

THE POLICE (CONDUCT) REGULATIONS 2012

CONCERNING:

CHIEF CONSTABLE SIMON BYRNE

AMENDED NOTICE UNDER REGULATION 21(1)(a)(ii)

Being a police officer with Cheshire Constabulary, between May 2014 and March 2017 you breached the Standards of Professional Behaviour set out in Schedule 2 to the Police (Conduct) Regulations 2012 in respect of 'Authority, Respect and Courtesy and 'Discreditable Conduct' as follows:

You lacked self-control and exhibited volatile, unpredictable and offensive behaviour. You displayed a short temper and a lack of tolerance and engaged in angry outbursts and aggressive attacks upon subordinate staff which created an intimidating, hostile and humiliating environment for staff in the 'ACPO office' and which you knew or ought to have known would cause distress and anxiety to members of Cheshire Constabulary.

Particulars of your misconduct are set out below:

Information Systems

1. Shortly after taking up the role of Chief Constable you openly criticised Andrew Herndlhofer, Head of IT, because he was unable to build and sustain iPad technology on the existing Cheshire Police IT infrastructure including on one occasion when you unnecessarily berated and belittled Mr Herndlhofer in the presence of other subordinate staff. You stated that the IT department was poor and despite your own lack of understanding of technology you used the issues with iPad technology as an example of the IT department's poor performance and stated that IT provided a poor service. You knew or ought to have known

that your actions would have a detrimental impact upon the morale of staff within the Force IT department.

Jane Orme

2. On a date or dates between June and July 2014 you permitted your children to access and download applications onto your Cheshire Police iPad device. Upon the functionality of the device becoming adversely affected, you claimed that the equipment was substandard and passed it to the IT department and required them to resolve the problem. When the issue of your children accessing your work iPad was raised, you became defensive and said to Jane Orme words to the effect that it 'wasn't her concern' who had been using the iPad.
3. Between June and July 2014 you failed to attend a meeting that had been arranged at your request to thank an officer for their involvement in a case. You left Jane Orme to face the officer who had attended for the meeting on his rest day. Your reason for failing to attend the meeting was because your son 'had a bad dream' and you were taking him to school.
4. Following your failure to attend the meeting described above, you sent an email to Jane Orme in which you stated that you had asked her to set up a meeting with the officer and enquiring as to why she had not done it.
5. Between June and July 2014 you sent emails to Jane Orme's supervisor, Witness C, in which you complained that Witness A was not being efficient and that letters "should not be left languishing" in your inbox. You knew or ought to have known that such complaints and personal criticism would remain in a folder which would be viewed by Jane Orme.
6. Between June and July 2014 you failed to attend a meeting arranged at your request to discuss knife crime. You left Jane Orme to attend and to make excuses for your absence notwithstanding that the meeting had been placed in your professional diary / appointments schedule.

7. Following your failure to attend the meeting described above you questioned Jane Orme as to why she had set the meeting.
8. Between June and July 2014 you repeatedly failed to attend, without explanation, meetings placed in your professional diary / appointments schedule. You knew or ought to have known that as a consequence of your failure Jane Orme would be required to make excuses and provide false explanations to attendees for why you had failed to attend.
9. Between June and July 2014 you failed to attend the Chief Constable's Council Conference despite being booked to attend and despite payment having been made. You did not delegate the place allocated to you and as a consequence public funds were wasted.
10. Between June and July 2014 you failed to attend a conference at which you had agreed to be a speaker because you were late and missed the train. As a consequence public funds in respect of the pre-booked rail fare were wasted.
11. Between June 2014 and March 2016 and without good reason you failed to keep and/or cancelled at short notice and/or were late to attend scheduled professional appointments. The fees for the missed events represented a significant outlay for Cheshire Constabulary in addition to incurred rail fares and as a consequence public funds were wasted, including:
 - a. On 27 September 2014 you failed to attend the National Police Memorial Day in Belfast. The parking cancellation fee required to be paid by Cheshire Police was £8.57.
 - b. On 21-22 April 2015 you failed to attend a Chief Constable Council meeting despite having booked accommodation and when there was no urgent operational policing conflict or personal matter that prevented you from attending. The cost to Cheshire Police was £250.

- c. On 16-17 July 2015 you failed to attend the Chief Constable Council meeting.
- d. On 21 September 2015 you missed your pre-booked First Class train to London for a Conference on 'Maintaining High Standards and Improving Integrity in the Police'. The cost to Cheshire Police was £36.
- e. On 27 September 2015 you were due to attend the National Police Memorial day in Edinburgh to represent Cheshire Police but at short notice you did not attend.
- f. On around 21-23 October 2015 you altered your time of travel relating to a First Class train ticket which resulted in additional financial outlay to Cheshire Police of £118.70.
- g. On 27-28 October 2015 you failed to attend a Chief Constable Council meeting and instructed DCC McCormick to attend in your place at short notice.
- h. On 27 October 2015 you cancelled your planned attendance at the National Police Bravery Awards. The cost to Cheshire Police was £200.
- i. On 7 November 2015 you cancelled your original First Class train ticket to London for a Remembrance Day Ceremony. The cost of cancellation to the Force was £226.
- j. On 19 November 2015 you cancelled a hotel booking made for 24 November 2015.
- k. On 23 November 2015 you were due to attend the WOW awards, a national awards ceremony but you failed to attend.
- l. On 22 March 2016 you failed to attend the International Crime and Policing Conference. The cost to Cheshire Police of your cancelled First Class train ticket was £253.

12. Between June and July 2014 you repeatedly failed to join teleconference calls for meetings of the North-West Regional Chief Constables despite the meetings being confirmed and recorded in your professional diary / appointments schedule. The North-West Region Chief Officer teleconference started early on a Monday morning. You frequently had difficulty getting into the office early in

the morning. On numerous occasions when you were not present to take part in the teleconference calls you would be on your way into the office and you would telephone to say that you were not going arrive in time.

13. On a number of occasions when questioned by Jane Orme as to your failure to attend the teleconference calls described above, you instructed her that she 'should get DCC McCormick to do it'. You would often task DCC McCormick with taking part in the teleconference when you were on your way into the office.
14. Between June and July 2014 you instructed Jane Orme to prepare a PowerPoint presentation for you but despite her reasonable requests you refused to provide her with the information necessary to complete the presentation. Jane Orme asked you on two occasions for the written content that you wanted her to include in the presentation. On one occasion you referred her to an earlier presentation to which she did not have access. You never provided her with the content. Upon Jane Orme preparing a basic presentation for review and your further instruction you were critical of her and stated that the presentation was 'sub-standard' and not of the standard you expected from a PA.
15. Between June and July 2014 you made repeated phone calls to Jane Orme which were so unreasonable in number and so demanding in nature that there were periods where she was prevented from completing any other task or from even leaving her desk.
16. Between June and July 2014 you sent an unreasonable number of emails to Jane Orme and displayed off hand behaviour and a lack of empathy towards her.
17. Between June and July 2014 you engaged in bullying behaviour towards Jane Orme including by belittling and intimidating her.
18. Between June and July 2014 you stated to Jane Orme words to the effect: if you do not like your job you should leave or get another one. You knew or ought to

have known that your behaviour would be likely to cause distress. Your actions were vindictive and bullying and amounted to an abuse of your position.

19. On 30 June 2014 you openly criticised Jane Orme in respect of an alleged failure by her to provide you with papers relating to a meeting for which Richard Muirhead, Director of Finance and Information Technology was supposed to have provided documents. You then instructed Jane Orme to attend a meeting at which she was not required in order to explain to everyone present at the meeting where the papers were and why you did not have the papers when you knew or ought to have known that your actions would be intimidating and cause unnecessary distress.
20. On 1 July 2014 you threatened Jane Orme that if she did not improve she would 'be in the office with her PDR'. You knew or ought to have known that your actions would cause distress.
21. On 1 July 2014 you were aggressive towards Jane Orme and ranted at her about papers you said you had asked be left on your desk. You complained about the untidy state of your desk and repeatedly picked things up from your desk and slammed them down again. In a blunt and abrupt manner you said to Jane Orme words to the effect:
 - a. "what's this?" whilst waving a hard copy of a presentation;
 - b. "you need to shape up"; and
 - c. "I expect someone on your pay to do better than this".
22. On 2 July 2014 you stated to Jane Orme that if she no longer wanted to work for you, her contract was such that her 'only option' was to resign, despite her clearly expressed desire to return to her former role. You knew or ought to have known that your actions would cause distress.

Witness C

23. Shortly after commencing your role as Chief Constable you stated to Witness C that you did not regard ACC McCormick's hair clip as conforming to Force uniform standards and instructed Witness C that she should speak to the Assistant Chief Constable about her hair clip. You knew or ought to have known that it was unfair and inappropriate to direct an officer of Inspector rank to speak to an Assistant Chief Constable about the appropriateness of her hair style or dress code.
24. On around 16 July 2014 you invited Police Sergeant Hannah Friend to undertake the role of your staff officer, without having first informed Witness C that she was to be replaced. As a result, Witness C learned from a subordinate officer that she was to be moved to a new role within the constabulary.
25. On 21 July 2014 you directed Witness C to instruct a uniformed officer who was about to arrest a suspect that you wanted to effect the arrest notwithstanding that the suspect had already been detained and was about to be arrested by that officer. As a consequence of your specific direction:
- a. Witness C approached Witness G and asked if he had arrested the suspect.
 - b. When it was confirmed that Witness G had not yet made an arrest, Witness C asked if you, the Chief Constable, could make the arrest.
 - c. Witness G had no reason to refuse the request and agreed that you, the Chief Constable, could make the arrest.
 - d. Witness C returned to your BMW X1 vehicle.
26. Having required Witness C to interfere in the arrest, you delayed in attending to the detained suspect and as a consequence Witness C was required to arrest the detained suspect. It was strange and unusual for an officer of Inspector rank or above to arrest a suspect in such circumstances.

27. Following the arrest of the suspect and over a period of approximately 3 hours you and Witness C transported the detainee to custody and thereafter returned to Headquarters to prepare witness statements in respect of the arrest. You knew or ought to have known that your time as a Chief Officer was misapplied in undertaking such tasks. Further, your motivation for wanting to make the arrest was to succeed in a competition being conducted amongst ACPO officers and served no policing purpose.
28. On 23 July 2014 you mislaid papers for a meeting regarding the relocation of Widnes Police Station. The papers had been given to you the day before the meeting and you subsequently attempted to blame Witness C and/or Witness A for your mistake.
29. On 23 July 2014 you complained to Witness A that she and Witness C had been absent from the ACPO office in the morning in circumstances where Witness A had been present since 08:20 and you had authorised Witness C to arrive later on that particular morning.
30. On 25 July 2014 you contacted Witness C whilst she was off duty and prior to her commencing a night shift with you and you told her that you were stuck in traffic in West Yorkshire with your family. You instructed Witness C to enquire with West Yorkshire Police the reasons for the traffic problems that you were experiencing. You knew or ought to have known that requiring Witness C to perform such tasks was inappropriate.
31. On 29 July 2014 you were rude, dismissive and aggressive towards Witness C during a telephone conversation. Before Witness C had a chance to explain the purpose of her call, and without any introduction or enquiry as to the purpose of the call, you aggressively ranted to her that you were on leave and watching your children play a sporting event and that you were the Chief Constable and should not be bothered on leave. You were immediately very aggressive and raised your voice and spoke quickly. You did not let Witness C speak and when she

tried to speak you spoke over her in an angry tone. At times you were patronising. You shouted at her that if she could not manage things effectively to speak to your previous staff officer at the Metropolitan Police. You failed to show basic courtesy or respect and then ended the call abruptly. You knew or ought to have known that your behaviour was inappropriate and humiliating.

32. In around July 2014 and at a time when you were on leave you telephoned Witness C regarding draft emails that you were unable to send from your iPad and you were abrupt, impatient, short-tempered and rude to her. You expressed no greeting or politeness. You were frustrated that you could not see your emails. You failed to express any gratitude for the assistance provided and were curt in ending the call. Your behaviour demonstrated a lack of respect and courtesy towards Witness C in circumstances where the issues did not form part of her role or responsibilities.

33. In July 2014, during an IT system failure you demanded that Witness C obtain data regarding previous systems failure in the previous 3 months. The outage problem was so unusual that it had been escalated to 'severity 1' category within the supporting company and assigned a Subject Matter Expert in the USA. You knew or ought to have known that such escalation was unnecessary and was intended to deflect responsibility for your own IT difficulties onto others.

34. On 26 August 2014 you cancelled a PDR meeting with Witness C which was due to take place on 10 September 2014 and which had been arranged since 28 July 2014 because you considered that there was 'no point' in having the meeting if Witness C was moving to a new role.

35. On 5 September 2014 you sent an email to Witness C in which you stated: "Witness C thus (sic) week has not been great organisation wise and we need to think ahead far better...Firstly stress the importance of 1:1s each week yet nothing in diary for weeks ahead". Your email was intended as a criticism of Witness C and/or Witness A for administrative/organisational failures in

circumstances where you had failed to recognise that such one to one meetings had been scheduled in the diary.

36. On 21 September 2014 you were late to arrive for a scheduled meeting with the Women's Network Association because you were taking your son to an examination.
37. On Friday 21 September 2014, following a Gold Group meeting at 16:00, you informed Witness C that you did not require anything before she went home but later that evening you emailed Witness C and stated: "So you are not taken by surprise Witness C can we speak 830 Monday re why you went home when I had asked you to stay tonight re the Gold Group please and given notice in advance earlier in the week".
38. On the morning of Monday 24 September 2014 you failed to attend the meeting with Witness C scheduled for 08:30 and which had been arranged at your instigation.
39. On 24 September 2014, in a meeting later that afternoon you told Witness C that you were disappointed that she had gone home on 21 September 2014 as you had wanted to speak to her about Witness A. The reason you gave was therefore different from that which you had previously communicated in your email on 21 September 2014.
40. On a date between June and October 2014 in an open office and in the presence of other subordinate staff, whilst referring to Witness C who had worked from approximately 07:00 to 18:00, you stated that you "cannot have someone that's not committed" because she had not been present at the time of your return to the office on that particular day.

41. On 6 October 2014 whilst in the presence of other senior police officers you deliberately and overtly ignored Witness C when she greeted you and said 'hello' following a chance encounter.
42. On 9 October 2014 you instructed Witness C that by the end of the following week she was to prepare a 'vision' document regarding the role of the Special Constabulary when you knew that it amounted to an unnecessary and unreasonable deadline in circumstances where she was no longer your Staff Officer and was engaged in a new role with other responsibilities. You thereby placed unreasonable demands upon Witness C and paid insufficient regard to her workload and wider professional commitments.
43. On 10 October 2014 you sent an email to Witness C, carbon copied to Temporary Chief Superintendent Nick Bailey, regarding a 'Reward and Recognition' scheme and asking Witness C to "clarify who is leading on this now please and time frames for some proposals please". T/Ch Supt Bailey informed you that Witness C was leading on the scheme and was putting a paper together which would be presented later in October 2014.
44. On around 22 October 2014 you unreasonably refused Witness C's request to attend a short meeting with you to discuss the 'Rewards and Recognition review' and you stated words to the effect that it was Witness C's paper and it was her decision what she put in it. You knew or ought to have known that in failing to assist with the task you had set Witness C would have more difficulty preparing a paper the content of which was acceptable to you.
45. On 6 November 2014 you arranged a meeting with Witness C and T/Ch Supt Bailey "to discuss the Specials Vision with Witness C and Nick Bailey".
46. On 8 November 2014 you emailed Witness C stating: "Witness C it is now a number of (sic) weeks since I saw you and have yet to receive clear and timescaled terms of reference for your work despite agreeing an original

deadline. I note your period of sickness absence but I do expect swift progress. Please clarify on Monday". You knew that you had not previously requested that Witness C prepare Terms of Reference and you knew that she had been off sick with a chest infection for over one week in October 2014 such that her work capacity had been reduced.

47. On 11 November 2014 you instructed T/Ch Supt Bailey to inform Witness C that she would receive an unfavourable PDR from you. In so doing you intended to cause Witness C unnecessary worry and distress.

48. On 11 November 2014 in the presence of T/Ch Supt Bailey you stated that you had asked Witness C for Terms of Reference and had been clear that you wanted them within a short timescale. You stated that you were 'not calling Witness C a liar' but that you had been clear that you wanted Terms of Reference. You knew that you had not asked Witness C to prepare Terms of Reference and had only instructed that she prepare a 'Vision' document and you knew that the documented purpose of the meeting had been "to discuss the Specials Vision" and not Terms of Reference.

49. On 11 November 2014 and despite requiring Ch Supt Bailey to forewarn Witness C that she was to receive an unfavourable PDR you stated to Witness C that you did not have time to discuss it. You stated that the reason was because your son was playing at a sporting event and you were therefore concluding the meeting. You instructed Witness C to make a further appointment to discuss the PDR. In so doing you intended to cause a prolonging of worry and distress.

50. On or before 11 November 2014 and contrary to Cheshire Police Policy for Personal Development Reviews you prepared Witness C's PDR in terms which you knew to be inaccurate and misleading. In so doing you intended to cause worry and distress and to undermine her, particularly in circumstances where you had not discussed such concerns with Witness C prior to her leaving the role. You:

- a. Recorded that there was “no real oversight of incoming or outgoing correspondence” when there was in fact a case management system in place managed by Witness H the Admin Clerk;
- b. Recorded that there was “little sense of team within the Force secretariat” when there had been a very good team spirit at the time of your arrival;
- c. Recorded that “there were no processes in place such as weekly meetings to look at on-going issues, manage anxieties, workload or brief staff” when the PAs worked directly under the Chief Officers and had weekly meetings with their Chief Officers;
- d. Recorded that Witness C “was too quick to return” HR issues to you “which caused conflict and problems with one particular member of staff...where these could have been dealt with more effectively if [Witness C] had shown greater resolve” when you behaved in a rude, overbearing and unreasonable way towards the member of staff who, as a consequence decided that she did not wish to work for you due to your continued behaviour;
- e. Recorded that Witness C “seemed not to recognise of the importance (sic) of some tasks resulting in difficulties in the management of issues for example deciding to go home whilst I needed to prepare for a crucial meeting...in relation to...closure of Police Station in Widnes” when Witness C had informed you that she had an urgent call that her children could not be collected and she informed you she would return within one hour but you told her not to;
- f. Recorded that Witness C “seems to struggle with coping with pressure” when you knew that there was no evidence of Witness C not coping with pressure;
- g. Recorded that Witness C “seemed to have conflicting priorities” when you knew that she was keeping her CPD in date and attaining her PIDP accreditation which the previous Chief Constable had insisted upon and

fully supported and which you knew did not interfere with the staff office;

- h. Recorded that Witness C should “now demonstrate that she is able to deal with multiple tasks, think ahead and deliver quality products on time in relation to her new role managing both the Special Constabulary and the wider volunteers engagement agenda” when you knew that the goals were not familiar to Witness C and were inconsistent with earlier draft objectives you had raised with Witness C.

Witness A

51. Between June 2014 and May 2015 you stated to Witness A words to the effect that she could not 'keep up' with your pace. You knew or ought to have known that your conduct would be likely to cause her distress.

52. Between June 2014 and May 2015 you sent email communication(s) to a generic email inbox which were critical of Witness A and which you knew or ought to have known would be seen by Witness A and other members of staff working within the office. The emails questioned the ability of Witness A which you knew or ought to have known she found very upsetting and destroyed her confidence. Examples included emails with the following content:

- a. “another example of not being organised!”
- b. “I have mentioned this number of times!”
- c. “Need to go through arrangements for Monday for Belfast – no surprises!”
- d. “Still no reply from Brenda would like an answer tomorrow to a reasonable question please”.

53. In around July 2014 you shouted at Witness A during a telephone conversation and told her that you were stuck in traffic and that as your PA she should have been 'keeping an eye' on traffic for you.

54. On and around 4 August 2014 you required that Witness A perform tasks commensurate with the role of a police officer, including writing briefings and reports about policing matters when you knew or ought to have known that she was a civilian member of staff employed in a PA role. Thereafter you sent an email to Witness A in which you were critical of work she had done which involved policing and stated: "Witness A this follows (sic) way short of what I need...This may not be your fault as you are learning but in Witness C's absence we need to raise our game very quickly".
55. On 30 October 2014 you sent an email to Simon Meegan with the subject heading 'Police professional' and stated: "Simon I have nt (sic) seen this magazine for weeks has our system for team circulation broken down?" thereby seeking to criticise others for administrative/organisational issues when in fact you had seen the magazine and you had signed a circulation sheet to that effect.
56. On 8 November 2014 you sent an email to a generic email inbox in respect of the arranging of quarterly meetings and in which you implied that Witness A was incapable of "getting organised 4 times a year". You stated: "If I am right Witness A needs to raise her game as I am tiring of chasing things like this and wasting my energy checking that basics have happened". You knew or ought to have known that your criticism was open to other colleagues to see and that your actions would cause distress. Further and in any event you knew or ought to have known that Witness A had placed meetings in the diary as instructed by you and that your criticism was without foundation because such quarterly meetings / diary appointments had in fact been arranged.

Inspector Kate Woods

57. On a date between 30 March and 30 November 2015 you were openly critical of Inspector Kate Woods and stated words to the effect "you should be watching my back" despite you having failed to communicate with her and having excluded her from important areas of business which she required in order to perform her role. Your open criticism and exclusion included:

- a. Engaging in bullying and humiliating behaviour towards Insp Woods;
- b. Constantly berating her;
- c. Failing to provide constructive dialogue;
- d. Causing her to feel isolated and undermined in her role;
- e. On 14 August 2015 you stated that you did not like the format of a report she had prepared despite never having told her your preferred format.
- f. On Friday 4 September 2015 you emailed Insp Woods in terms: "Kate when do you aim to have the letter to AC King prepared and ready for signature please? Simon" when Insp Woods had emailed the document to you on the morning of Thursday 3 September 2015.

58. On 5 September 2015 at a meeting with persons including Witness F, Witness B, Supt Cleworth and Insp Woods you discussed an issue concerning flooding in [REDACTED]. You became aggressive towards subordinate officers and displayed anger of such degree that you were shaking and turned red in the face. You were angry, aggressive and unable to contain personal emotion. You raised the issue after you had been late for work and your son had late for school for reasons relating to flooding [REDACTED]. During an irate phone call to Insp Woods you demanded that she arrange a meeting. During the call you lost your temper and demanded to know why the Force had not declared a major incident due to the weather. You shouted at Insp Woods that your son was going to be late for his first day at high school due to the floods.

59. On 7 September 2015 you sent an email to Witness F with the subject heading 'Flooding' in which you stated only: "Witness F it's Monday and am still waiting for a debrief due Friday??" thereby purporting to criticise Witness F for administrative/organisational failings when in fact the document had been sent to you on Friday 4 September 2015 as had been agreed and was in a folder marked 'To read' and to which you had ready access.

60. From 17 September 2015 you exhibited daily mood swings following the rejection of your application for the post of Chief Constable of Greater

Manchester Police. You engaged in bullying behaviour towards Insp Kate Woods for a period of around a fortnight thereafter. Your mood swings were severe and unpredictable and you were unable to control yourself. Your behaviour and attitude was unprofessional and amounted to outright bullying which negatively impacted upon the team's morale and included:

- a. On 18 September 2015 having failed to action a number of enquiries made by Insp Woods due to your application and interview preparation you emailed Insp Woods seeking to apportion blame to her.
- b. On 21 September 2015 you telephoned Insp Woods when you were flustered and stated that you were running late for the train to London to attend the Capita conference 'Maintaining High Standards and Improving Integrity in the Police' which you had agreed to chair. Despite Insp Woods informing you that the next train would get you to London in time for the conference you stated that you were stuck in traffic and you refused to get the later train and asked Insp Woods to formally write to the organisers to apologise in addition to a phone call that she had already made to them.
- c. On the evening of 21 September 2015 you emailed Insp Woods and implied that you had been asking for information from her when you knew or ought to have known that the reverse was the case and Insp Woods had attempted to obtain further information from you.
- d. On 23 September 2015 at 08:18 you emailed Insp Woods: "Kate tried ringing but no one is picking up the phone. Aside from finding out why not at 815 when we open at 8 please can you assure me that I will be briefed prior to tonight's event, by who and when".
- e. On 24 September 2015 you emailed Insp Woods: "Kate what has happened to the ST email / phone call please?" when it had been your responsibility to telephone ST the previous week and the call had been entered into your diary. When Insp Woods informed you, you replied "I never made the call because no one asked me to".
- f. On 28 September 2015 you sent an email late at night implying that Insp Woods had been late in preparing a file in terms: "Kate time and lateness

of reading these papers leaves me having to commit thoughts to email to commit for urgent attention given the length of time we have been wrestling with the detail...”.

- g. On 29 September 2015 you passed comment that you were not happy with a PCC file and implying that the work she had been doing was not good enough.
- h. On 29 September 2015 you suggested that Insp Woods had not forwarded your biography to conference organisers when she in fact had.
- i. On 30 September 2015 you sought to blame Insp Woods for staff being unable to find her, for failing to undertake preparation for a teleconference call and for your difficulty in finding the venue at a briefing taking place at a large science park despite satellite navigation and written directions.
- j. On 5 November 2015 you wrote: “Kate I set out an expectation re document handling post our recent security review which events today show has not happened and needs to be actioned tomorrow when I found a sensitive document lying unsealed on a desk in the main office area...I will not have office security compromised by either ignorance or poor practice and cant (sic) make myself any clearer about the importance of this to our reputation and confidence...I expect this issue to be addressed by you by Monday evening at the latest including instructions and testing re clean desk policy sth I also asked you to action two weeks ago You will then brief me re what you have done Any excuses why this cant (sic) happen from a third party please refer to me for direction”.
- k. On 16 November 2015 you emailed Insp Woods: “See DM in my account re no reply after 2 weeks? Simon” to which Insp Woods replied that she could not see it and informed you that a letter was in “your black signing folder with the HR certificate” because she had reprinted the document but you had misplaced it.

61. On 22 September 2015 you were rude and aggressive to Insp Woods regarding a hotel booking and you stated that she was 'incompetent' and suggested that the problem with the booking had been caused intentionally by her. You refused to listen to Insp Woods' explanation.
62. On 30 September 2015 you demanded that Insp Woods enter your office and slammed the door as she walked past you. You accused Insp Woods of failing to perform in her role when you knew or ought to have known that your accusations were without basis and amounted to an unfounded, aggressive and inappropriate criticism of a subordinate officer.

ACPO Office

63. On diverse dates prior to January 2016 you sent emails about PA staff members which were 'nasty' or overtly critical in nature to message inboxes which you knew were, or could be, seen by all staff in the office including the subject of your criticism and which you knew or ought to have known would cause distress to the individual concerned.
64. Between July 2014 and February 2016 on occasions when you were displeased you became verbally short in your replies, avoided eye contact and behaved in an unprofessional and 'child-like' manner.
65. On 15 September 2016 in an open office and in the presence of other subordinate colleagues you displayed aggressive body language towards Witness E and shouted at her regarding arrangements for an awards ceremony. You displayed anger of such a degree that you began to spit, wave your arms in the air and turned red in the face. You pointed your finger at Witness E and shouted words to the effect "you need to sharpen up Witness E, I gave you this hours ago, you have a whole office to task here" and "you can't even get a postcode right".
66. On 22 July 2016 you sent an email to Witness D concerning PA Lisa Morana in which you stated: "Without being blunt is the phrase working from home an

oxymoron as numerous bits seem to be missed or not followed up by doing this??" and thereby implied that she was not working from home as she had been authorised to do. You sent your email criticism to an email inbox which you knew or ought to have known would be seen by members of staff working within the office.

67. In early September 2016 you tasked PS Neil Doleman with preparing a report relating to a cycling race that was to pass through Cheshire. You failed to provide any or any adequate brief or other information relating to what you required in terms of content and when the report was submitted and did not contain material that was acceptable to you, you stated in an angry and frustrated manner words to the effect: "this blessed report". You knew or ought to have known that PS Doleman was present and would be caused distress.

Mary Hough

68. Between January and November 2016 you engaged in bullying behaviour towards Mary Hough, including by shouting at her, speaking to her in a disrespectful way causing fear and embarrassment, displaying a 'Jekyll and Hyde' character, showing a lack of tolerance, treating her in a way that made her feel at fault and caused anxiety, failing to recognise her work or thank her and preventing her from engaging in a reasonable work-life balance and which was also demonstrated by the tone of your emails.

69. Between January and November 2016 you repeatedly made demands of Mary Hough that were so unreasonable in number and so demanding in nature that you placed her under persistent pressure.

70. On a date between January and November 2016 you stated to Mary Hough that she did not have the requisite 'skills or attributes' to do her job.

71. On a date between January and November 2016, in a conversation with Witness D and within the hearing of Mary Hough, you were openly critical of Mary Hough and stated that she was not a 'capable person'.
72. On a date between January and November 2016 you gave interview feedback to Mary Hough which was delivered in a cruel fashion and included words to the effect: "you don't have the attributes". You knew or ought to have known that your actions would cause distress.
73. Between January and November 2016 you regularly cancelled appointments at late notice, causing logistical problems and for which you attempted to blame Mary Hough or others within the ACPO office.
74. On 28 October 2016 you failed to attend a Magistrate function in Chester notwithstanding that the event had been placed in your professional diary / appointments schedule and it was something about which you knew and had prior notice. You stated to Mary Hough that it was her fault that you could not attend because it clashed with a sporting event involving your son and you shouted at her words to the effect "how can you let this happen?".

The misconduct particularised above amounts to gross misconduct.