



memorandum

From: Assistant Chief Constable
Grant Wills

To: Former Officer SHOAIB

Our
Ref:

Date: 14/1/2025

FINDINGS and OUTCOME FORM

ACCELERATED MISCONDUCT HEARING – former police officer Ahmad SHOAIB 14th of January 2025: Hindlip Hall, Hindlip Headquarters

In accordance with Regulation 63 of the Police (Conduct) Regulations 2020 (as amended), 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 misconduct proceedings.

Hearing members:

Chair: Assistant Chief Constable Grant Wills

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

On the 29th April 2023 whilst off duty and in the proximity of members of the public in a public place you engaged in sexual activity with A (a male aged 14), a minor while in your vehicle in the car park of Costco Supermarket, Birmingham when you knew or ought to have known that such behaviour was potentially unlawful and in breach of the Standards of Professional Behaviour.

The breaches of the Standards of Professional behaviour alleged are as Follows:

Discreditable Conduct: In that you engaged in sexual activity in a public place with a minor which discredits West Mercia Police and undermines 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 the conduct of the officer amounts to misconduct, gross misconduct or neither.

Findings:

The conduct amounts to gross misconduct.

The following is a summary of the finding:

The former officer has not provided a Regulation 54 response, and therefore I am not in receipt of any admission or denial of the alleged conduct or it amounting to Gross Misconduct or otherwise.

However, I have read all of the material within the bundle provided to me, in particular I have noted that the former officer admits in interview that he took part in a sexual act in public and also that he admits that he continued this activity after recognising that this was in public view. I have considered the representations from the AA that although a criminal prosecution was not pursued, the criteria for the offence of Outraging Public Decency would be made out in the circumstances described.

I am satisfied that on the balance of probabilities that the conduct occurred and that the former officer has breached the Standards of Professional Behaviour, in respect of Discreditable Conduct and it is so serious that dismissal could be justified. Therefore, this amounts to Gross Misconduct.

Disciplinary action to be imposed:

I have considered the 2023 College of Policing Guidance on Outcomes in Police Misconduct Proceedings. I have used the three-stage process set out in the guidance to guide my decision making today.

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.

The guidance makes it clear that conduct involving sexual impropriety is serious and can significantly undermine public trust in the profession.

Whilst the conduct was undertaken off-duty, the former officer clearly set out to organise and subsequently direct the act taking place. It is my assessment that the officer could have reasonably foreseen the risk of harm in behaving in this way and the location he chose. Furthermore, the manner in which the activity was arranged, via anonymous messaging application, that it was foreseeable that the other party may not have been old enough to consent to sexual activity. I find a high level of culpability here due to the control that the former officer had over the events taking place, and that police officers engaging in sexual behaviour with children undermines public trust.

Even taking into consideration some inconsistency in accounts, it is clear that serious harm has been caused to a child under the age of 16 as a result of the conduct of the former officer. The knowledge of the conduct taking place will likely undermine confidence in policing. It is my assessment that this behaviour would be perceived by the public as unacceptable if it were to be known and I have no doubt that this will negatively impact the standing and reputation of the police service.

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When considering aggravating factors I note three specifically. Firstly, that the former officer continued his behaviour far beyond points where he ought to have known it was improper and beyond the point where he actually did release it was improper. Secondly, the victim is under 16 which carries inherent vulnerability in the given situation, the former officer states that he believed them to be older but it is my assessment, taking account of the circumstances, that the former officer should have recognised this risk and the victim's vulnerability is equally evident regardless of what the former officer alleges he knew to be true. Thirdly, the former officer did not fully co-operate with the police investigation, not providing access to the application which was used to arrange the conduct taking place.

I have considered the possibility of mitigation and have not found anything which would speak to this, nor has any personal mitigation been submitted by the officer

The College of Policing Guidance sets out that the purpose of the 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. This purpose is at the centre of my considerations and when considering public confidence, the guidance is clear that where a finding of gross misconduct is made then dismissal is likely to follow.

The outcome today is that former officer Ahmad Shoaib would have been dismissed if he had not ceased to be a member of West Mercia Police. As a consequence of this finding, former officer Shoaib's name will be included on the Barred List held by College of Policing.

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

Signed. ...  2025
Assistant Chief Constable Grant Wills

Date: 14/1/2025

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

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 officer subject of proceedings:

I acknowledge receipt of this written notice of the misconduct proceedings, dated2025 of which this is a true copy.

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Signed.....

Date.....

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