

Historical and future trends in misconduct outcomes

*Time present and time past
Are both perhaps present in time future
And time future contained in time past*

Timeline of pre-2004 Police conduct/discipline regulation

**THREE
RAYMOND
BUILDINGS**

BARRISTERS

Timeline of Post 2004 regulations (i)

Police Act 1996 & Police (Conduct) Regulations 1996	Section 50 empowered SoS to make police regulations; conduct regulations replaced 'discipline' terminology.	Modernized disciplinary framework; introduced clearer misconduct definitions.	'Prison works', Political shift towards toughening up of law and order.
Police Conduct Regulations 2004	Introduced formal misconduct framework; IPCC introduced; suspension procedures under s50 & s51 of Police Act 1996.	First modern structured misconduct system; chaired by senior officers.	Macpherson report 1999 into the death of Stephen Lawrence 'institutional racism' finding and resultant falling public trust.

Timeline of Post 2004 regulations (ii)

Police Conduct Regulations 2008	Replaced 2004 regs; clearer misconduct/appeal procedures; defined right to legal representation.	Maintained IPCC oversight; improved consistency and fairness.	Directly influenced by the Taylor Review of 2005.
Police Conduct Regulations 2012	Streamlined process; complainants can attend hearings; aligned with Police Reform & Social Responsibility Act 2011.	Calls for more independence in panels; introduced hearings for former officers.	The 2011 Police and Crime Act caused subsequent regulatory changes. Shooting of Mark Duggan, concerns about IPCC independence.

Timeline of Post 2004 regulations (iii)

Police Conduct (Amendment) Regulations 2015	Introduced legally qualified chairs (LQCs); public misconduct hearings; increased transparency.	Panel includes LQC, superintendent, and independent member.	Chip Chapman's report 'an independent review of the police disciplinary system in England and Wales', Deaths of Sean Rigg and Olaseni Lewis.
Police Conduct, Performance and Complaints Regulations 2020	; simplified performance regime; extended to special constables.	Aligned with Home Office reforms; faster disciplinary system.	George Floyd's death coincided with their introduction, 2017 Policing and Crime Act changed the police complaints system.

Timeline of post-2004 regulations (iv)

Police Amendment Regulations 2025	Further streamlining of misconduct and dismissal processes; follows 2023 review recommendations.	Ongoing refinement of discipline procedures; emphasis on fairness and efficiency.	Casey report, Wayne Couzens, David Carrick, ongoing Angiolini Inquiry, Chris Kaba.
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The Baroness Casey Review Interim Report on Misconduct

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- The Met takes too long to resolve allegations of misconduct
 - Officers and staff do not believe that action will be taken when concerns around conduct are raised
 - Misconduct allegations relating to sexual misconduct and other discriminatory behaviour are less likely to result in a ‘case to answer’ decision
 - The misconduct process does not find and discipline officers with repeated or patterns of unacceptable behaviour

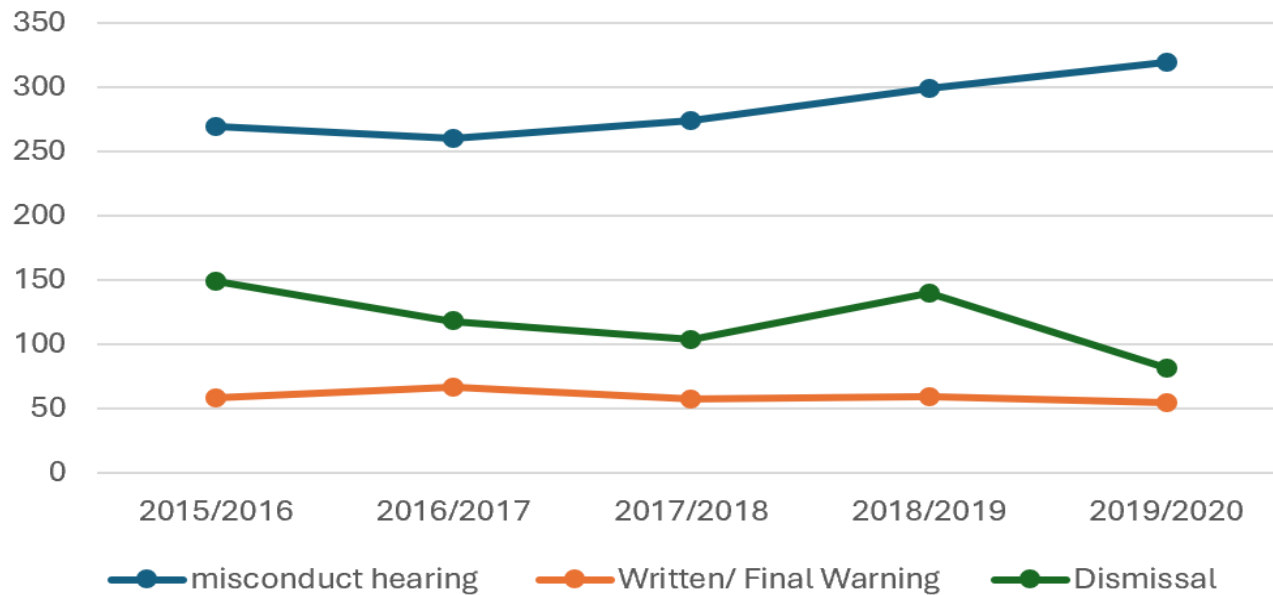
- The Met is not clear about what constitutes gross misconduct and what will be done about it

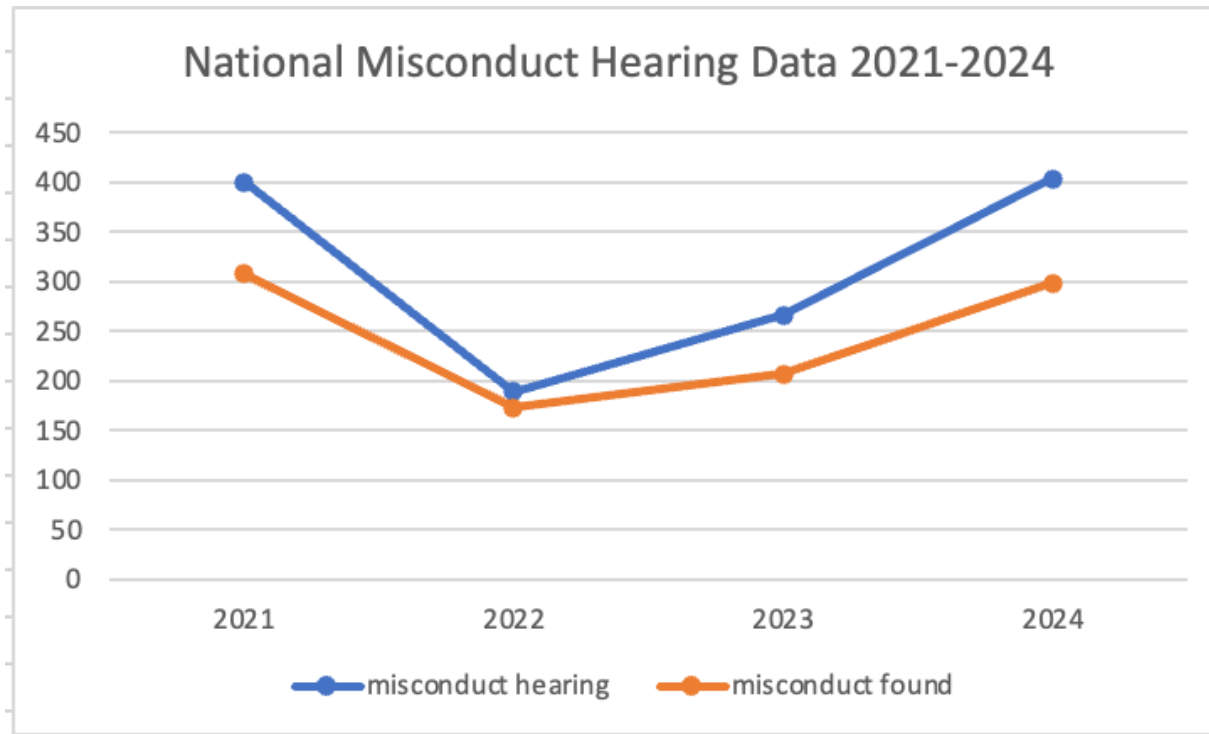
“we have been repeatedly told that staff and officers want colleagues removed from the police for unacceptable behaviour, and are frustrated with the Met’s inability to do so”

The Interim Report concluded that it was all the more important that the new Commissioner and leadership team gripped this and took the necessary action with urgent and effective improvements

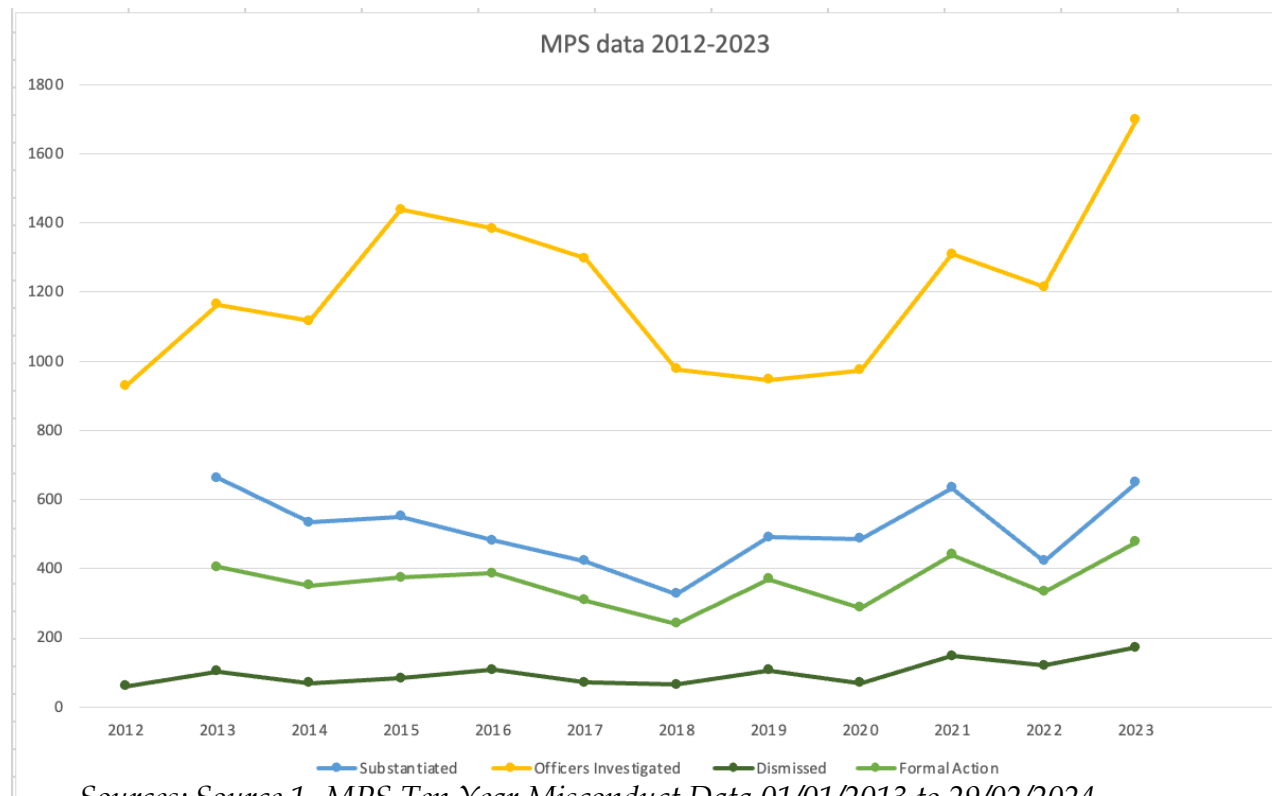
The Interim Report identified that the decline in dismissals for gross misconduct had coincided with the introduction of independent Legally Qualified Chairs at misconduct hearings, although we did not have the data to confirm whether there was a causal connection. In addition, the overly complex, quasi-judicial, nature of the system made it more akin to a criminal justice process with a high evidential bar, rather than an internal system to uphold high professional standards and maintain public confidence in the police service.

National Misconduct Hearing data 2015-2020





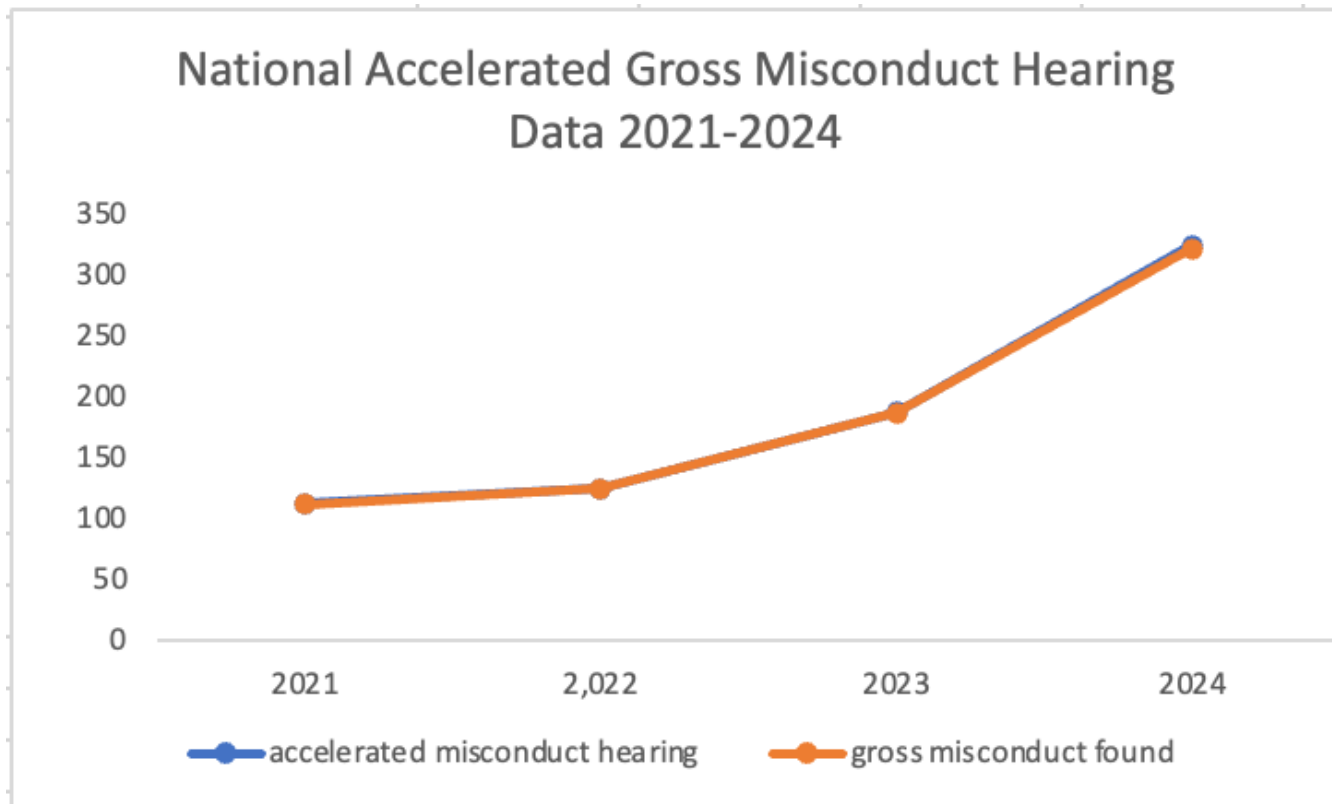
MPS ten-year misconduct data 2013 - 2023



Sources: Source 1- MPS Ten Year Misconduct Data 01/01/2013 to 29/02/2024

Officers added to the barred list 2021-2025 (All Home Office forces)

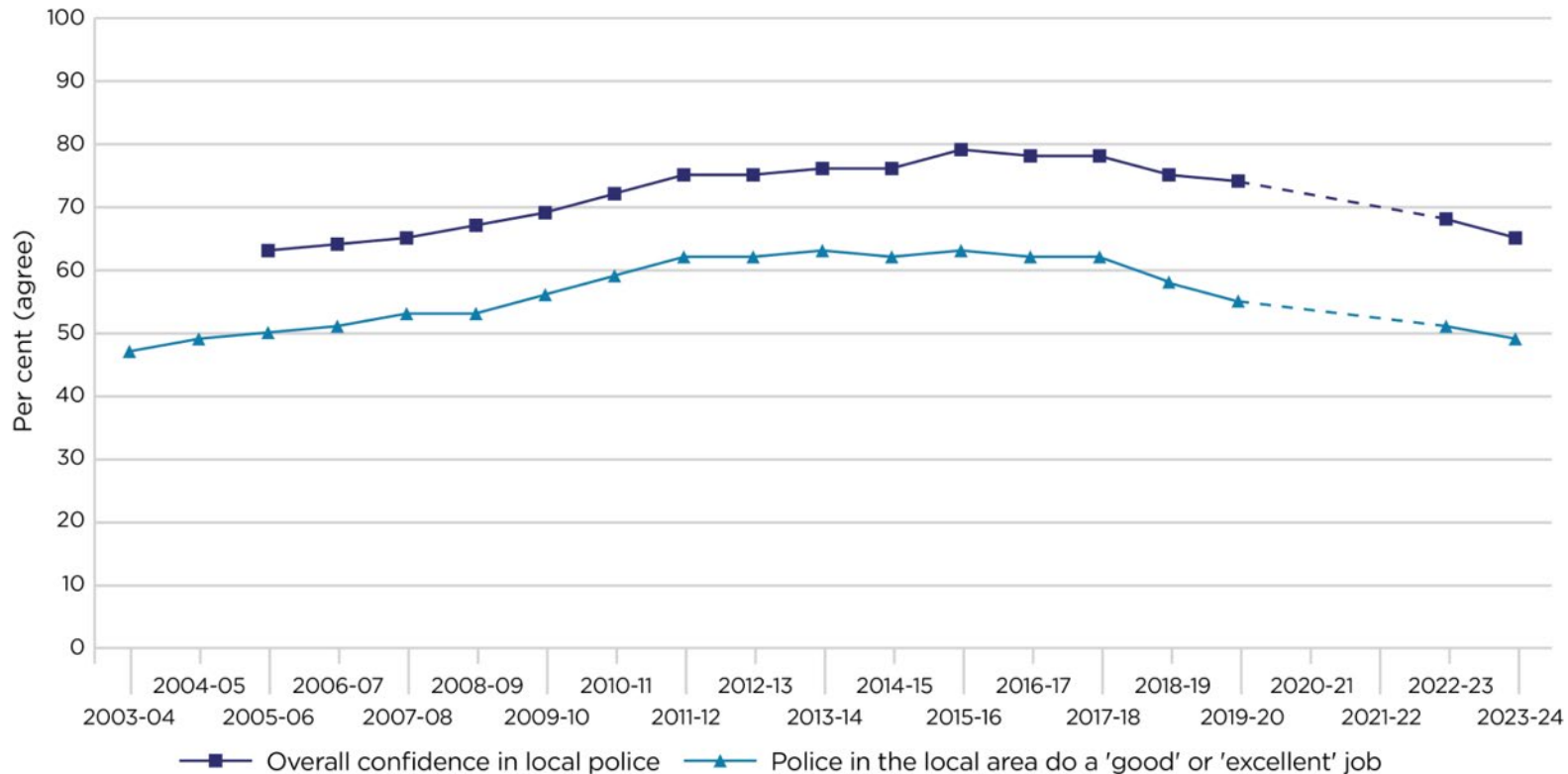




Trends in satisfaction, trust and confidence over the past 20 years (College of Policing)

THREE RAYMOND BUILDINGS

BARRISTERS

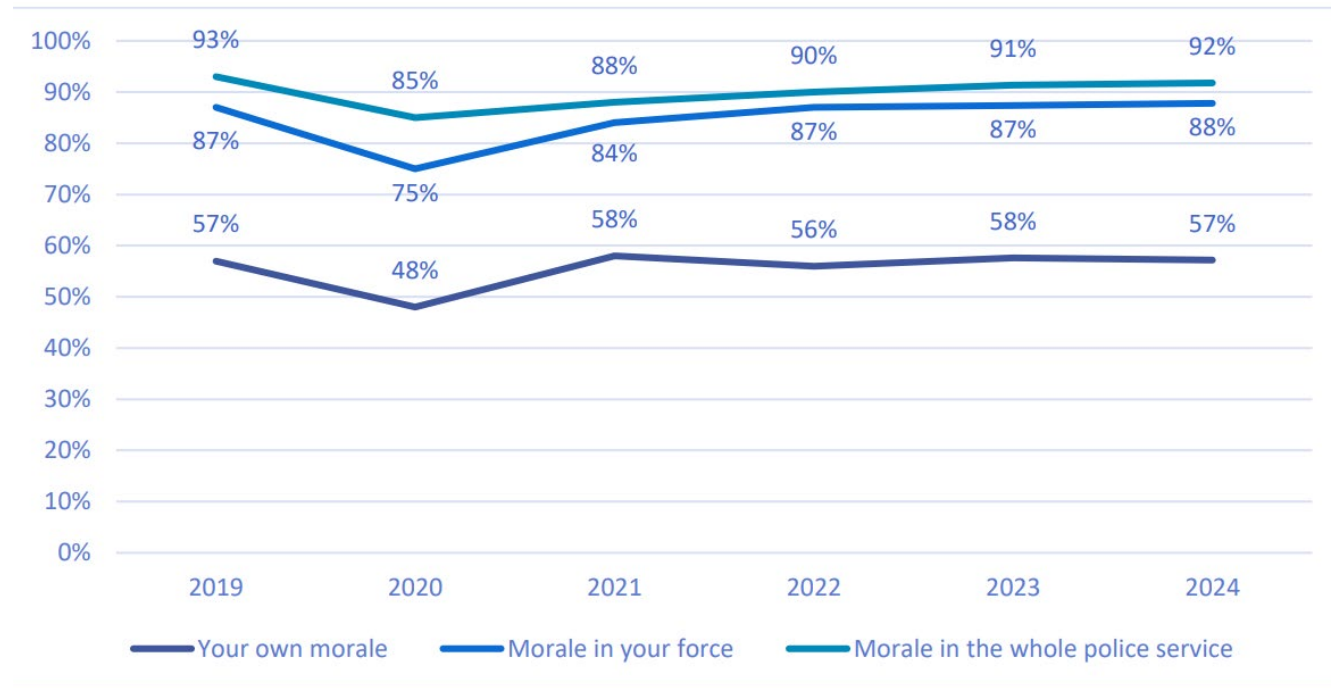


National police morale

Police Federation Pay and Morale Survey 2024 (reported January 2025)

OVERALL MORALE

Figure 2: Respondents' morale since 2019



Impact of factors on morale

Table 3: Impact of factors on morale

Factors on Morale	Negative or very negative	Neither negative nor positive	Positive or very positive
How police are treated by government	93%	5%	1%
How police are treated by public	85%	12%	2%
Pay and benefits	77%	13%	9%
Pension	66%	21%	12%
Workload and responsibilities	66%	24%	10%
Work life balance	61%	23%	16%
Opportunities for training/development	42%	44%	14%

A dismissal factory?

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- Public disquiet arising from Couzens, Carrick, Charing Cross Parts 1,2 etc
 - Presumption of public hearings
 - DPS recruitment
 - Casey Review
 - Abolition of LQCs
 - Priority for Commissioner
 - Presumption of dismissal in gross misconduct from May 2025

Godwin and Fulford recommendations re W80 and Maughan decisions (23rd October 2025)

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- **Maughan** lowered the proof standard for suicide/unlawful killing inquests to civil standard from criminal standard
 - **W80** confirmed civil law test for police misconduct, so that an honest but unreasonable belief in the need to use force may amount to misconduct.

There are indications that the adverse impact on police morale, recruitment and retention following these two decisions has been significant, troubling and enduring. Perhaps most significantly, we have seen the figures for the required and actual number of Counter Terrorist Specialist Firearms Officers (CTSFOs) and Armed Response Vehicle (ARV) officers within the Metropolitan Police and there is a significant gap. There is, at the least, a potential problem with recruitment and retention in this critical area of policing within certain areas of England and Wales.

(i) Recommends a reversion to the criminal standard for an inquest conclusion of unlawful killing.

there is a compelling case for immediate action as regards the standard of proof for the short-form conclusion as regards unlawful killing

Any change to the standard of proof for a conclusion of unlawful killing may well require primary legislation.

(ii) we consider there is a compelling case for immediate action as regards the use of the civil test when considering an honestly held belief in misconduct proceedings