

DERBYSHIRE CONSTABULARY

THE POLICE (CONDUCT) REGULATIONS 2020

MISCONDUCT PROCEDURES - DECISION ON FINDING AND OUTCOME

OFFICER'S NAME: Reece Froggatt		FORCE NO: 15091
DIVISION/DEPT: North	RANK: Former Constable	

Decision on finding and outcome

Conduct alleged:

It is alleged that on the 7th July 2024 your conduct breached the standards of professional behaviour in respect of the following:

1. Facts

1.1 At all material times you were an acting Sergeant of Derbyshire Constabulary stationed at Matlock Police Station. You held a standard response driver authority which entitled you to utilise exemptions to road traffic regulations whilst driving a marked police vehicle. This entitlement was subject to you being able to justify the use of those exemptions based on the need to do so.

1.2 Between January and September 2023, you were subject to an action plan in respect of your driving and Inspector Carter spoke to you about speeding in your police vehicle in June 2023. The plan was extended for two months. You then breached the plan by speeding without justification whilst on patrol on several occasions between September and November 2023.

1.3 On 7th July 2024 an incident 641 was created following a report that a female suspect had entered a shop on the marketplace in Wirksworth and had brought to the attention of staff that an active bomb had been placed in the building.

1.4 You were assigned/self-assigned to the incident and travelled in a marked police vehicle ET23 BHX to Wirksworth with other officers travelling separately. On arrival at Wirksworth a cordon was set up around the premises where the bomb was reported to have been placed.

1.5 Whilst you were at Wirksworth further information was then passed by Amber Valley Section officers indicating that they believed they knew the identity of the suspect as a result of the description of her and her distinctive appearance. This information included confirmation that:

1.5.1 the suspect was live streaming on TikTok, and was at that time in Matlock outside Costa coffee shop and entering a fish and chip shop near to Matlock Police Station;

1.5.2 the suspect was someone known to engage in publicity stunts for the purposes of their social media presence.
which information indicated that the suggestion of a bomb threat was significantly less likely to be true.

1.6 You instructed PC Hall to accompany you in your police vehicle and started to drive back towards Matlock. You drove through the cordon tape.

1.7 You had contact with PS Brierley who confirmed to the effect that the suspect had been identified and officers from Matlock Police Station were going to the fish and chip shop. This information, along with the information at paragraph 1.5, indicated that the risk posed by the incident was significantly diminishing;

1.8 You proceeded to drive back to Matlock from Wirksworth, contravening traffic regulations and/or posing a risk to other road users without any or adequate justification as follows:

1.8.1 You travelled through Wirksworth and into Cromford at high speed, contravening the applicable limits, and which were excessive for the conditions/roads;

1.8.2 You contravened solid white lines whilst approaching a right hand bend;

1.8.3 You drove at high speed down Cromford Hill (with a steep 1 in 8 gradient) leading to a series of near collisions with other vehicles caused by the manner of your driving;

1.8.4 At the junction with the A6, you took a left turn whilst contravening a red light driving at around 60 mph

1.8.5 Along the A6 to Matlock, you continued to drive at excessive speeds.

1.8.6 Along the A6 whilst exceeding the speed limit, you failed to adjust your speed to take account of a pedestrian crossing the road;

1.8.7 You contravened a 'no entry' sign at Matlock Bridge and drove the wrong way down a one-way street.

1.8.8 On Matlock Bridge, you mounted the pavement and continued to drive towards pedestrians using the pavement.

1.8.9 You drove the wrong way around a roundabout on Crown Square, Matlock.

1.8.10 You contravened a further red light at a pedestrian crossing on/just after Crown Square.

2. Particulars of Misconduct

2.1 The conduct would tend to undermine public confidence in Police

2.2 The conduct represents a failure to discharge your duties diligently

3. The conduct amounts to Gross Misconduct for the following reasons:

3.1 The conduct represented a serious risk to the public whilst driving a marked police vehicle

3.2 The conduct involved a standard of driving which fell far below the standards required of drivers of police vehicles

4. Standards of professional behaviour engaged

4.1 Duties and Responsibilities

4.2 Discreditable Conduct

Finding:

Gross misconduct

Outcome:

Finding of Gross Misconduct

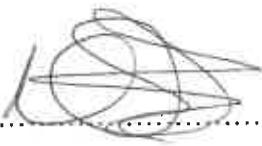
FWW - No Further Action

(Please see Regulation 42 Police (Conduct) Regulations 2020 for full explanation of relevant findings and outcomes)

I confirm that the above finding and outcome is correctly recorded and that antecedents were heard and taken into consideration when determining the outcome of these proceedings.

A summary of the Panel's reasons:

1. is enclosed on the Regulation 43 Notice of Outcome (continuation)
2. will be forwarded within five working days

Signed:  (T/DCC Michelle Shooter - Chair)

Date: 29/09/2026

Entitlement to a Police Appeals Tribunal

Where there has been a finding of misconduct or gross misconduct and disciplinary action has been imposed under Regulation 42 you have a right of appeal to a Police Appeals Tribunal

Your request must be made in writing to:

Police and Crime Commissioner Nicolle Ndiweni-Roberts
Derbyshire Constabulary HQ
Butterley Hall
Ripley
DE5 3RS

before the end of **10 working days** beginning with the first working day after you have been supplied with a written copy of the relevant decision.

Notification of finding, outcome and right of appeal to a police appeals tribunal

I confirm I have been notified of the decisions of the Misconduct Hearing.

I also confirm that I have been notified of right of appeal to a Police Appeals Tribunal and received a copy of Form PAT1.

Signed:

Date:

2026

(Former PC 15091 Reece Froggatt)

IN THE MATTER OF THE POLICE (CONDUCT) REGULATIONS 2020

IN THE MATTER OF

FORMER PC REECE FROGGATT

PANEL'S REPORT AND FINDINGS

The task of the Panel

1. The panel's key task is well defined. We must make findings of fact, with the burden of proof on the AA, applying the balance of probabilities. Then we set those against the standards of professional behaviour and go on to consider whether any breaches of those standards were so serious as to justify disciplinary action, and if so, whether they amount to misconduct or gross misconduct.
2. We asked the LQA to join us during our deliberations to assist in the drafting of the report. The LQA played no part in the decision-making.

Allegations and Responses.

3. The allegations are set out in the Regulation 30 notice. In summary, during an incident involving a bomb threat on 7th July 2024, the AA allege that the Former Officer ('the FO') drove in a manner that presented a serious risk to the public while driving from Wirksworth to Matlock. The AA allege that the FO knew the risk was significantly diminishing at the time.
4. The FO has fully engaged with these proceedings, including filing a written response to the allegations. He argues that he regarded this as a high-risk incident and that the nature of the incident justified his driving. The Officer does

not accept all of the factual allegations about his driving in the Regulation 30 notice (para 15 R31). He does not accept:

- a. That his speed was excessive in the circumstances*
- b. That his vehicle was involved in a series of near collisions as he drove down Cromford Hill*
- c. That he failed to take account of a pedestrian.*

Evidence

5. The panel have received a bundle of evidence which runs to 205 pages. In addition, we have video footage from both the car and the FO's BWV, as well as the BWV of the passenger, PC Hall.
6. We heard evidence from PC Hall. We accept that he was a witness doing his best to assist the panel. He gave evidence about his own perception of risk from the bomb threat during the incident and that it became lower risk following the receipt of information from Amber Valley. His statement says he knew this before he and the FO set off from Wirksworth. He was clear that he could not remember any conversation in the car during the drive about that risk. He did not seek to challenge the FO's driving during the incident, but he said he was scared during the drive, including fearing that the FO would lose control of the police vehicle as they drove down Cromford Hill.
7. The panel also noted the evidence of PS Brierley that he was tasked to attend Wirksworth and had a point- to- point conversation with the FO at that stage. PS Brierley attended to give evidence, but the parties agreed that his attendance was not necessary, so the panel released him.

8. We also noted the evidence in the bundle which included a statement from Christopher Bradley, who was the Chief Driving Instructor for Derbyshire Police. He sets out his limited knowledge of the incident and that "Officers must be able to show justification, proportionality and necessity for their driving actions including speed based on the circumstances of the incident being attended while also driving within the limits of their own ability". He adds, "I'm not aware of the incident being attended so cannot comment on the necessity or justification of the response drive. Officers are trained to constantly assess their speed and manner of driving against the NDM (National Decision Model) to assess whether or not their actions are reasonable and justified under the circumstances. The most important consideration at all times is safety." He comments on the dashcam footage from the car. He concludes "If I was to summarize this drive I would say it's typical of an officer who takes risks for a "Noble Cause". There are some very high speeds at some points, and the officer pushes into situations which haven't fully developed to be safe, and they are entirely reliant on members of the public to maintain safety. This drive does not meet the standard required to pass a response course and is well below the standard I would expect of a trained response driver."

Conclusions

9. We have considered what the circumstances of the incident were, as the FO believed them to be at the relevant time.
10. We accept that he knew that there had been a bomb threat and was entirely right to take that seriously. There is a dispute between the parties about whether the FO

knew that the person concerned was thought to have made false threats previously.

The log records that at 15:24, PC Hall's evidence is that he knew this.

11. We note the evidence on the BWV which shows that almost immediately after detaining the person in Matlock the FO said to PS Brierly words to the effect of "She's done this sort of thing before." That can only mean that FO was aware by that stage of the probability that this was a false threat.
12. Having reviewed the evidence, there is no evidence of a relevant conversation in the car. PC Hall has been unable to assist us. It seems to us that the most probable explanation is that the FO knew at the same time as PC Hall did; that is to say before leaving Wirksworth. That, however, does not mean that there was no need for an emergency response to Matlock. The fact that information suggested this might not be a real threat did not mean that it could be assumed to be the case. That is a function of common sense, as well as the extract in the bomb policy referred to by the Defence. We have reviewed the section of the BWV referred to by the Defence when the FO finds the suspect car. In our view, that is consistent with the view that this was probably a hoax, but that would need to be confirmed. Not least, as the policy confirms hoaxes are "very serious matters... and must be treated accordingly."
13. We accept that the FO's honestly held view was that he needed to get to Matlock. Having made that decision, his duty was to get there as fast as he "reasonably could" (R31 para 12). We accept that the most important consideration in doing so is safety. It does not assist the public if emergency services already dealing with a serious incident have to also respond to a road traffic collision involving a police

car. Our task is to assess whether, based on the officer's belief as to the circumstances, the way he drove was necessary and proportionate.

14. We accept Mr Bradley's analysis of the video. Based on what we have seen and read, there are excessive speeds, often in built-up areas, with parked cars, driveways and junctions. There is a lack of awareness of the risk of the railway bridge at the top of Cromford Hill. The FO crosses double white lines at several points, sometimes with traffic coming the other way. The time saved is entirely disproportionate to the risk taken. We contrast that with the decision to go the wrong way across the bridge. The manner in which the police vehicle turns in is unhelpful, but the decision to cross saves considerable time, and the risk is entirely controllable if the driver takes care.

15. There are factual disputes about whether there were a series of near collisions on Cromford Hill. We take the view that there were a series of 'close calls' at that stage in particular, caused by the manner in which the police car was driven. Further, we do find that insufficient regard was paid to other road users, including a pedestrian crossing the road with a dog outside the Fishpond Public House. On approach to that busy area, the Officer is driving at speeds up to 70 mph. The pedestrian has to change pace; the police vehicle slows down but should have been slower.

16. We accept that the footage shows "the officer pushes into situations which haven't fully developed to be safe and they are entirely reliant on members of the public to maintain safety."

17. Having considered the footage of the drive and the commentary offered by Mr Bradley, we take the view that the manner of driving fell well below the standard

expected of a trained response driver. The fact that the FO was responding to a serious incident does not justify that.

18. We find that the AA have proved its factual case. Paragraph 1.8.7 is factually correct.

19. We have gone on to consider whether the FO breached the standards of professional behaviour during this incident.

20. We are asked to consider two standards. Duties and Responsibilities and Discreditable Conduct.

21. We conclude that the FO did not follow his training in the way he approached his driving. He had a duty to other road users and to colleagues to drive in a way which did not put the public at risk. We accept that any emergency response involves an element of risk. The driver's duty is to reduce that risk as far as possible, while still making progress. In our view, the FO fell well short of doing that. Further, we think it is relevant that the FO was an Acting Sergeant at the relevant time. In failing to follow his training, and the feedback received on other occasions, we take the view that the FO breached the standard of Duties and Responsibilities.

22. We turn to the question of Discreditable Conduct. We take the view that, where a right-thinking member of the public was aware of all the facts, they would conclude that even a pressing emergency could not justify the driving we saw. Whilst the public will understand a police officer trying to respond to an emergency at speed, they would not understand putting other members of the public at significantly increased risk to do so. We also find that standard engaged.

23. We have considered whether this is a case of misconduct, gross misconduct or neither. We take the view that a panel could conclude that members of the public were put at risk of very serious harm by the actions of FPC Froggatt. Arguably,

culpability would be increased by the foreseeability of such harm (4.11), and the failure to heed feedback about the risk. In those circumstances, we think that this would justify dismissal. We will want to hear full submissions before deciding what the right outcome is in a case where the fault we identify is judgment.

Stage 2

24. The panel have followed the structure in the College of Policing Guidance on Outcome.
25. We have considered culpability. We do not think this is a case of deliberate rule-breaking. The FO did not intend harm (or the risk of harm). He acted in good faith.
26. That basic assessment is adjusted by the fact that the FO should have reasonably foreseen the risk of harm. Further, we adjust culpability because there was a failure to adjust conduct in relation to feedback.
27. He was the acting Sergeant. We find that a relevant factor under 4.12.
28. We note the comments of PS Brierley set out in the Antecedent form that at the relevant time the FO appeared to be struggling with stress. We are told that there was a significant family situation.
29. In assessing culpability, we are invited to reflect on the fact that there is a proximity between our findings and the criminal offences of Dangerous Driving or Careless or Inconsiderate Driving. We accept that 4.23 appears to be engaged. In balancing this case, the panel feels that factor carries little weight in relation to culpability where we are satisfied the FO thought he was doing the right thing. Where we are entirely satisfied it never crossed his mind that he might be acting

unlawfully. We also note that this case was referred to the Crown Prosecution Service, although we are not told the basis for their decision not to prosecute.

30. Pulling those factors together, we find that this is a case of medium culpability.

Harm

31. We identify a risk (4.68) of physical harm to members of the public. This is a case where we feel there was a significant prospect of harm occurring, and the harm could have been death or serious injury to a member of the public. The panel is concerned that the FO appears unable to see that risk, even at this stage. We would encourage the FO, outside the pressure of these proceedings, to reflect on this incident and his thought processes, which may be relevant to other aspects of his life.

32. In a case where no physical harm took place there is a degree of overlap between our assessment of the risk of harm to the public, and the harm to public confidence. Our assessment is that the public concern would be tempered by acknowledging that this was an officer doing what they thought was right.

33. This is, in our view, a high harm case, albeit there are some unusual elements and the risk did not crystalize.

34. We acknowledge 4.74.

35. We have considered the list of aggravating factors. We have avoided double counting. The evidence presented to us reveals a single incident of wrongdoing. It lasted about 11 minutes from start to finish.

36. We have already acknowledged the questions of leadership responsibility and the deviation from policy and guidance.

37. Where the panel do hold significant concerns is that the FO does not seem to have reflected after any of the 'close calls' that we have set out above that he needed to adjust his approach. That, though, is why we find his lack of judgment to be a disciplinary matter in the first place.

38. We have considered the list of mitigating features. This is a single episode. Although there is a suggestion of other instances of bad driving, we have not been given any evidence of that. We accept Mr Ladenburg's submission that we should not treat this case as a pattern-of-behaviour case.

39. We accept that the Officer acted pursuant to a legitimate policing purpose and in good faith. We also acknowledge that he was under a degree of stress, both in terms of the incident and in the background. That said, the misjudgment about risk is not an instant one in the heat of the moment. There was time to reflect and adjust.

40. The mitigation advanced for the FO relates to the allegations directly. We have given weight to that above.

41. We have reminded ourselves of the threefold purpose of police misconduct proceedings:

- a. To maintain public confidence in, and the reputation of, the police service
- b. To uphold high standards in policing and to deter misconduct
- c. To protect the public

42. Each is relevant here. Our central task is to uphold confidence. We have set out our views on the impact on public confidence above. That said, we have also recognised the countervailing view that the public would want police officers to

arrive quickly to emergencies, and that this is a question of judgment and risk analysis, not deliberate wrongdoing.

43. Further, the protection of the public reveals the same dilemma. We accept that the Officer believed his actions protected the public. We find that objectively, his driving put the public at risk to an unacceptable degree.

Decision

44. We have to decide whether, if the FO had remained a police officer, we would have been able to deal with this case by way of a Final Written Warning of up to 5 years, or whether we would have dismissed without notice.
45. We have considered this case as one which involved misjudgement by a relatively young officer, who despite being an acting sergeant was also of relatively short service. Whilst the consequences could have been very serious, we take the view that, on the evidence presented, this was an issue that could have been dealt with by a final written warning and a careful reassessment of driving authorities and training.
46. Both the Former Officer and the public should be in no doubt that this is a significant finding and by no means a 'soft option.'

29th September 2026