

**NOTICE OF OUTCOME OF POLICE MISCONDUCT HEARING
REGULATION 43 REPORT: THE POLICE (CONDUCT) REGULATIONS 2020**

OFFICER CONCERNED: FORMER PC 21291 NATHAN ROGERS
DATE OF HEARING: 10 JUNE 2025
VENUE OF HEARING: WEST MERCIA POLICE HEADQUARTERS, HINDLIP
NAME OF CHAIR: RACHEL HARTLAND-LANE, ASSISTANT CHIEF OFFICER

A. INTRODUCTION

1. The misconduct hearing for Former PC Nathan Rogers (“FPC Rogers”) was convened in public on 10 June 2025 to deal with allegations which the Appropriate Authority (“AA”) assessed as amounting to gross misconduct.
2. The hearing panel consisted of the Chair and Independent Panel Members Chris Green and Linda John. The Panel were assisted by a Legally Qualified Person (“LQP”), Ms Kishma Bolaji. The LQP played no role in the decision-making.
3. The AA was represented by Lissy Verrall-Withers of 5 Essex Chambers. FPC Rogers did not attend and was not represented.
4. A pre-hearing was held remotely on 19 May 2025. The Chair directed that no oral evidence was required, and written statements provided during the course of the AA’s investigation could be admitted as evidence. She also directed that the AA provide an opening note 7 days before the hearing and listed the hearing to commence on 10 June 2025. In doing so, the Chair exercised her right to extend the time for commencement of the misconduct hearing past 100 working days beginning with the day on which the notice was given under Regulation 30(1).

B. THE ALLEGATIONS

5. The Panel was referred to the Regulation 30 Notice in respect of FPC Rogers, which set out the alleged breaches of the Standards of Professional Behaviour (“SPB”). The alleged conduct which may have breached the SPB is set out as follows:

It is alleged that you engaged in a course of conduct towards female colleagues that was inappropriate in nature. In particular, this included the following:

- a. Asking a female colleague what her ‘party trick’ was and told her that she did not have to “keep it PG”.
- b. Making an inappropriate comment to a female colleague about her having “kinks”.
- c. Making inappropriate comments about menstruation to two female colleagues. This comment was, or could reasonably be perceived to be, derogatory towards women.
- d. Engaging with female colleagues via social media, without a professional purpose for doing so, including requesting them as ‘friends’ and asking them to go out to eat

with you. This comment was, or could reasonably be perceived to be, harassment towards the female colleagues involved.

- e. Commenting that it was not appropriate for you to hug a female colleague, but that you intended to do so at the Christmas party. This comment was, or could reasonably be perceived to be, harassing towards women.
- f. Acting in a flirtatious manner towards female colleagues whilst on duty in a manner that you knew or ought to have known was unwanted.

It is further alleged that you engaged in a course of conduct whereby you made highly offensive and inappropriate sexual comments about female colleagues, whilst on duty. In particular, this included you:

- a. Asking a male colleague who was “fuckable” in the office.
 - b. Telling a male colleague that a female colleague “look[ed] pissed off, all she needs is a rough fuck”.
 - c. Making comments such as “she would get it” or you would “smash her back doors in”.
 - d. Telling a male colleague that it was a punishment for you to be in a room full of attractive young women. This comment was, or could reasonably be perceived to be, derogatory towards women.
 - e. Asking to swap seats with another colleague to be closer to a particular female colleague. This comment was, or could reasonably be perceived to be, harassing towards the female colleague involved.
 - f. Continuing to make such comments, despite being challenged by other colleagues on its inappropriate nature.
6. The alleged conduct particularised above is alleged to have breached the SPB, specifically relating to (i) Authority, Respect and Courtesy and (ii) Discreditable Conduct.
7. The Regulation 30 Notice states:
- a. “In respect of Authority, Respect and Courtesy, you made multiple comments to female colleagues or about female colleagues that could reasonably be perceived as offensive, harassing, derogatory, and degrading. In behaving in such a manner, you have failed to treat your female colleagues with dignity and respect.
 - b. In respect of Discreditable Conduct, you engaged in conduct likely to discredit West Mercia Police and undermine public confidence in West Mercia Police.”
8. It is further alleged that such conduct was a breach of the SPB so serious that FPC Rogers’ dismissal could be justified and therefore amounts to gross misconduct.

C. NON-ATTENDANCE BY THE OFFICER

9. There was no attendance at the hearing by FPC Rogers. FPC Rogers' Federation Representative contacted the AA to advise that she could not attend the hearing but given that she had no instructions from the former officer in any event, was happy for the AA to present its case.
10. The LQP advised the Panel that they must ensure fairness and justice are maintained when deciding whether to proceed with the hearing in the absence of FPC Rogers. She advised that the Panel were required to weigh their responsibility for public protection and the expeditious disposal of the case against FPC Rogers' right to be present at the hearing. She further advised the Panel that *R v Jones & Hayward [2002] UKHL 5* and *GMC v Adeogba and Visvardis [2016] EWCA Civ 162* are of particular relevance to their decision as to whether it would be fair and appropriate to proceed in the absence of FPC Rogers and listed a number of factors the Panel may take into account in reaching their decision.
11. The Chair invited submissions from the AA on whether to proceed with the hearing. Ms Verrall-Withers reminded the Panel that the Regulation 17 Notice had been served on FPC Rogers in November 2023 and he had not since engaged with the AA, given instructions to his Federation Representative or retained legal representation. A significant amount of time has lapsed, and the former officer has maintained his election not to be represented. FPC Rogers has made a voluntary decision not to engage, and the hearing should therefore proceed.
12. The Panel retired to deliberate. The Panel were satisfied that FPC Rogers was aware of the hearing taking place and that the Notice of Hearing had been validly issued. The Panel considered that it was in the best interests of the public to proceed in the circumstances, given that there was no indication that adjourning the hearing would result in FPC's attendance at a later date. The Panel were satisfied that FPC Rogers was entitled to attend the hearing and has voluntarily decided not to do so. In all the circumstances, the Panel considered it would be appropriate to proceed with the hearing in the absence of FPC Rogers in the public interest.

D. SUBMISSIONS BEFORE DELIBERATIONS

13. The Chair invited submissions from the AA in relation to the allegations against FPC Rogers. Relying on the submissions made in her Opening Note as the bulk of the AA's case, Ms Verrall-Withers elaborated on the likely meaning of the language said to have been used by FPC Rogers as particularised in the Regulation 30 Notice. She argued that FPC Rogers sought to elicit inappropriate sexual discussion with colleagues, made comments that were offensive and inappropriate and perpetuated stereotypes about women. She invited the Panel to consider the former officer's behaviour in the round and highlighted the extended period of time over which the alleged conduct is said to have occurred.
14. The AA invited the Panel to place weight on the witness evidence provided in the bundle, both the first-hand accounts of FPC Rogers' inappropriate behaviour and the corroborating statements from others he worked with. It was suggested that FPC Rogers

displayed a pattern of behaviour which showed a similar thread of deep-rooted prejudice against women running through them. His aggressive and extreme language was said to be demonstrative of misogyny, which has no place in policing. In closing, the AA made reference to FPC Rogers' conduct history and noted that interventions to date had not succeeded in dealing with his behaviour.

15. There was no witness evidence to be heard and no representations to be made on behalf of FPC Rogers.
16. The AA reminded the Panel of the legal framework in which police misconduct hearings are heard and the LQP provided advice as to the burden and standard of proof, the purpose of the proceedings and the steps to be taken by the Panel in reaching its decision on the facts. Specifically, the Panel was reminded of its duty to consider the facts of the case and make findings of fact in relation to each of the allegations, determine whether those findings of fact constituted a breach of the relevant standards and determine whether the conduct found proven against FPC Rogers amounted to misconduct, gross misconduct or neither.
17. The Panel then retired to deliberate on the allegations.

E. THE PANEL'S APPROACH

18. The Panel understood that the burden of proof was on the AA and the standard of proof is the balance of probabilities. The Panel applied this standard when considering the facts of the case.
19. The Panel approached its decision making by keeping in mind the purpose and character of police misconduct proceedings; the primary purpose being not to punish the former officer but to protect public confidence in, and the reputation of, the police service by holding him to account and making clear that improper behaviour will not be left unchecked. A secondary purpose is to be declaratory of high professional standards and a final purpose is to protect the public and officers and staff by preventing similar misconduct recurring in the future.
20. The Panel also had regard to the framework of regulations and guidance, including:
 - a. the Police (Conduct) Regulations 2020 (the "Regulations") including the Standards of Professional Behaviour at Schedule 2;
 - b. Home Office Guidance Conduct, Efficiency and Effectiveness: Statutory Guidance on Professional Standards, Performance and Integrity in Policing 2020 (the "Home Office Guidance");
 - c. The College of Policing Guidance on Outcomes in police misconduct proceedings (2023) (the "Outcomes Guidance");
 - d. The College of Policing Code of Ethics (2024) and Code of Practice for Ethical Policing (2023);
 - e. the definition of misconduct given at Reg 2(1) of the Regulations: "a breach of the Standards of Professional Behaviour";

- f. the definition of gross misconduct given at Reg 2(1) of the Regulations: “a breach of the Standards of Professional Behaviour so serious that dismissal would be justified”.

F. FACTUAL FINDINGS

- 21. The Panel carefully considered the evidence provided in the hearing bundle (including the Regulation 30 Notice, Investigation Officer’s Report and supporting documents) and in oral submissions by the AA in respect of the allegations set out in the Regulation 30 Notice. FPC Rogers’ conduct history, included in the hearing bundle, was noted and considered to be of particular relevance, given the similarity between the allegations made against the former officer and those which formed the basis of previous interventions and disciplinary action, including a written warning in June 2023.

- 22. In relation to the allegation that FPC Rogers engaged in a course of conduct towards female colleagues that was inappropriate in nature, the panel found that:

a. asking a female colleague what her party trick was and stating that she did not have to keep it PG and b. commenting about a female colleague having kinks

- 22.1 The Panel found that FPC Rogers’ comments were sexually suggestive and therefore inappropriate. The Panel accepted the submission made by the AA that ‘PG’ in the context of FPC Rogers’ conversation with his colleague should be given its ordinary meaning. On balance the Panel was satisfied that FPC Rogers was trying to elicit and engage in conversations of a sexual nature with work colleagues. In both instances, it is clear from the evidence that FPC Rogers’ comments resulted in his colleagues feeling uncomfortable and degraded given the nature of their relationship with him as a work colleague, and the fact that they barely knew him. The Panel accepted the evidence about what had been said as credible, and held the view that FPC Rogers’ comments could not be interpreted in any way other than sexual and inappropriate.

c. commenting about menstruation to two female colleagues

- 22.2 The Panel accepted the AA’s evidence that these comments were offensive and stereotypical, linking his colleagues’ moods to their menstrual cycles. Furthermore, menstruation is a private health matter, and it was inappropriate for FPC Rogers to seek to engage in discussion about this with female work colleagues. The public would not expect officers to perpetuate such stereotypes but rather to protect a female’s right to privacy over such matters. The evidence makes clear that FPC Rogers’ line of questioning led to discomfort amongst the female colleagues involved, whose evidence as to what had occurred the Panel accepted.

d. engaging with female colleagues via social media

- 22.3 The Panel shared the view expressed by the AA that adding someone to a social media platform is not in and of itself inappropriate. Whilst FPC Rogers’ efforts to connect with some female colleagues via Skype and Facebook could be regarded as persistent, the Panel considered that his conduct fell just shy of

being demonstrative, on the balance of probabilities, of behaviour that was offensive or particularly inappropriate, such that it would support the allegation that he had engaged in inappropriate conduct toward colleagues. FPC Rogers' approaches, whilst unprofessional in the wider context, were not considered by the Panel to include sexual or offensive language or to otherwise suggest any inappropriate intent, save for the fact that he had only met the women he was trying to connect with in a professional setting, and they did not know him well, if at all.

e. commenting that it was not appropriate to hug a female colleague at the Christmas party

- 22.4 The Panel considered that given FPC Rogers' conduct history he should have been aware of the inappropriate nature of unwanted physical contact with colleagues. The AA suggested that FPC Rogers was blurring professional boundaries in suggesting that he intended to hug people at the Christmas party while acknowledging that it would not be appropriate to do so. In addition, given the training he will have received as a constable, he will have been aware that his conduct both in and outside work would be held to the same standard. The Panel considered FPC Rogers' comments to be to some degree threatening and could be perceived as harassment.

f. acting in a flirtatious manner toward female colleagues whilst on duty

- 22.5 The AA submitted that FPC Rogers' behaviour toward his female colleagues was fundamentally inappropriate in the workplace. The Panel agreed, and considered that FPC Rogers ought to have known that his conduct was inappropriate and unwanted in a professional environment. The issue was raised with FPC Rogers on a several occasions, but he continued to use sexually inappropriate language and behaviour toward women for which he had been spoken to/reprimanded on previous occasions.
- 22.6 The Panel considered that although FPC Rogers was expected to operate in an advisory capacity in a critical area, the evidence suggests that he was more interested in having conversations with younger female colleagues than carrying out his function at the OCC. The Panel noted the evidence that FPC Rogers spent an inordinate and unnecessary amount of time speaking with the younger women in the office, such that it attracted attention from other members of staff who relayed their concerns to more senior colleagues.
- 22.7 The Panel were satisfied that FPC Rogers will have been fully aware of his conduct and its impropriety, having been challenged on a number of occasions specifically by male colleagues. Coupled with the knowledge as to why he had been assigned to the OCC in the first place, which the Panel considered was significant, FPC Rogers' behaviour was wholly inappropriate and unacceptable and demonstrated a worrying lack of insight into the impact of his behaviour on those around him.
- 22.8 On balance, the Panel were satisfied that this allegation was proven on the facts, save for the evidence around FPC Rogers' social media interactions, which the Panel did not find fell below the SPB, although this is finely balanced.

- 23 The second allegation was that FPC Rogers engaged in a course of conduct whereby he made highly offensive and inappropriate sexual comments about female colleagues while on duty.

a. to e. – Alleged use of the terms “fuckable”, “all she needs is a rough fuck”, “she would get it”, “smash her back doors in”, “punishment to be in a room full of attractive young women”

- 23.1 In respect of this allegation, the Panel gave considerable weight to the report provided by Aron Guy. He articulates in a measured way his first-hand encounters and conversations with FO Rogers relating to the comments set out at 4a-4e of the Regulation 30 Notice. The Panel considered that Mr Guy’s witness account was clear in his recollection of the language used by FPC Rogers and found this evidence compelling and credible.
- 23.2 The Panel found that FPC Rogers’ unashamed use of fundamentally inappropriate, offensive and misogynist language suggested a deep-rooted disrespect for and objectification of women. FPC Rogers neglected his duty in the workplace to perform a public role and conducted himself in a way which suggested that he was trying to find a sexual partner. The Panel has also noted the very aggressive nature of some of FPC Rogers’ comments when speaking to male colleagues and considered the impact this would have on public perception of policing, given FPC Rogers’ authority over the public and responsibilities toward the public.

e continuing to make such comments, despite being challenged by other colleagues on its inappropriate nature

- 23.3 FPC Rogers would have been aware of why he had been assigned to OCC in the first place, and his conduct history. The witness evidence gives multiple accounts of FPC Rogers being challenged about the inappropriate, highly sexual and misogynistic language he was using. He however failed to respond appropriately by changing the way he behaved and spoke about his female colleagues. His conduct continued despite already having had a written warning issued for similar behaviour.
- 23.4 The Panel expressed concern about the aggressive undertone of FPC Rogers’ language and considered that it was wholly unacceptable. He made these comments only in the presence of his male colleagues, which suggested a belief that other men would find his language appropriate or agreeable. When this proved incorrect, he appeared to downplay or disregard altogether the warnings he was being given or challenges to his behaviour, and continued to objectify and demonstrate misogynistic behaviour toward female colleagues, conduct that is fundamentally inappropriate in the workplace.
- 23.5 The Panel agreed with the AA’s assessment of FPC Rogers’ conduct as being unacceptable, extreme and demonstrating misogyny. The panel gave weight to the clear, firsthand witness evidence provided by the male colleagues with whom FPC Rogers shared his intimate thoughts about the females he worked with.

23.6 On balance, the Panel found this allegation proven on the facts.

G. BREACH OF PROFESSIONAL STANDARDS

24 The Panel carefully considered whether the conduct found proven amounted to a breach of the SPB relating to Authority, Respect and Courtesy and Discreditable Conduct, as alleged in the Regulation 30 Notice.

25 The Panel was mindful of the definition of Authority, Respect and Courtesy within the Regulations, namely

“Police officers act with self-control and tolerance, 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.”

26 It also considered the test for this standard of behaviour within the Code of Ethics which is that police officers are expected to carry out their roles and responsibilities in an efficient, diligent and professional manner, avoid any behaviour that might impair their effectiveness or damage either their own reputation or that of policing, and ensure their behaviour and language could not reasonably be perceived to be abusive, oppressive, harassing, bullying, victimising or offensive by the public or their policing colleagues.

27 The Panel found that the proven allegations demonstrated a lack of respect for professional boundaries and a deep-rooted disrespect and objectification of women on the part of FPC Rogers. His behaviour amounted to a breach of Authority, Respect and Courtesy.

28 The Standard of Discreditable Conduct pursuant to Schedule 2 of the Regulations stipulates that *“Police officers behave in a manner which does not discredit the police service or undermine public confidence in it, whether on or off duty”*.

29 The Panel found that FPC Rogers failed to maintain the highest standards of behaviour expected from members of the public and that his conduct had the potential to undermine public confidence. There is a public expectation that these types of behaviours would be challenged. The former officer’s relevant conduct history demonstrates that efforts had already been made to address his behaviour, with no success. The allegations against FPC Rogers show that despite his history he continued to behave in a reprehensible manner toward female colleagues, with an element of arrogance about his behaviour. The Panel noted that he boasted to a colleague (Mr Guy) about the fact that the pornographic imaging and videos on his mobile phone had not been discovered when it was seized during a previous investigation into his conduct.

30 FPC Rogers’ conduct, which the Panel have found proven, places him in breach of the SPB relating to Discreditable Conduct.

H. MISCONDUCT, GROSS MISCONDUCT OR NEITHER

31 The Panel then went on to consider whether FPC Rogers' behaviour amounted to misconduct or gross misconduct and reminded themselves of the definition of each.

32 The panel considered that the breaches of the SPB by FPC Rogers crossed the disciplinary threshold and that dismissal could be justified. His conduct therefore amounted to gross misconduct.

I. DETERMINATION OF OUTCOME AND REASONS

33 Having made its determination on the facts of the case and on finding gross misconduct, the Panel moved on to deal with outcome.

34 The Panel heard further submissions from Ms Verrall-Withers for the AA and received advice from the LQP on the Outcomes Guidance. The Panel was provided with FPC Rogers' service record.

35 The Panel then retired to decide on outcome, following the structured approach set out in the Guidance and giving careful consideration to the issues of seriousness, harm, aggravating and mitigating factors in this case. The panel drew no conclusions or gave any weight in reaching its determination, to the officer's non-attendance at the hearing. It was borne in mind that his absence did not equate to an admission of any of the allegations. The Panel gave due regard to the former officer's record of service.

36 The Panel reminded itself that in reaching a decision on outcome it must have regard to the public interest, which included the need to protect the public, to maintain confidence in the police service and to declare and uphold proper standards of conduct and behaviour.

37 The Panel followed the three-stage approach as follows:

Stage 1: Assess Seriousness

Stage 2: Remind itself of the purpose of the Police Misconduct regime

Stage 3: Determine the sanction most appropriate to the purpose

Seriousness

38 The Panel accepted that any case of gross misconduct which comes before a police misconduct hearing is to be considered a serious matter. However, the Panel was reminded that its function is to decide *how* serious the gross misconduct was in this case.

39 The Panel assessed the level of seriousness by following the four-step approach as laid down in the Outcomes Guidance:

Step 1: Assess Culpability

Step 2: Assess Harm

Step 3: Consider Aggravating Factors

Step 4: Consider Mitigating Factors

Culpability

- 40 Culpability was determined by considering the non-exhaustive list of culpability sub-factors in the Outcomes Guidance and any others it deemed to be relevant.
- 41 The Panel determined that culpability is high. The Panel found that FPC Rogers was solely responsible for his behaviour and that his conduct was intentional, deliberate and targeted toward younger female members of staff. His behaviour was perpetuating misogyny and predatory. There was a worrying undertone of behaviours both toward his female colleagues and the way in which he engaged with his male colleagues. It was clearly misogynistic in nature and there was repeated highly inappropriate use of sexually offensive language in the workplace.
- 42 The Panel noted that paragraph 4.10 of the Outcomes Guidance states that *“Conduct that is intentional, deliberate, targeted or planned will generally be more culpable than conduct that has unintended consequences...”*
- 43 The Panel also considered whether this form of gross misconduct falls into the “especially serious” category described as “Violence, intimidation or sexual impropriety” at paragraphs 4.40 to 4.43 of the Outcomes Guidance, which includes harassment. The Guidance directs the Panel to
- “Give attention to the degree of persistence, the vulnerability of the other party, the number of people subjected to the behaviour and whether the officer was in a specific position of authority or trust. More serious action is likely to be appropriate where the officer has demonstrated predatory behaviour motivated by a desire to establish a sexual or improper emotional relationship with a colleague...”*
- 44 The Panel found that despite previous formal and informal intervention FPC Rogers continued to pursue his course of inappropriate behaviour with no regard for colleagues impacted, demonstrating a significant lack of self-awareness. His behaviour affected several women in the office, was persistent and continued for a sustained period of time. He made direct comments to female colleagues which were derogatory in nature, and demonstrated a desire to establish sexual or improper emotional relationships with colleagues.
- 45 The Panel considered that in the OCC environment, where there were young staff members, that FPC Rogers may have been seen as a more senior member of staff or a role model. This increased the culpability of his conduct as he held a position of trust in that setting. His conduct toward his female colleagues was unwanted and could be considered as harassment as there was a degree of persistence.
- 46 For these reasons, the Panel found that FPC Rogers’ culpability was high.

Harm

- 47 In determining harm, the Panel referred itself to the factors suggested in the Outcomes Guidance and considered that in this case, there was both a risk of reputational harm to the police service and potentially psychological distress caused to members of staff who had been subjected to FPC Rogers’ inappropriate language and behaviour.

- 48 FPC Rogers' behaviour created an uncomfortable working environment. The Panel agreed with the AA's submission that the former officer's conduct created a hostile and degrading working environment with the use of misogynistic language and behaviour. Colleagues were required, as evidenced in the bundle, to shift their behaviour to accommodate his, changing how they accessed the room and feeling like they were on "on show like on a catwalk" when having to walk past him. There was at least some degree of psychological distress to colleagues who reported feeling uncomfortable.
- 49 In terms of reputational damage to policing, any reasonable member of the public would regard FPC Rogers' conduct as inappropriate, unacceptable and completely incompatible with that of a police constable. The Guidance states that
- "Where an officer commits an act that would harm public confidence if the circumstances were known to the public, take this into account."*
- 50 The Panel concluded that, in all the circumstances, the level of harm caused was high.

Aggravating Features

- 51 The Panel went on to consider aggravating factors and identified a number of relevant factors in the Outcomes Guidance, specifically:
- 51.1 Targeted and deliberate behaviour – FPC Rogers focused his attention on the younger female members of staff to the detriment of his professional function at the OCC.
- 51.2 Regular repeated or sustained behaviour over a period of time – FPC Rogers' conduct involved multiple members of staff over a period of time. Despite being challenged and having received warnings in the past, he persistent with the use of derogatory and sexualised language about and to his female colleagues.
- 51.3 Abuse of trust or position of responsibility - FPC Rogers' role at the OCC was such that he will have been perceived by junior members of staff as someone with authority.
- 51.4 Continuing the behaviour after the officer realised or should have realised his behaviour was improper – FPC Rogers will have been aware of his conduct history and that fact that he had only months prior been issued a Written Warning for similar behaviour.
- 51.5 Multiple proven allegations and breach of SPB.
- 52 The Panel could give only limited weight to these identified factors however, because they had already been taken into account as part of the Panel's deliberation of culpability. These were therefore not double counted.

Mitigating Features

- 53 In terms of mitigating factors, given that the former officer had not submitted a Regulation 31 response or engaged in the proceedings, the Panel found it difficult to assess whether there are any factors in mitigation. The Panel did not consider any of the factors set out in the Outcomes Guidance to apply.

Overall Assessment of Seriousness

- 54 It therefore determined that the overall assessment of seriousness based on harm, culpability, aggravating and mitigating factors was high.

Personal Mitigation

- 55 No character references had been provided on behalf of FPC Rogers.

The Purpose

- 56 Moving on to Stage 2 of the process for determining outcome, the Panel reminded itself of the purpose of the police misconduct regime before deciding on the appropriate sanction. The threefold purpose is as follows:

- Maintaining public confidence in and the reputation of the Police Service.
- Upholding high standards in policing and deterring misconduct.
- Protecting the public.

Deciding Outcome

- 57 As required by the Outcomes Guidance, the Panel moved to the third stage of the sanction process by considering the least serious outcome available to it that would meet the threefold purpose of the misconduct regime.
- 58 The least serious sanction that would have been available, if FPC Rogers was still serving, was a Final Written Warning. The Panel considered however that this would not have satisfied the purpose of the police misconduct regime given the seriousness of the allegations against FPC Rogers, which the Panel have found proven.
- 59 The Panel had regard to the Home Office Guidance on Former Officers and the Outcomes Guidance which states that where the Panel finds that the conduct amounted to gross misconduct, it can only consider two outcomes: disciplinary action or no disciplinary action. Where the finding is gross misconduct and disciplinary action is imposed, this can only be that the former officer would have been dismissed if still serving.
- 60 The panel did not consider that no disciplinary action would have been sufficient to uphold public confidence in and respect for the police service and would be insufficient to reflect the importance of upholding high standards in policing and deterring misconduct.
- 61 Based on the panel's assessment of the seriousness of FPC Rogers' conduct, it has been determined that no sanction less than dismissal without notice is justified. As such, the decision of the panel is that FPC Rogers would have been dismissed without notice if he were still serving and should be placed on the College of Policing's Barred List.

Ms Rachel Hartland-Lane – Chair

Chris Green – IPM

Linda John – IPM

12 June 2025