

IN THE MATTER OF MISCONDUCT PROCEEDINGS
THE POLICE (CONDUCT) REGULATIONS 2020
BETWEEN:

THE CHIEF CONSTABLE OF DERBYSHIRE CONSTABULARY
Appropriate Authority

And

FORMER POLICE INSPECTOR RICHARD BOOTH
The Officer

HEARING ON THE 1 – 5 JUNE 2026
CHAIR'S REPORT GIVING REASONS AND FINDINGS

Summary of the case

1. At the misconduct hearing on 1 – 5 June 2026, the panel considered allegations concerning a breach of the Standards of Professional Behaviour relating to Discreditable Conduct.
2. The Panel found that the former Officer breached the Standards of Professional Behaviour relating to Discreditable Conduct.
3. The Panel concluded that the breaches amounted to Gross Misconduct.
4. Following consideration of outcome and the College of Policing Guidance on Outcomes in Police Misconduct Proceedings, the Panel determined that had the former Officer remained a serving police officer, the appropriate disciplinary action would have been dismissal without notice.
5. The Panel determined that the former Officer would have been dismissed had they not ceased to be a member of a police force.

References and abbreviations

6. In this report:
 - a) 'The 2020 Regulations' means the Police (Conduct) Regulations 2020. Reference to a regulation is, unless otherwise stated, to a regulation in the Police (Conduct) Regulations 2020.
 - b) 'The 2020 Home Office Guidance' and 'the Home Office Guidance' refers to the Home Office Guidance *Conduct, Efficiency and Effectiveness: Statutory Guidance on professional Standards, performance and Integrity in Policing* (issued under section 87 and 87A of the Police Act 1996) published on 5 February 2020.

- c) 'The College of Policing outcomes guidance' and 'the outcomes guidance' refers to the College of Policing *Guidance on outcomes in police misconduct proceedings* (issued under section 87 the Police Act 1996) published on 17 August 2022 and updated (by having paragraph numbers added) in March 2023.

7. In this report the following abbreviations/terms may be used:

- a) The former Officer = Inspector Booth
- b) AA = Appropriate Authority
- c) HOG = Home Office Guidance
- d) IO = Investigating Officer
- e) The Chair = ACC Diane Coulson
- f) IPM = Independent Panel Member
- g) LQP = Legally Qualified Person
- h) PC = Police Constable
- i) PS = Police Sergeant
- j) PSD = Professional Standards Directorate
- k) PNB = Pocket Notebook

Status of this report

8. This report has been prepared by the Legally Qualified Person pursuant to Regulation 43 (1B) of the Police (Conduct) Regulations 2020, following delegation by the Chair.

Regulation 43 (1C) provides for submission of the final report to the Appropriate Authority within 10 working days of the conclusion of the proceedings.

Regulation 43 further requires the report to set out the following:

- (a) *The findings of the person or persons conducting the misconduct proceedings,*
- (b) *The reason for that finding,*
- (c) *Any disciplinary action imposed, whether disciplinary action for gross misconduct was imposed,*
- (d) *Any direction that the matter shall be dealt with under the reflective practice review process.*

9. This document is the 'report' submitted 'to the appropriate authority' pursuant to regulation 43 (1) of the Police (Conduct) Regulations 2020 and it is the Chair's report.

Status of the Officer

10. Following the commencement of these proceedings, the Officer retired from Derbyshire Constabulary on 6 August 2025.

11. The Appropriate Authority determined that the former officer conditions were satisfied. This was a Condition A case pursuant to Regulation 4(3) of the Police (Conduct) Regulations 2020, as the Officer ceased to be a member of

a police force after the AA became aware of the matters giving rise to the allegations.

12. The Regulation 17 notices were served on the Officer on 20 September 2023 in respect of allegations 2 and 3, and on 14 August 2024 in respect of allegation 1.
13. The AA assessed that the allegations, if proved, amounted to gross misconduct. In accordance with the Police (Conduct) Regulations 2020 and chapter 20 of the Home Office Guidance, the matter proceeded as a former officer misconduct hearing.
14. The hearing was conducted in the same manner as a misconduct hearing involving a serving officer, subject to the modification applicable to former officer proceedings.

Parties, representatives, panel members and other attendees.

15. The hearing was held at Derbyshire Constabulary Force Headquarters in person.
16. Former Inspector Booth attended the misconduct hearing, and he was represented by Ms. Ailsa Williamson Counsel.
17. The AA was the Chief Constable of Derbyshire Constabulary who was represented during the proceedings by Mr. Steven Reed, Counsel.
18. The Chair of the misconduct panel was ACC Diane Coulson
19. The Independent Panel Members were Mrs Shameem Malooq and Dr Fleur Wrigley.
20. The LQP was Ms Emma Hutchinson, Solicitor-Advocate
21. DC Emma Pitfield attended the hearing.
22. There were observers present during parts of the hearing, including a member of the public.

Anonymity and Publicity

23. The misconduct hearing was held in public.
24. Prior to the misconduct hearing, directions were made concerning reporting restrictions and the identification of certain individuals connected to the proceedings.

25. The direction relating to the identification of the complainants remained in place throughout the proceedings.
26. A further direction was made in relation to the identification of the former Officer. Following the outcome stage, that direction was varied and remains in force for a limited period until 30 June 2026.
27. The directions provided that:
- a) Anonymity for both complainants, Person A and Person B will remain in force indefinitely.
 - b) Anonymity for the former Officer is to remain in place until 30th June 2026, this is to support the original intent of the direction which was to enable the stepson of the former officer to complete his GCSE exams. This was balanced against the interest of the public in this case. As this is a very short period, the needs of a young person outweighed the public interest.
 - c) Whilst the former Officer will be immediately placed on the barred list, this will be on the private list up until 30th June 2026 at which point it will move to the public list.
28. Members of the public attended parts of the hearing and were made aware of the reporting restrictions and directions in place.
29. The misconduct hearing proceeded on the basis that reference during the public hearing to a document, would not automatically result in that document or page becoming publicly available.
30. The record of the misconduct hearing is not available to the public.

Background to the matter

31. The allegations before the Panel relate to the former Officer's conduct towards two individuals during his service as a police officer.
32. Allegation One alleges that the former Officer acted in a sexually inappropriate manner towards Person B in 2007.
33. Allegations Two and Three allege that the former Officer acted in a sexually inappropriate manner towards Person A between 2008 and 2012.
34. The former Officer denies the allegations. The Panel is required to determine whether the Appropriate Authority has proved the factual allegations on the balance of probabilities, whether any proven conduct breaches the Standard of Professional Behaviour alleged, and whether any breach amounts to Misconduct, Gross Misconduct or Neither.

Standards of Professional Behaviour

35. The Standards of Professional Behaviour are contained in Schedule 2 of The Police (Conduct) Regulations 2020. The AA alleged that the Officer breached the following Standard of Professional Behaviour in each of the three allegations:

- Discreditable Conduct
“Police officers behave in a manner which does not discredit the police service or undermine public confidence in it, whether on or off duty. Police officers report any action taken against them for a criminal offence, any conditions imposed on them by a court or the receipt of any penalty notice.”

The Allegations and Response

36. Allegations of Fact PARTICULARS

- a) This is a case concerning matters as particularised in the regulation 30 notice served upon Former Inspector 2384 Richard Booth and repeated below:

Allegation One

- b) “In 2007, your conduct breached the Discreditable Conduct Standards of Professional Behaviour in respect of the following matters:
- At all material times, you were deployed as a training Sergeant at Derbyshire Constabulary.
 - 1.2. At all material times, Person B attended Derbyshire Constabulary training as a student on the [REDACTED] training course.
 - 1.3. In accordance with your duties as a training Sergeant, you delivered training to Person B.
 - 1.4 During the time that you taught Person B, there was an occasion when you spoke with Person B, in a classroom when only you and Person B present.
 - 1.5. On the occasion stated at 1.4, above, you were on-duty and within police premises.
 - 1.6. Person B was upset, and you physically hugged her.
 - 1.7. When you hugged Person B, she put her head on one of your shoulders. You then kissed Person B on the lips.

- 1.8. After kissing Person B, you directed Person B to leave the classroom you were in. You then directed her to go with you into another room, which was a locker room.
 - 1.9. At one point you said to Person B words to the effect of, “don’t worry no-one is going to come in here”.
 - 1.10. Once within the locker room, you started to kiss Person B on the lips again.
 - 1.11. After kissing Person B, you undid your trousers and produced your penis from out of your trousers.
 - 1.12. You then put one of your hands on Person B’s head, before using your hand to direct her head towards your penis.
 - 1.13. You then engaged in oral sex with Person B, which was consensual.
 - 1.14. The sexual intercourse concluded when you ejaculated.”
- c) The conduct at paragraphs 1.7 – 1.14,
- a. Is likely to undermine public confidence in the police; and
 - b. Is likely to discredit Derbyshire Constabulary and the police service nationally.

Allegations Two & Three

- d) “Between 2008 and 2012, your conduct breached the Discreditable Conduct Standard of Professional Behaviour in respect of the following matters:
- 1.1. At all material times you were a Sergeant and/or Inspector deployed at [REDACTED] police station.
 - 1.2. At all material times, Person A worked from [REDACTED] police station as a [REDACTED].
 - 1.3. At all material times, part of your professional duties involved supervising Person A.
 - 1.4. During the material times, while on-duty and within police premises you acted sexually and/or inappropriately towards Person A by:
 - a) repeatedly kissing her, without her consent.
 - b) touching her bottom, over her clothing, without her consent; and
 - c) touching her genital area, over her clothing, without her consent.

- 1.5. In addition, on an occasion during the material times, while on-duty and within a motor vehicle, you touched Person A sexually and/or inappropriately by touching her leg, over her clothing, without her consent.
 - 1.6. In 2012, while on-duty and within [REDACTED] police station, Person A asked you if you had completed her expression of interest form. You knew that Person A required this form to be completed, so that she could apply to join Derbyshire Constabulary as a constable.
 - 1.7. As Person A's Inspector, you knew that Person A's expression of interest form needed to be considered by you.
 - 1.8. When Person A asked you about her expression of interest form, you directed her into your office, where you and Person A were alone.
 - 1.9. Once within your office, you sat Person A on a chair. Having sat Person A on a chair, you took hold of her head and kissed her.
 - 1.10. You then kept hold of Person A's head and physically forced her head towards your penis.
 - 1.11. Having forced Person A's head towards your penis, you penetrated Person A's mouth with your penis.
 - 1.12. When you penetrated Person A's mouth with your penis, you did this without her consent.
 - 1.13. Having penetrated Person A's mouth with your penis, you continued to have oral sex with Person A, without her consent.
 - 1.14. The oral sex concluded when you ejaculated in Person A's mouth.
 - 1.15. The totality of your behaviour towards Person A caused her to fear you."
- e) The conduct at paragraphs 1.4, 1.5, and 1.9 to 1.15,
- a. Is likely to undermine public confidence in the police; and
 - b. Is likely to discredit Derbyshire Constabulary and the police service nationally."
- f) The Appropriate Authority alleged that your breaches of the Standards of Professional Behaviour were so serious that they amount to gross misconduct.

Response

37. Former Inspector Booth provided a regulation 31 response in which he denied breaching the Standards of Professional Behaviour and denied that his behaviour amounted to gross misconduct or misconduct.

Interviews

- a) Former Inspector Booth was interviewed in relation to Allegation 1 on 25th November 2025 and answered all questions he was asked. He adopts that account.
- b) When former Inspector Booth was invited for interview on 27th October 2023 in relation to Allegation 2 there was a lengthy discussion between the Investigating Officer and Former Inspector Booth's solicitor in relation to inadequate pre-interview disclosure. Former Inspector Booth subsequently remained silent when asked questions, on the advice of his solicitor.
- c) A written account in relation to Allegation 2 was subsequently provided and is dated 15th December 2023. Former Inspector Booth adopts that account.

Detailed response to the Reg 30 allegations

Allegation One

- d) "Insp Booth was a Policing Trainer from May 2004 until March 2009, based at the training school at Force Headquarters. He was not based at [REDACTED] Police Station."
- e) "Insp Booth recalls Person B attending a [REDACTED] training course at Force Headquarters where he was one of the two allocated trainers. The training courses were not held at [REDACTED] Police Station. Her training records show that her [REDACTED] course began in March 2007."
- f) "There was an occasion when Person B attended the course with a black eye and visible bump on her face. Insp Booth was concerned that she may be a victim of domestic violence. He spoke to her after a class had ended."
- g) This conversation initially took place inside Classroom 8 (which was the classroom next door to where he had been teaching the class). Person B appeared distracted and concerned by the other students walking past the windows of the classroom, so they moved in a storage room to continue the conversation.
- h) Person B stated that she had walked into a bathroom cabinet and that had caused the injuries. Insp Booth recorded this conversation in his pocket notebook."
- i) "She was not upset. There was no physical contact between them at all."
- j) "On the occasion where Insp Booth wanted to speak to Person B about her black eye, they initially spoke inside Classroom 8 but there were other people in the vicinity and Person B appeared reluctant to speak. Insp

Booth suggested they speak somewhere more private, and they moved to the storage room. Insp Booth would not describe this room as a locker room. He may well have said words to the effect of "no-one is going to come in here" because he wanted to reassure her that she could make a confidential disclosure to him."

k) "Paras 1.10 – 1.14 are all completely denied."

l) For ease of reference paragraphs 1.10 – 1.14 are set out below:

1.10. Once within the locker room, you started to kiss Person B on the lips again.

1.11. After kissing Person B, you undid your trousers and produced your penis from out of your trousers.

1.12. You then put one of your hands on Person B's head, before using your hand to direct her head towards your penis.

1.13. You then engaged in oral sex with Person B, which was consensual.

1.14. The sexual intercourse concluded when you ejaculated."

Allegation Two

m) The following statements are all correct:

- *"At all material times you were a Sergeant and/or Inspector deployed at [REDACTED] Police Station*
- *At all material times, Person A worked from [REDACTED] police station as a [REDACTED]*
- *At all material times, part of your professional duties involved supervising Person A."*

n) "Insp Booth believes that he became Person A's supervisor in 2009."

o) "It is significant that during his supervision of Person A, it was necessary for Person A to be placed on an Action Plan. The reasons for this are set out in Insp Booth's written statement at p309 of the draft Reg 30 Bundle. The Human Resources Department were involved in the drafting of the Action Plan and Insp Booth's recollection is that they attended the meeting he had with Person A concerning the Action Plan and that she was also given the opportunity to bring a colleague or friend to the meeting."

p) The following is completely denied:

q) *"during the material times, while on-duty and within police premises you acted sexually and/or inappropriately towards Person A by:*

- a. repeatedly kissing her, without her consent.*
- b. touching her bottom, over her clothing, without her consent; and*
- c. touching her genital area, over her clothing, without her consent.*

- r) *In addition, on an occasion during the material times, while on-duty and within a motor vehicle, you touched Person A sexually and/or inappropriately by touching her leg, over her clothing, without her consent.*
- s) "Insp Booth completed as Expression of Interest form for Person A"
- t) "Paras 1.8 – 1.14 are completely denied. No inappropriate physical contact ever took place between them. No sexual behaviour ever took place. These allegations are fabricated."
- u) For ease of reference paragraphs 1.10 – 1.14 are set out below:
- *"1.8. When Person A asked you about her expression of interest form, you directed her into your office, where you and Person A were alone.*
 - *1.9. Once within your office, you sat Person A on a chair. Having sat Person A on a chair, you took hold of her head and kissed her.*
 - *1.10. You then kept hold of Person A's head and physically forced her head towards your penis.*
 - *1.11. Having forced Person A's head towards your penis, you penetrated Person A's mouth with your penis.*
 - *1.12. When you penetrated Person A's mouth with your penis, you did this without her consent.*
 - *1.13. Having penetrated Person A's mouth with your penis, you continued to have oral sex with Person A, without her consent.*
 - *1.14. The oral sex concluded when you ejaculated in Person A's mouth."*
- v) "Person A did not ever behave in a way that indicated to Insp Booth that she felt in fear of him."
- w) "The necessity of implementing an Action Plan did cause some tension in their interactions but this was an appropriate and necessary step for Insp Booth to take."

Documents before the panel

38. Prior to the hearing, the panel received a hearing bundle from the AA, comprising of 477 pages.
39. The hearing bundle was provided to Former Inspector Booth prior to the misconduct hearing.
40. Prior to the hearing, the panel received an opening note from the AA prepared by Mr Reed.

In the Hearing

41. The Regulation 30 notice was read into the record.

42. Counsel on behalf of the former Officer read the officer's response's and confirmed the position set out within her Regulation 31 response.
43. The Appropriate Authority opened the case and referred the Panel to the written opening note and documentary evidence relied upon.
44. The Panel heard oral evidence from the witnesses called during the hearing. The witnesses were questioned by the parties and the Panel.
45. The former Officer gave oral evidence during the hearing and was questioned by the Appropriate Authority, the Panel and his representative.
46. The Panel heard submissions from both parties in relations to the factual allegations, the alleged breaches of the Standards of Professional Behaviour, misconduct and gross misconduct, and outcome.

Legal Advice

47. The Panel received legal advice from the Legally Qualified Person (LQP) throughout the proceedings on procedural and legal issues arising during the hearing.
48. Written legal advice was provided to the parties during the proceedings. Stage One legal advice addressed matters including the approach to assessing evidence, findings of fact, the Standard of Professional Behaviour and the assessment of Misconduct and Gross Misconduct. Stage Two advice addressed the approach in determining outcome.
49. The Panel accepted the legal advice provided.
50. Copies of the written legal advice provided during the proceedings are appended to this report at Annex A.

Role of the panel

51. The role of the panel has four steps, which the panel approached in two stages:

Stage One

52. First, determining the facts based upon what was proven on the balance of probabilities.
53. Second, determining whether, on the basis of those facts the former Officer has breached the Standards of Professional Behaviour alleged by the Appropriate Authority.
54. Third, determining whether any breaches found amounted to Gross Misconduct, Misconduct or Neither.

Stage Two

55. Fourth, determining the appropriate outcome, including what disciplinary action would have been imposed had the former Officer remained a serving police officer.
56. The Panel ensured that each stage required separate consideration and discrete findings supported by sufficient reasons.

Panel Decisions

Findings of fact

57. The first stage for the Panel is to make findings of fact in relation to the allegations. In doing so, the panel was assisted by all of the evidence before it, and the submissions made by the parties.
58. The burden of proof is on the Appropriate Authority, and it is the simple balance of probabilities, namely what is more likely than not.

Principles for Assessing Evidence

59. The Panel heard and received all the evidence in this case. The Panel decided the case solely based on the evidence it heard during the hearing and contained in the bundles. The Panel did not speculate about evidence that was not before it.
60. Each member of the Panel brought to the case the benefit of their own experience and knowledge. The Panel reminded itself, however, that such experience was relevant only to its assessment of the evidence properly before it. No additional evidence was introduced by members of the Panel during deliberation.
61. The case was determined solely on the evidence heard during the hearings and contained within the bundles. The Panel recognised that it would be unfair to place reliance upon matters that the parties had not had the opportunity to hear, consider, or make submissions.
62. The Panel did not assess the evidence in isolation but considered the relevance of each piece of evidence in the context of the evidence as a whole. In determining whether an allegation was proved, the Panel considered the totality of the evidence.
63. The Panel considered issues of credibility, reliability, consistency, and demeanour when assessing the evidence. The Panel recognised that demeanour alone is not a reliable indicator of truthfulness and assessed the evidence primarily by reference to the content of the evidence itself, its consistency with other evidence, and the surrounding circumstances.
64. The Panel dispassionately considered the evidence and did not take into account the potential consequences of any findings. Any sympathy the Panel

may have had for those affected by the proceedings was put to one side, and the Panel considered the evidence alone.

65. The Panel considered the issue of delay and reminded itself of the legal advice provided. The Panel took into account the passage of time when assessing the evidence and considered whether the delay impacted upon the fairness of the proceedings or reliability of the evidence.

Findings in relation to Allegation One

66. The Panel carefully considered the evidence of Person B and the former Officer.
67. The Panel found Person B to be a credible and reliable witness. The Panel considered that her evidence was clear, measured and consistent. The Panel noted that she answered questions directly and did not seek to minimise or exaggerate matters, including matters which may have reflected negatively upon her.
68. The Panel considered that Person B had little to gain and potentially a significant amount to lose by making the disclosure.
69. The Panel considered the former Officer's account. The Panel noted that he accepted being alone with Person B in a private room but denied the alleged sexual conduct. The Panel found aspects of his evidence inconsistent and less persuasive. In particular the Panel considered that his explanation for taking Person B into a private room without windows did not align with the level of concern he said he held at the time.
70. The Panel considered that, had the former Officer genuinely held concerns as he described, there were alternative and more appropriate steps available to him.
71. The Panel considered the issue of delay in relation to Person B's account and reminded itself of the legal advice provided. The Panel recognised that the delay was not attributable to the former Officer and considered whether the passage of time impacted upon the fairness of proceedings or the reliability of the evidence.
72. The Panel took into account Person B's explanation for the timing of her disclosure. The Panel considered her earlier disclosures, the consistency of those disclosures with her later account, and the evidence she provided during the hearing. Having considered the evidence as a whole, the panel concluded that the delay did not prevent it from making reliable findings.
73. Having considered the evidence as a whole, the Panel preferred the evidence of Person B and found that the AA had proved Allegation One on the balance of probabilities.

Findings in relation to Allegation Two and Three

74. The Panel carefully considered the evidence of Person A and the and the former Officer.
75. The Panel found Person A to be a credible and reliable witness. The Panel considered that she gave her evidence in a clear and measured way and provided a consistent account of events.
76. The Panel considered the circumstances in which Person A disclosed the allegations. The Panel noted the previous partial disclosures and considered that those disclosures supported her credibility.
77. The panel considered Person A's explanation for not reporting the matter earlier. The Panel found her explanation to be plausible, including the impact of the imbalance of power between her and the former Officer and the circumstances which led her to feel able to provide a fuller account at a later stage.
78. The Panel considered whether Person A had any apparent motive to provide an inaccurate account. The Panel considered the suggestion that the allegation was motivated by previous workplace issues but did not find that explanation persuasive. The Panel noted that those matters had not prevented Person A from progressing in her career and did not consider there was a plausible reason for Person A to fabricate the allegation.
79. The Panel considered the supporting evidence, including the evidence relating to the previous disclosures, Person A's reaction upon seeing the former Officer, and the wider evidence concerning the impact of events upon her.
80. The Panel also considered whether there was any evidence of collusion between Person A and Person B. The Panel found no evidence of collusion and accepted that both individuals were unaware of the identity of the other complainant.
81. The Panel considered the former Officers evidence. The Panel noted that he denied the allegations. However, having considered his evidence in the context of all the evidence before it, the Panel found aspects of his account to be inconsistent and less persuasive.
82. The Panel carefully considered the issue of delay in relation to Person A's account and reminded itself of the legal advice provided. The Panel recognised that the delay was not attributable to the former Officer and considered whether the passage of time affected the fairness of proceedings or the reliability of the evidence.
83. The Panel took into account Person A's explanation for the timing of her disclosure, including the circumstances in which earlier partial disclosures were made. The Panel considered those matters alongside all of the evidence before it and concluded that the delay did not prevent it from making reliable findings.

84. Having considered the evidence as a whole, the Panel preferred the evidence of Person A for the reasons set out above. The Panel found that the AA had proved Allegations Two and Three on the balance of probabilities.

Breaches of the Standards of Professional Behaviour

85. In relation to these allegations, the Appropriate Authority alleges a breach of the following Standard of Professional Behaviour:

- Discreditable Conduct

86. The Panel considered the alleged breach of the Standard of Professional Behaviour by reference to the factual findings made and the evidence before it.

87. Having considered all of the evidence, together with the submissions made by the parties, the Panel reached the following conclusions:

Discreditable conduct

88. The Panel was satisfied on the balance of probabilities that the former Officer breached the standard of Professional Behaviour relating to Discreditable Conduct.

89. In reaching this conclusion, the Panel considered the factual findings made in relation to each allegation.

90. In respect of Allegation One, the Panel found that although the sexual conduct was consensual, the former Officer failed to maintain appropriate professional boundaries and engaged in conduct of a sexual nature during working time and within a policing environment. The Panel considered this was particularly significant given the imbalance of power arising from the former Officer's role and position.

91. In respect of Allegations Two and Three, the Panel found that the former Officer engaged in unwanted conduct of a sexual nature towards Person A.

92. The Panel considered that the former Officer held a position of trust and responsibility and that the proven conduct fell below the standards expected of a police officer.

93. The Panel considered that police officers are expected to behave in a manner which maintains public confidence in policing. The Panel found that the proven conduct was likely to undermine public confidence in the police service and damage the reputation of policing.

94. The Panel therefore concluded that the former Officer breached the Standard of Professional Behaviour relating to Discreditable Conduct.

Misconduct, Gross Misconduct or neither

95. The Panel reminded itself that “Misconduct” is defined as a breach of the Standards of Professional Behaviour so serious as to justify disciplinary action, and “Gross Misconduct” is defined as a breach of the Standards of Professional Behaviour so serious as to justify dismissal.
96. The Panel considered the seriousness of the conduct both individually and cumulatively, together with the nature and extent of the breaches found proved.
97. The Panel took into account the nature and circumstances of the proven misconduct, including the sexual nature of the conduct, the imbalance of power, the Officer’s position of trust and responsibility, and the impact such conduct has upon public confidence in policing.
98. The Panel considered that the conduct represented a serious departure from the standards expected of police officers and was fundamentally incompatible with the high standards required within policing.
99. The Panel was satisfied that the breaches of the Standards of Professional Behaviour were so serious that they amount to Gross Misconduct

Sanction and Outcome

100. The panel heard submissions on sanction from both the Appropriate Authority and Former Inspector Booth’s representative.
101. The Panel adjourned to consider outcome and, in doing so, followed the three-stage approach set out within the College of Policing Guidance on Outcomes in Police Misconduct Proceedings.
102. The Panel had sight of and took into account the former Officer’s service record together with the personal mitigation advanced on his behalf including character evidence.
103. The panel bore in mind the threefold purposes of the police misconduct regime namely:
 - (a) Maintain public confidence in and the reputation of the police service
 - (b) Uphold high standards in policing and deter misconduct
 - (c) Protect the public
104. The Panel reminded itself that any disciplinary action imposed may have a punitive effect and therefore should be no more than is necessary to satisfy the purpose of the proceedings.

105. The Panel further reminded itself that it must consider the least severe outcome first before moving to more severe outcomes and impose the least severe outcome capable of adequately addressing the issued identified whilst protecting the public interest.

106. The Panel also recognised that where an outcome is necessary to satisfy the purpose of the proceedings, it must impose that outcome even where doing so may lead to significant consequences for the individual concerned.

Seriousness

107. The first stage is to assess the seriousness of the conduct. This is assessed by reference to:

- a) The officer's culpability
- b) The harm caused by the misconduct
- c) The existence of aggravating features
- d) The existence of mitigating features

Culpability

108. The Panel assessed culpability as high.

109. In reaching that conclusion, the Panel considered the nature and circumstance of the proven misconduct. The Panel found that the conduct involved sexual impropriety, an imbalance of power, an abuse of position and a failure to maintain appropriate professional boundaries.

110. The Panel considered that the Officer's culpability was increased by the fact he held a position of trust and responsibility. As a police officer in a supervisory and training role, he was expected to act as a role model and uphold the highest professional standards.

111. The Panel considered that the conduct was particularly serious given the findings that the former Officer abused that position of trust for a sexual purpose.

Harm

112. The Panel assessed harm as high.

113. The Panel considered the harm caused to the complainants, including the impact of the misconduct upon them. The Panel also considered the wider harm caused to public confidence in policing and the reputation of the Police Service.

114. The Panel considered that the public rightly expects police officers to maintain professional boundaries and not abuse their position for personal or sexual purposes. The Panel concluded that the proven misconduct was conduct likely to significantly undermine public confidence in policing.

115. The Panel also considered the importance of maintaining discipline and good order within the police service and the impact that conduct of this nature has on the standing and reputation of the profession as a whole.

Aggravating Features

116. The Panel identified a number of aggravating features, including the sexual nature of the misconduct, the abuse of a position of trust and responsibility, the fact that the conduct related to more than one complainant, and that the behaviour was repeated and sustained over a period of time.

Mitigating Features

117. The Panel considered whether there were any mitigating factors relating to the misconduct itself which reduced the seriousness of the conduct. The Panel concluded there were no such factors.

Overall Assessment of Seriousness

118. Having assessed culpability, harm, aggravating factors and mitigating factors, the Panel concluded that the seriousness of the misconduct case was high.

119. The Panel considered that the sexual nature of the misconduct, the abuse of position, the imbalance of power, the impact upon the complainants and the impact upon public confidence in policing significantly increased the seriousness of the misconduct.

120. Whilst the Panel took into account the mitigation, character evidence and personal mitigation advanced on behalf of the officer, the Panel did not consider that those matters materially reduced the overall seriousness of the misconduct.

Consideration of Available Outcomes

121. The Panel reminded itself of the purpose of the police misconduct regime, namely, to maintain public confidence in and the reputation of the police service, uphold high standards in policing and deter misconduct, and protect the public.
122. Having found all allegations proved and having determined that the breaches of the Standards of Professional Behaviour amounted to gross misconduct, the Panel considered the disciplinary action that would have been imposed had the former Officer remained a serving police officer.
123. The Panel reminded itself that the purpose of imposing a disciplinary outcome takes precedence over the specific impact that the outcome may have on the individual concerned.
124. The Panel considered whether any lesser outcome would adequately address the seriousness of the misconduct identified. The Panel concluded that it would not.
125. The Panel reached this determination because the proven conduct represented a significant departure from the Standards of Professional Behaviour expected of police officers. The Panel assessed culpability as high. The misconduct involved sexual impropriety, an imbalance of power and a failure to maintain appropriate professional boundaries. The Panel considered that the Officer's culpability was increased by the fact that he held a position of trust and responsibility, which he abused for a sexual purpose. Seriousness was increased by the fact the former Officer held a position of trust and responsibility.
126. The Panel had assessed harm as high. The Panel considered that the Officer's conduct caused harm to the public confidence in policing and the reputation of the police service. The Panel considered that the public would expect police officers, particularly those in positions of responsibility, to maintain professional standards and appropriate boundaries. Such conduct undermines trust and confidence that the public is entitled to have in police officers. that the misconduct cause significant harm, including harm to the public confidence in policing and the reputation of the police service. The Panel recognised the importance of maintaining public trust where police officers hold positions of responsibility and authority.
127. The Panel considered the aggravating factors identified, including the repeated nature of the behaviour, the fact that there was more than one complainant, the Officer's role and responsibilities at the time of the misconduct, and the sexual nature of misconduct.
128. The Panel considered whether there were any mitigating factors relating to the misconduct itself which reduced its seriousness and concluded there was none.
129. The Panel carefully considered the personal mitigation advanced on behalf of the former Officer, including previous good character and the

character evidence provided. However, the Panel concluded that the seriousness of the misconduct was such that the personal mitigation did not outweigh the need to maintain public confidence and uphold proper standards of behaviour.

130. The Panel concluded that any lesser disciplinary action would have been insufficient in the circumstances of this case and would not adequately reflect the seriousness of the misconduct or meet the purpose of the police misconduct regime.

Outcome

131. The Panel determined that, had the Officer remained a serving police officer, the appropriate disciplinary action would have been dismissal without notice.
132. Accordingly, the Panel determined that the Officer would have been dismissed had they not ceased to be a member of a police force.
133. The Panel noted that the AA is required to notify the college of Policing in accordance with the Police Barred List and Police Advisory List Regulations.

Right of appeal

134. The former Officer has a right of appeal to a Police Appeals Tribunal, in accordance with regulation 43(2) of the Police (Conduct) Regulations 2020, against the findings and outcome of this misconduct hearing.
135. Subject to the provisions of the Police Appeals Tribunals Rules 2020, notice of appeal must ordinarily be given before the end of 10 working days beginning with the first working day after the day on which the former officer is supplied with a written copy of the relevant decision.

Publicity

136. In accordance with regulation 43(6) of the 2020 Regulations, the Appropriate Authority will publish this report on the Derbyshire Constabulary website for not less than 28 days as soon as practicable after receipt of the report and notification to the officer concerned, subject to any reporting restrictions, anonymity directions, or other restrictions previously imposed during the proceedings.
137. This concludes the Outcome Report.

Albion.

ACC Diane Coulson
14th June 2026