

IN THE MATTER OF THE POLICE (CONDUCT) REGULATIONS 2020

CONCERNING

FORMER POLICE SERGEANT 5093 TIMOTHY REES

OUTCOME

1)The Panel must now determine outcome.

2)Outcome Approach

a. Having made its determination on the facts of the case and on finding gross misconduct regarding the former officer, the Panel moved on to consider outcome. The panel was provided with the former officer's service record as personal mitigation.

b. The former officer provisions apply. The potential outcomes are provided in reg 42, as modified by para 32 of sch 1.

Paragraph 20.66 of the Home Office Guidance 2020 states:

-where there is a finding of gross misconduct, the panel can only consider two potential outcomes: disciplinary action or no disciplinary action.

- where there is a finding of gross misconduct and disciplinary action imposed it can only be that the former officer would have been dismissed if they had still been a member of a police force. If the panel determines that the matter does not justify the sanction that the former officer would have been dismissed, no action will be taken, and the finding of gross misconduct recorded.

c. Before a panel decides on the appropriate outcome, it must follow the same process that applies to serving police officers in arriving at what the appropriate sanction would have been.

3)In assessing the seriousness of this case, we are required by Fuglers LLP v SRA [2014] EWHC (as usefully summarised in the College of Policing Guidance) to keep at the forefront of our minds the purpose and objective of these proceedings, which is to maintain public confidence in and the reputation of the Police, uphold high standards, deter misconduct and to protect the public. We appreciate that the objective is not to punish the officer (although it may have that effect) and that we should therefore do no more (although also no less) than that which is necessary to satisfy the key objectives of the proceedings.

We must (and we have) considered the seriousness of the misconduct, the purpose of sanctions and have chosen outcomes which most appropriately meets that purpose.

Assessing the seriousness is to be approached in terms of the four factors set out in the Fuglers decision which we have carefully considered and will come onto in some detail in a moment.

4) *Fuglers LLP v Solicitors Regulation Authority* [2014] EWHC 179 (Admin), paragraph 29 states: 'In assessing seriousness the most important factors will be (1) the culpability for the misconduct in question and (2) the harm caused by the misconduct. Such harm is not measured wholly, or even primarily, by financial loss caused to any individual or entity. A factor of the greatest importance is the impact of the misconduct upon the standing and reputation of the profession as a whole. Moreover, the seriousness of the misconduct may lie in the risk of harm to which the misconduct gives rise, whether or not the risk eventuates. The assessment of seriousness will also be informed by (3) aggravating factors (e.g., previous disciplinary matters) and (4) mitigating factors (e.g., admissions at an early stage or making good any loss).'

5) The Panel have therefore followed the structured approach as set out in the College of Policing Guidance on Outcomes in Police Misconduct Proceedings.

In summary, the Panel:

-Assessed the seriousness of the conduct and the behaviour of the former officer by reference to 4 factors ((i)the former officer's culpability for the misconduct; (ii) the harm caused by the misconduct; (iii) the existence of any aggravating factors; and (iv) the existence of any mitigating factors)

-Reminded itself of the purpose of imposing sanctions, namely:

Maintaining public confidence in and the reputation of the police service;

Upholding high standards in policing and deterring misconduct and protecting the public.

-Arrived at an Outcome which most appropriately fulfils the purpose of imposing sanctions in the light of the seriousness of the officer's conduct (that is, to act proportionately).

## 6)Culpability

We first assessed the culpability of the former officer arising from his conduct.

a. Culpability denotes the officer's blameworthiness or responsibility for their actions. The more culpable or blameworthy the behaviour in question, the more serious the misconduct and the more severe the likely outcome.

b. The Panel has found that former officer's conduct was deliberate and intentional, therefore more culpable than conduct that has unintended consequences. The proved misconduct involved deliberate choices made by the former officer. It was also planned and predatory behaviour, based on our finding that the former officer's conduct exhibited elements of grooming.

Former Sergeant Rees entered into and maintained an emotional and sexual relationship with PC A whilst occupying positions of professional responsibility towards her. At the material time, he was both her supervisor and her appointed welfare officer. He was fully aware of her personal vulnerabilities, having been specifically briefed on them in September 2023 and having continued to discharge welfare responsibilities thereafter.

c. The Panel considers that the former officer's culpability is significantly increased by the position of trust and responsibility he occupied at the material time.

Whilst all police officers occupy positions of public trust, the former officer held additional responsibilities arising from both his rank and his relationship with PC A. He was a serving Sergeant with more than twenty years' service and expected to demonstrate leadership, sound judgement and adherence to professional standards.

The Panel has found that he was PC A's direct supervisor when the relationship became sexual and that he remained her appointed welfare officer throughout the relevant period.

He had been specifically informed of her vulnerabilities and was entrusted by the organisation to provide support in that context.

The Panel considers that these factors created a clear imbalance of power and responsibility between the former officer and PC A, who was entitled to expect that her supervisor and welfare officer would maintain appropriate professional boundaries and place her welfare above any personal interests.

Instead, he entered into an intimate relationship whilst continuing to occupy those positions of responsibility and then failed to disclose the relationship despite the obvious conflict of interest which arose.

The Panel therefore regards the former officer's rank, supervisory role, welfare responsibilities and knowledge of PC A's vulnerabilities as substantial aggravating factors which materially increase his culpability.

d. Certain types of misconduct should be considered especially serious:

- Operational dishonesty, impropriety or corruption

Honesty and integrity are fundamental requirements for any police officer. Treat any evidence that an officer is dishonest or lacks integrity seriously.

This was operational dishonesty because the information withheld was information that the force was entitled to know in order to manage policing responsibilities, supervision and welfare functions. The dishonesty therefore affected the proper administration of policing rather than being a matter wholly unrelated to the officer's professional role.

The former officer's acts of dishonesty involved deliberate omissions to enable him to achieve his own sexual gratification.

The proper approach to cases involving operational dishonesty, derived from the case of Salter is that dismissal will be almost inevitable in cases where operational dishonesty has been found proven. The Panel does not consider that this case falls into the residual category of cases where this presumption is reversed.

-Violence, intimidation or sexual impropriety

Misconduct involving sexual impropriety is serious and can significantly undermine public trust in the profession.

The aggravating factors are that former Sergeant Rees pursued and maintained a sexual relationship with PC A whilst simultaneously occupying positions of trust, authority and welfare responsibility towards her, a vulnerable junior officer and then deliberately concealed the resulting conflict of interest.

His conduct towards PC A involved predatory behaviour and was persistent.

- Abuse of position of trust or authority

In addition to the office of constable, an officer may also assume a specific responsibility to a person by performing a particular role.

The Guidance gives examples such as family liaison officers, personal protection officers and cadet leaders. The common feature of those roles is that they involve a relationship of trust, confidence, welfare and support, requiring a heightened degree of professionalism. The Welfare Officer role is analogous. Former Sgt Rees was specifically appointed to provide support and assistance to PC A because of known personal vulnerabilities. He was entrusted by the organisation to act in her best interests. This created an express responsibility towards PC A. As a result, the former officer was required to demonstrate an enhanced degree of professionalism, objectivity and integrity.

Instead, he entered into and maintained an intimate relationship with the very officer for whom he had welfare responsibility. The Panel regards this as a significant aggravating feature.

-Misconduct involving a vulnerable person

Officers must not, under any circumstances, use their professional position to initiate or pursue a sexual or improper emotional relationship with a vulnerable person.

Where an officer has a specific responsibility to a person there is likely to be a high level of reliance by that person on the officer, which may make that person vulnerable. Developing a sexual or improper relationship in such a situation undermines the professional relationship between the person and the officer and can harm the vulnerable person. Such relationships, while the professional context or duty prevails, are matters of serious concern.

#### 7) The Occupational Health Report

The Panel's attention was drawn to some pages from the former officer's OH Report, being pages 120 to 125 and page 148.

The Panel has carefully considered these pages and recognises the matters identified within it. It accepts that the officer experienced the stress and difficulties identified. However, the report does not establish a causal connection between those matters and the proven misconduct. It does not suggest that the officer's judgement was impaired, that his ability to understand the nature of his actions was diminished, or that the misconduct occurred as a consequence of the stress described. Further, it does not directly address the conduct that is the subject of these proceedings.

As such, whilst recognising the challenges faced by the former officer, the information does not materially assist the Panel in assessing the seriousness of the proven misconduct.

Accordingly, the Panel accepts the report as evidence of the officer's circumstances but attaches no weight to it in mitigation.

The Panel distinguishes this case from *Inspector Nualls (R (on the application of Commissioner of Police for the Metropolis) v PAT (Nualls) [2013] EWHC 1684 (Admin)* because there is no equivalent evidence demonstrating that the misconduct was caused by, or substantially attributable to, a medical condition. The Occupational Health report provides information about the officer's

wellbeing and challenges but does not directly address the misconduct or establish any meaningful nexus between the health issues identified and the conduct found proven.

In conclusion, we find the former officer's culpability to be high.

#### 8)Harm

a. The College of Policing Guidance then addresses the harm caused by the officer's actions, indicating that this can be considered in various ways. The text refers to harm caused to particular individuals, but the guidance recognises that harm may also be caused on a wider basis:

b. PC A was entitled to receive welfare support that was objective, professional and focused on her wellbeing. By pursuing a personal and sexual relationship whilst occupying those roles, the former officer compromised that professional relationship and exposed PC A to the risk of further emotional harm.

PC A did not benefit from the welfare support that the organisation intended her to receive.

c. How such behaviour would be, or has been, perceived by the public will be relevant, whether or not the behaviour was known about at the time. The Panel has considered the scale and depth of local and national concern about the behaviour in question.

The legitimacy and effectiveness of UK policing is built on relationships between the police and the public. Several high-profile sexual misconduct cases involving police officers continue to have a substantial impact on confidence in policing, particularly among women and girls.

The Panel considers that members of the public could view a police officer behaving in the manner that the former officer did in an extremely negative manner. A reasonable member of the public would be concerned to learn that a police Sergeant entered into and maintained an intimate relationship with a vulnerable student officer whilst simultaneously acting as her supervisor and welfare officer.

Given the facts as found by the Panel, the risk of reputational harm to the police service is high.

9)The CoP Guidance then provides non-exhaustive lists of potential aggravating and mitigating factors.

a. The Panel considered the Guidance on Outcomes and reminded itself not to “double count” with matters already considered under culpability and harm. It concluded that the following additional aggravating features were present in this case:

- continuing the behaviour after the officer realised, or should have realised, that it was improper.
- malign intent, such as sexual gratification.
- concealing the wrongdoing in question by failing to disclose it.

b. Mitigating factors:

The Panel has not identified any mitigating factors.

The Panel's attention was drawn to certain paragraphs in the Home Office Guidance Conduct, Efficiency and Effectiveness document.

The Panel recognises that policing can be a stressful profession and that stress may, in some cases, contribute to poor decision-making. However, that principle does not assist the former officer unless there is evidence that the stress in question had a material bearing on the misconduct. In this case, no such causal connection has been established.

Indeed, the Panel is satisfied that the former sergeant did have access to support at the material time. The OH Report demonstrates that he was receiving counselling at the relevant time that he refers to being beneficial. Further support and follow up was arranged.

The support continued into 2024 and 2025.

c. In conclusion, the Panel find the level of harm to be high.

Having considered culpability, harm, aggravating, and mitigating features the Panel concluded that this is a serious case.

10)The CoP Guidance addresses personal mitigation.

The Panel has had regard to former officer's record of service and his personal mitigation. The Panel has noted the former officer's service of over 20 years that was to the expected standard.

The Panel has also noted the positive character references that are to his credit.

Regulation 42(14) of the Conduct Regulations requires the Panel to take account of the officer's personal mitigation, but the weight to be accorded to that mitigation: a) is less than it would be in a criminal trial; and b) is dependent upon the extent to which the officer's misconduct threatens the public confidence.

The Panel is satisfied that the former officer's conduct has the potential to damage public confidence to a greater extent.

#### 11)Outcome

a. Having followed the steps above, the panel went on to choose the disciplinary action which most appropriately fulfils the purpose of imposing disciplinary action considering the seriousness of the conduct in question (bearing in mind the need to act proportionately).

b. With respect to the purpose of imposing disciplinary action in police misconduct proceedings:

- The primary purpose is to protect the public confidence in and the reputation of policing;
- The second purpose is the declaratory purpose of maintaining high professional standards by demonstrating to other officers that misconduct of a certain kind and/or a certain seriousness will be dealt with by disciplinary action of a certain severity; and
- The third purpose is to protect the public and/or officers and staff by preventing the officer from committing similar misconduct again by excluding them from the police service.

The Panel found that all three of the purposes of the police misconduct regime were engaged.

c. Mr Reed, Counsel for the Appropriate Authority made the submission that the only possible sanction in view of our findings is that of dismissal without notice.

Insp Robinson on behalf of the former officer urged the Panel to follow a different course.

12)As the Panel has found the allegation proven to the level of gross misconduct, we consider it appropriate and proportionate to impose disciplinary action under reg 42.

13) In respect of the former officer we find that the appropriate sanction had he still been a member of the Police Force would have been that of dismissal without notice.

The Panel is also satisfied that the breaches of the standards, as we have found, would have been incompatible with his role as a Police Officer if he had still been in service and that the need to protect public confidence in and the reputation of the police service, the need to maintain high professional standards and the need to protect the public and officers and staff by preventing similar misconduct in the future is appropriately served by the imposition of disciplinary action.

The Panel is satisfied that the former officer's conduct represented a serious abuse of the trust inherent in that role and substantially increases his culpability.

14)As a result of this Misconduct Hearing the following was found under Regulation 42(3) (b) and imposed with effect from the 11<sup>th</sup> of June 2026:

“A finding that the officer concerned would have been dismissed if he had not ceased to be a member of a police force”.

As a consequence of this outcome the former officer will be placed on the College of Policing Barred List.

#### 15) Right of Appeal

The Panel is required to notify the former officer that he has a right of appeal to the Police Appeals Tribunal.

The Panel is required to notify former Sergeant Rees that he has a right of appeal to the Police Appeals Tribunal.

Should you wish to appeal the decision of this panel, you must do so in writing to the Police Appeals' Tribunal Manager, at [conduct@staffordshire.police.uk](mailto:conduct@staffordshire.police.uk). You must do so within 10 working days following the first working day after the receipt of this written outcome decision.

Jonathan Roy/former Deputy Chief Constable/Chair  
Margaret Jolley/IPM  
Laeq Beg/IPM

11<sup>th</sup> June 2026

