

In the Police (Conduct) Regulations 2020

And in the case of PC Daniel Hughes

DECISION OF THE CHAIR AT STAGE 1

I have today heard details of the case against PC Daniel Hughes. This is listed as an accelerated misconduct hearing before me today.

Prior to the hearing I have seen the following documentation

- The R51 notice.
- The Appropriate Authority's bundle
- The response from PC Hughes in which he deals with the issues contained in Regulation 54

I have heard submissions from counsel for the Appropriate Authority and have considered the officer's written admissions. The officer has not attended today and has not therefore made any additional submissions to me.

Prior to today the officer has made representations to me that the case should be adjourned and has made written representations to me in that regard. Having carefully considered his application I have decided to refuse it and to proceed today in his absence. R57 (3) B sets out that I am able to proceed in the officer's absence. I am content that the officer is aware of the hearing today, based on his various written submission and that he has chosen not to attend. I am also aware that the officer has accepted the breaches of the standards of professional behaviour at the level of gross misconduct. I have come to the conclusion that he would not therefore be prejudiced by any decision to proceed with the case in his absence and I therefore formally refuse his application and proceed without him being present.

In separate correspondence the officer has asked for "anonymity" so that he is not prejudiced by details of the case being published in advance of his sentencing date. In previous

correspondence and again orally today, the Appropriate Authority has also made representations in relation to this issue and does not oppose this aspect of the application. I have concluded that it would be in the interests of justice for the publication of these proceedings to be adjourned until the conclusion of the criminal case next month so as not to cause any potential prejudice to the officer.

In relation to publication of his name and anonymity after the date of sentence, I am advised by Mr Black of the case of Newsquest Media Ltd V The Legally Qualified Chair of the Police Misconduct Tribunal and in particular paragraph 45 which deals with the issue of anonymity. It is my view that the officer's submissions in relation to a potential risk to his safety are speculative and without any supporting evidence. Following the decision in this case I am satisfied that he has not provided the clear and cogent evidence that the case law suggests. Furthermore, the officer did not make an application for anonymity at the Crown Court and the details of the criminal case and the fact that he is a police officer are already in the public domain. For these reasons I refuse to grant him anonymity when details of the misconduct case are published.

In relation to the substantive matters for consideration today I confirm that having considered all of the evidence in the AA's bundle and the officer's admissions, there is irrefutable evidence of the conduct contained in the R51 notice, namely the criminal conviction. This is based on the officer's admissions and the AA's case.

Having regard to the particular standards of professional behaviour I note that I am dealing solely with the criminal conviction and that the proceedings today are not a rehearing of the criminal case. Whereas the issues of integrity, confidentiality and orders and instructions might be relevant to a hearing under Part 4 of the Regulations, I am of the view that they do not directly relate to the matters on which I must make a determination today.

I am therefore satisfied that the standard of discreditable behaviour is made out and I am not minded to find that the other standards contained in the R51 are made out in the particular circumstances of this case, irrespective of the officer's admissions.

Having considered the definition of gross misconduct, I find that the breach of the standard of discreditable conduct is so serious as to warrant dismissal. It is difficult to envisage how the conduct represented by the criminal conviction could be characterised any differently.

Therefore, I find that the breach of discreditable conduct is at the level of gross misconduct.

Following my determination at Stage 1 of these proceedings I now move to stage 2 which is for me to determine the appropriate outcome.

I have received written and oral submissions from Mr Morley on behalf of the Appropriate Authority. I have not received any further submissions from the officer today as he has not attended. He has not supplied any character evidence or any other testimonials. I have seen his record of service.

In my assessment of the seriousness of the breach of the Standards of Professional Behaviour I have followed the four-stage approach set out in the College of Policing Guidance on Outcomes.

CULPABILITY

PC Hughes has been convicted of a number of criminal offences at the Crown Court following trial. It is clear from the Guidance that criminal convictions are a serious matter for police officers, not least because public confidence in the police service will be harmed. The Guidance allows me to consider the background to the offending behaviour when I make my determination.

I agree with Mr Morley's submission that data protection and computer misuse, from which these convictions arise, is a particular matter of concern within the police service. I assess the officer's culpability as high, therefore.

HARM

I accept that there was the potential for harm to the named individuals by PC Hughes's disclosure. I am also of the view that the effect of his conduct on the police service and public confidence is at play here. I take note of the Guidance at paragraphs 4.66 – 4.74 in relation to harm on the police service. Whereas no actual harm has come to the individuals concerned, there was the risk or likelihood of harm occurring by his criminal conduct. I am of the view that if the public were to become aware that the officer was misusing Force systems in the manner found at the Crown Court, they would be rightly horrified by his conduct. I am of the

view that the criminal behaviour would rightly impact on the police service and public confidence in policing and therefore find harm caused by his conduct to be high.

AGGRAVATING FACTORS

The Guidance sets out at p4.75 onwards matters which are considered to be aggravating features. I find the following present in this case.

1. Premeditation planning targeting of taking deliberate or predatory steps.
2. Abuse of trust or position.
3. Concealing wrongdoing. The officer denied the allegations and was convicted after trial.
4. Continuing the behaviour after he realised or should have realised it was improper.
5. Significant deviation from instructions.

I also note in particular that the officer has disclosed some of the information obtained on a personal WhatsApp group which I regard as a highly aggravating feature.

MITIGATING FACTORS

This is mitigation in relation to the breach and different to personal mitigation. I acknowledge that at 4.81 in the Guidance there is a list of matters which can be regarded as mitigating factors and one of those is [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



PERSONAL MITIGATION

The officer has not supplied any additional character evidence, and I have seen his record of service. However, any personal mitigation would not detract from the egregious nature of the officer's conduct. I am guided by Chapter 6 of the Outcomes Guidance and in particular the comments of Lord Justice Maurice Kay in the case of Salter

As to personal mitigation, just as an unexpectedly errant solicitor can usually refer to an unblemished past and the esteem of his colleagues, so will a police officer often be able to do so. However, because of the importance of public confidence, the potential of such mitigation is necessarily limited.

I am also guided by the words of Mr Justice Holroyde in the case of Williams V Police Appeals Tribunal

The importance of maintaining public confidence in and respect for the police service is constant regardless of the nature of the gross misconduct. What may vary will be the extent to which the particular gross misconduct threatens the preservation of such confidence and respect. The more it does so, the less weight can be given to personal mitigation"

For these reasons I give no weight to the officer's record of service.

In all of the circumstances when considering outcome, I note that the most important purpose of imposing disciplinary sanctions is to maintain public confidence in and the reputation of the police service as a whole.

Having considered all of the factors outlined above, having found that the officer acted as alleged in breach of professional standards to the degree of gross misconduct, in the circumstance of this case it would not be appropriate to impose a final written warning. The appropriate outcome commensurate with the seriousness of the conduct and consistent with the purpose of these proceedings is that PC Hughes is dismissed without notice and that his name be added to the College of Policing Barred list.

SIGNED.....

DATE 15 July 2026