MSP Log with all relevant details;
 - Cutting and pasting a previous proforma MSP report without proofreading it and ensuring it is relevant to the investigation of Mr DA's disappearance;
 - Failing to utilise available search powers pursuant to Section 17 of PACE.
15. As a result of that stated herein, if proven, your conduct singularly or in its totality amounts to gross misconduct.

In her R31 response the officer accepts the alleged breach of the Standards of Professional Behaviour at the level of gross misconduct outlined in the Regulation 30(1) notice.

The Regulation 31 response from the officer stated :

1. The officer accepts the alleged breach of the Standards of Professional Behaviour as outlined in the Regulation 30(1) notice.
2. It is accepted that the Standards of Professional Behaviour engaged in this matter are:
 - Duties and Responsibilities
 - Honesty and Integrity
3. The officer accepts the allegations (as at the foot of page three of the bundle), namely that:

Honesty and/or Integrity, you in the course of your duties failed to act with honesty and/or integrity by:

- Updated the MFH report to falsely state that you had conducted a search of Mr DA's bedroom at [REDACTED] and
- You, in a duty statement, falsely stated that you returned to [REDACTED] after your initial search, entered the property and knocked on doors on the ground and first floors.

Duties and Responsibilities, you failed to be diligent in the exercise of your duties and responsibilities by failing to comply with the GMP Missing Persons Policy and Procedure by:

- Not conducting thorough searches.
 - Failing to carry out an appropriate risk assessment.
 - Failing to update the MSP Log with all relevant details.
 - Cutting and pasting a previous proforma MSP report without proofreading it and ensuring it is relevant to the investigation of Mr DA's disappearance:
 - Failing to utilise available search powers pursuant to Section 17 of PACE
- Page 162

In mitigation the Regulation 31 stated :

4. The officer will be represented at the substantive misconduct hearing. At that time:
 - (i) More detailed mitigation submissions will be made on her behalf; and
 - (ii) Character evidence may be submitted for consideration.
5. By way of summary, the officer's mitigation will include the following key propositions:

- The officer accepts the underlying conduct and recognises that it amounts to gross misconduct, reflecting a clear understanding of the seriousness of the failings.
- A formal and sincere apology is extended to the family of Mr DA and to GMP.
- The officer acknowledges that the conduct constituted a breach of duties and responsibilities and honesty and integrity under the Standards of Professional Behaviour.
- The incident was isolated, short in duration, and occurred during the early stages of the officer's policing career while inexperienced and working independently.
- The officer has maintained a positive record both prior to and following the incident.
- Character evidence will be submitted to support the officer's otherwise unblemished service.
- The officer expresses genuine remorse for the conduct in question.

Whilst the officer accepts the facts and the breaches it is for the panel to consider all the information available to them in determining to determine whether gross misconduct, misconduct or neither.

3) Findings of the Panel

a. In light of the Officer's position that the officer accepts the alleged breach of the Standards of Professional Behaviour at the level of gross misconduct together, with the evidential material before the Panel, the Panel finds the allegation proven on the balance of probabilities.

It is satisfied that it is more likely than not that PC Guy, failed to investigate a Missing From Home Report to the required standard and subsequently made false statements with regard to the actions she states she completed.

The Panel finds the following facts proved:

- The officer failed to conduct a thorough search of the missing person's accommodation at [REDACTED].
- She did not enter or search the specific bedroom of the missing person despite having sufficient information to identify it or make reasonable enquiries.
- She failed to take reasonable investigative steps, including knocking on doors and making enquiries of occupants.
- She falsely recorded in the Missing From Home report that she had conducted a full and thorough search of the premises, including the bedroom.
- She falsely stated that she returned to the premises and undertook further enquiries that did not, in fact, occur.

These findings are supported by:

- Body-worn video evidence
- Radio/location data
- Witness evidence
- The officer's own admissions

b. The Panel finds the following proven on the balance of probabilities: -

That PC Guy in the course of their duties failed to act with honesty and/or integrity by:

- Updating the MFH report to falsely state that they had conducted a search of Mr DA's bedroom at [REDACTED],
- The panel considered the explanation by the officer that she cut and pasted from a template and stated it was not a deliberate deception, however the panel noted the officer did insert the addresses that she stated she had searched that she knew to be not true .
- that, in a duty statement, falsely stated that they returned to [REDACTED] [REDACTED] after their initial search, entered the property and knocked on doors on the ground and first floors.

IVEY test

In determining dishonesty, the panel must use the accepted test for dishonesty, also known as the Ivey test which arises from a change in the law made by the Supreme Court in 2017.

Subsequent to the Supreme Court judgement, the High Court confirmed that the Ivey test is good law in professional conduct tribunals, such as this, in the cases of GMC V Krishnan and Uwen V GMC.

The test the panel needs to apply is as follows:

Firstly, the panel must ascertain (subjectively) the actual state of the officer's knowledge or belief as to the facts. The reasonableness or otherwise of her belief may evidence whether she held the belief, but it is not an additional requirement that her belief must be reasonable; the question is whether it is genuinely held.

Secondly, once that has been established the Tribunal must determine whether her conduct was dishonest by applying the (objective) standards of ordinary decent people. It is not necessary for the individual to appreciate that what she has done is, by those standards, is dishonest.

Of relevance is the statement by Lord Hughes in the judgement:

"...(dishonesty is intended) to characterise what the defendant did, but in characterising it one must first ascertain his actual state of mind as to the acts in which he did it. It was not correct to postulate that the conventional objective test of dishonesty involves judging only the actions and not the state of knowledge or belief as to the facts in which

they were performed. What is objectively judged is the standard of behaviour, given any known actual state of mind of the actor as to the facts.”

We applied the relevant test to the dishonesty allegations:

Applying the subjective test, we do find that the officer despite copying and pasting some of the report she completed, knew when entering the relevant address, that she had not searched the room at that address. The panel therefore finds that the officer was aware that she was acting dishonestly.

Applying the objective standards of ordinary decent people it is our finding that such people would believe that what the officer did was dishonest. This is because an ordinary decent person knowing the facts and the actual state of mind of the officer would find her actions to be dishonest,

Therefore, the officer has breached the standards of professional behaviour in relation to Honesty and integrity.

The panel finds that also, PC Guy failed to be diligent in the exercise of their duties and responsibilities by failing to comply with the GMP Missing Persons Policy and Procedure by:

- Not conducting thorough searches or making appropriate enquiries.
- Failing to update the MSP Log with all relevant details.
- Cutting and pasting a previous proforma MSP report without proofreading it and
- Failing to utilise available search powers pursuant to Section 17 of PACE Regulation 31(2)(b) to enter the missing’s bedroom.

4) Decisions relating to the Standards

The Panel finds that the officer breached the following Standards:

Honesty and Integrity

- By knowingly recording information that was untrue and providing a misleading account of her actions, in the MSP report and the officers pre-prepared statement.
- The Panel finds that this conduct meets the test for dishonesty.

Duties and Responsibilities

- By failing to carry out a proper missing person investigation in accordance with policy.
- By failing to act with diligence and care in circumstances involving a vulnerable missing person.

Specifically :

- Not conducting thorough searches.
- Failing to update the MSP Log with all relevant details.
- Cutting and pasting a previous proforma MSP report without proofreading it and
- Failing to utilise available search powers pursuant to Section 17 of PACE

The panel found that it was not proven, based on the balance of probabilities that the officer failed to carry out an appropriate risk assessment as there was some evidence that she had checked the RA with her supervisor.

5) Decision on Misconduct or Gross Misconduct

a. Having found breaches of the Standards set out above, the Panel has carefully considered whether the behaviour amounts to misconduct, gross misconduct or neither.

We have again reminded ourselves of the full circumstances of this case.

The Panel has carefully considered the seriousness of the proven breaches.

Seriousness assessment

In assessing the seriousness of the misconduct, we have considered:

a. The officer's culpability.

In this matter, the allegations that we have found proven all concerned the direct conduct of the officer. The officer had a responsibility as a police officer to act in line with the relevant standards, policies and guidance and training available to them.

The Culpability therefore falls at the high level of seriousness.

b. The harm caused (and the risk of harm).

There is a risk of reputational harm as the public would see this behaviour as unprofessional and unacceptable and it could undermine public confidence in the police service.

There is a risk of harm within the police service itself due to the impact this matter could have upon trust between colleagues.

It could also undermine the confidence of the missing person's family in the police service that matters would be dealt with correctly and professionally.

The harm and risk of harm in this matter therefore falls at the level of high seriousness.

c. The aggravating factors.

There was concealment of wrongdoing by the officer, the concealment by the officer of the failure to search the MFH bedroom and that, in the prepared statement, saying she had returned to the property when in fact she hadn't.

There was a failure to seek advice from a colleague or senior officer in relation to not searching correctly. There are multiple proven allegations and breaches of the standards.

d. Mitigating factors.

The incident was isolated, short in duration, and occurred during the early stages of the officer's policing career while inexperienced and working independently.

The officer has maintained a positive record both prior to and following the incident.

The panel took regard to the regulation 31 admission and remorse, but the panel did note that this admission and remorse was shown at a late stage of the proceedings.

In conclusion, the panel do find that culpability is at the high level and the harm and risk of harm is at the high level.

Together with the aggravating and mitigating factors, the seriousness overall is at the **high** level of seriousness.

Level of Misconduct

It is alleged by the Appropriate Authority that the breaches amount to gross misconduct.

Gross misconduct means a breach of the standards of professional behaviour which is so serious as to justify dismissal.

Misconduct means a breach of the standards of professional behaviour that is so serious as to justify disciplinary action.

Having regard to the above and all of the matters we have heard and considered we do find that this is a matter that does fall within the definition of gross misconduct.

In reaching this conclusion, the Panel has had regard to:

- The deliberate nature of the false account provided.
- The importance of honesty and integrity in policing.
- The potential impact on public confidence, particularly in the context of a missing and vulnerable person.
- The officer's failure to perform fundamental policing duties.

The Panel has also considered the officer's mitigation, including her inexperience and admissions, but finds that these factors do not diminish the seriousness of the misconduct.

The public are entitled to expect police officers to uphold the highest standards. Conduct of this nature is concerning and has the potential to significantly undermine the trust that the public place in the police.

6) In conclusion, the Panel is satisfied that each of the breaches of the Professional Standards in relation to Honesty and Integrity, and, Duties and Responsibilities. individually and/or collectively amount to Gross Misconduct.

27th May 2026
ACC Chris Sykes
Greater Manchester Police