



memorandum

FINDINGS FORM

From:	Temporary Chief Constable Alex Murray
To:	Former Student PC 22112 Ethan Aherne
Our Ref:	IC/374/22
Date:	01/03/2024

ACCELERATED MISCONDUCT HEARING – Former Student PC 22112 Ethan AHERNE

1st March 2024 at Hindlip Headquarters

1. In accordance with Regulation 63, The Police (Conduct) Regulations 2020, below-listed are the findings and any disciplinary action imposed in the above case. This document must be supplied to you before the end of 5 working days beginning with the first working day after the conclusion of the accelerated misconduct hearing.

Hearing members:

Chair: Temporary Chief Constable Alex Murray

Details of the conduct alleged to have breached the Standards of Professional Behaviour:

1. On the 29th September 2023, following a guilty plea former student Police Constable Ethan Aherne was convicted by Kidderminster Magistrates' Court of fraud by false representation contrary to section 2 of the Fraud Act 2006.
2. For the above offence former student officer Aherne was sentenced as follows:
 - i. Suspended Sentence Order: committed to prison for 6 Months suspended for 12 months.
 - ii. Unpaid work: carry out unpaid work for 120 Hours within 12 months.
 - iii. Compensation: ordered to pay compensation totalling £12999.72.

The breach of the Standards of Professional Behaviour alleged is as follows :

- **Honesty and Integrity** in that former student officer Aherne's behaviour was dishonest in that he knew that he feigned injury when he was otherwise fit and lacked integrity in that he continued to receive pay from West Mercia Police during the period of feigned injury.

- **Discreditable Conduct:** in that former student officer Aherne's behaviour as set out in the Nature of Alleged Breaches is likely to discredit the police service and/or severely undermine public confidence in it

In accordance with Regulation 61, the person conducting the accelerated misconduct hearing shall review the facts of the case and decide on the balance of probabilities whether or not the conduct of the former officer concerned amounts to gross misconduct.

Finding

The conduct alleged amounts to gross misconduct

The following is a summary of the reasons for the finding:

Former student officer Aherne has not admitted his conduct amounted to gross misconduct or provided a formal response to the Notice of Alleged Breaches of the Standards of Professional Behaviour. Therefore in the circumstances I have considered the documents in the bundle, in particular the certificate of conviction, albeit that this is unsigned, and I find that the breaches of the Standards of Professional Behaviour are made out to the required standard and that the conduct amounts to gross misconduct.

Disciplinary action to be imposed:

I have considered the revised 2023 version of the College of Policing Guidance on Outcomes in Police Misconduct Proceedings. As the Guidance sets out- assessing the seriousness of the conduct lies at the heart of the decision on outcome.

I have taken the three stage approach listed in the Guidance. The first of those three stages is assessing the seriousness of the proven conduct with reference to culpability, the harm caused and any aggravating and mitigating factors.

As the Guidance makes clear, it is unacceptable for police officers, who are responsible for enforcing the law, to break the law themselves. Former student officer Aherne has been convicted of a very serious offence of dishonesty which involved a calculated act of fraud against his employer West Mercia Police which lasted some 6 months while he feigned a serious back injury which rendered him unfit for duty. While on sick leave he lied multiple times to his supervisor about the extent of his apparent injury, and deceived his own GP and the Occupational Health specialist Force Medical Examiner who assessed him, he even suggested to his wife in a text message on the 23rd September 2022 that his performance merited an Oscar. All the while he received his full salary while it would seem he was fit enough to play regular fixtures of full contact rugby with his local club. On the 3rd December 2022 officers from the Anti-Corruption Unit attended one of these rugby matches and observed him playing without any apparent difficulty at all. He subsequently tendered his resignation in advance of a full case conference with Occupational Health to discuss his medical condition and when interviewed admitted that he had already secured himself alternative employment at a Cardiff call centre.

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Although he pleaded guilty to the criminal charge his conviction and the extent and manner of his dishonest behaviour while a serving West Mercia Police officer which was widely reported in the local press and by the BBC is bound to bring discredit on West Mercia Police and undermine public confidence in it.

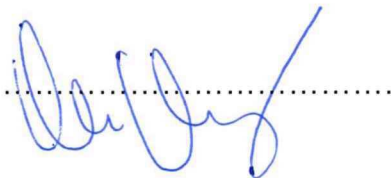
Finally, the College of Policing Guidance confirms that the purpose of the police misconduct regime is threefold; namely to maintain public confidence and the reputation of the police service; to uphold high standards in policing and deter misconduct, and thirdly to protect the public.

Given the circumstances of this case the only outcome which is consistent with all of these aims is therefore a finding that former student PC Aherne would have been dismissed had he not ceased to be a member of a police force or a special constable. Additionally former PC Aherne's full name and a description of the conduct will be entered on the Police Barred List held by the College of Policing.

I confirm that the above is correctly recorded. I also confirm that the former officer's personal record was considered before a decision was reached on any disciplinary action to be imposed.

Temporary Chief ConstableAlex Murray

Signed:



Date: 01/03/2024

If you wish to receive a copy of the record of the proceedings, please contact the Professional Standards Department on extension 5083.

You have a right of appeal against the finding. Should you wish to exercise this right you must do so in writing to the Chairman of the Police Appeals Tribunal within ten days of this notice. Please note that the tribunal can increase any outcome imposed as well as reduce or overturn the decision of the panel. You have the right to be legally represented at the appeal hearing.

Form of receipt to be completed by Former Officer subject of proceedings:

I acknowledge receipt of this written notice of the misconduct proceedings, dated 1st March 2024 of which this is a true copy.

Signed.....

Date.....