IN THE MATTER OF **CASE REF: CO/28/24**

THE POLICE (CONDUCT) REGULATIONS 2020

B E T W E E N:

THE CHIEF CONSTABLE OF GLOUCESTERSHIRE CONSTABULARY — Appropriate Authority

-and-

PS 252473 — Officer

THOMAS COOMBS

REGULATION 43
DECISION

Introduction:

1. The Panel sat on November 24th and 25th 2025 at Gloucestershire Police Headquarters.
2. The Panel was chaired by ACC Arman Mathieson, sitting with Mr Andrew Erving and Mr Nick Carter (Independent Panel members) assisted by Mr Peter Cadman, the Legally Qualified Person.
3. Mr Darren Stewart, counsel, represented the Appropriate Authority (AA).
4. The Officer was represented by Julian King, counsel.

Task of the Panel:

5. The Panel approached its task by:
    a) First deciding the facts;

b) Second determining if any professional standards had been breached, and if so;

c) Third deciding at what level we assessed the seriousness of those breaches.

6. The Panel considered all the evidence contained within the bundle of evidence and the points raised in submissions.

7. The Panel applied the following principles:

d) The burden of proving any allegation rests with the Appropriate Authority.

e) The Officer does not have to prove anything, let alone his innocence from misconduct.

8. The standard of proof in establishing any fact is the balance of probabilities.

9. The Panel do not have to decide every matter in dispute; only those which assist it in making a decision as to whether or not a particular allegation is proved.

10. The Panel can draw inferences from the evidence adduced before it, meaning the Panel can reach common sense conclusions arising from that evidence, but the Panel must not cross into speculation. Any conclusions reached must be reached fairly.

11. The Panel must not find that the conduct of the Officer amounts to gross misconduct unless:

f) It is satisfied on the balance of probabilities this is the case, or

g) The Officer admits it is the case.

Allegations:

12. The Regulation 30 notice made the following allegations and breaches of standards of professional behaviour against the Officer, which are copied below (and anonymised):

<u>Allegation 1</u> use of unreasonable force against A on and around the 11th of January 2024 when you were involved in restraining him in the custody suite:

ALLEGATIONS OF FACT:

1. *On or around the 11th of January 2024, following his arrest, A had been escorted into custody by two female police officers, PC Duke and PC Day.*

2. *PC Duke and PC Day escorted A from the holding cell to the custody desk at which you were situated. A was heard to use misogynistic and abusive language towards the two female police officers at this time.*

3. *Having indicated that A should be returned to his cell, you proceeded to climb over the custody desk appearing to kick out at A as you rotated your legs. Upon alighting from the desk you then proceeded to push A in the chest causing him to fall backwards out of the grasp of PC Day, thereby causing him to hit his head on the floor. Upon realising that A had hit his head you were heard to say, "what a shame".*

4. *You then rolled A over and attempted to pick him up but instead moved him into the wall of the custody suite again exclaiming, "what a shame" again.*

ALLEGED BREACHES OF PROFESSIONAL STANDARDS:

1.1) Discreditable Conduct

Your conduct in the detention of A on and around the 11th of January 2024 was capable of amounting to a breach of the standards of professional behaviour expected of police officers in the use of force. As such your conduct was capable of bringing discredit to and/or undermining public confidence in the police service.

Further and in the alternative

1.2) Use of Force

Your use of force in the detention of A, as alleged at paragraph 3 and/or 4, was unnecessary, unreasonable and disproportionate in all the circumstances.

Further and in the alternative

1.3) Authority, respect and courtesy

By kicking and/or pushing A as alleged at paragraph 3 and/or your choice of language upon becoming aware he had hit his head as alleged at paragraphs 2 and/or 4 and generally, you demonstrated a lack of respect and courtesy towards A and/or you demonstrated an abuse of your authority and a failure to respect the rights of A.

It is alleged that the individual and/or cumulative effect of your alleged misconduct is such that your overall behaviour is at the level of Gross Misconduct.

2) ***<u>Allegation 2</u>*** ***- use of unreasonable force against A on and around the 11th of January 2024 when you were involved in restraining him in his cell:***

ALLEGATIONS OF FACT:

5. *On or around the 11th of January 2024 you, along with CDO Cruse, were escorting A from the custody desk to the holding cell. At one point, A dropped to his knees. You and CDO Cruse then pulled A along the floor on his knees to his cell. No attempt was made by you to explain to A that you intended to search him and to do this whilst he was standing.*

6. *Whilst in the cell, A was positioned face down on a mat and searched by CDO Cruse. Upon removing A's cuffs, he was moved on to his side at which point A seemingly demonstrated a degree of resistance. You held on to A's shoulder area and brought his arms behind his head causing him unnecessary discomfort and/or pain. You continued to use situationally inappropriate language when dealing with A despite being aware of the discomfort he was experiencing.*

ALLEGED BREACHES OF PROFESSIONAL STANDARDS:

2.1) Discreditable Conduct:

Your conduct in the restraint of A on and around the 11th of January 2024 was capable of amounting to a breach of the standards of professional behaviour expected of police officers in the use of force. As such your conduct was capable of bringing discredit to and/or undermining public confidence in the police service.

Further and in the alternative

2.2) Use of Force

Your use of force in the restraint A, as alleged at paragraph 5 and/or 6, was unnecessary, and/or unreasonable and/or disproportionate in all the circumstances.

Further and in the alternative

2.3) Authority, respect and courtesy

By ignoring A's discomfort and/or pain as alleged at paragraph 6 and/or your choice of language upon becoming aware he was in discomfort or generally, you demonstrated a lack of respect and courtesy towards A and/or you demonstrated an abuse of your authority and a failure to respect the rights of A

It is alleged that the individual and/or cumulative effect of your alleged misconduct is such that your overall behaviour is at the level of Gross Misconduct.

Pre-hearing:

13. At the pre-hearing the chair directed that PC Duke, PC Day, Custody Detention Officer Cruse, Paresh Bhadeshia and Mr Mills give evidence.

14. The Officer had filed a detailed Regulation 31 response.

15. The Panel proceeded on the basis of the Regulation 31 response. Namely that some facts were admitted but the Officer denied that his actions breached any

standards of professional conduct or that his conduct was either misconduct or gross misconduct.

Preliminary Issues:

16. Counsel for the Officer submitted that it was not proper for the Panel to rely on the evidence of Paresh Bhadeshia. The AA conceded that he was not an expert witness and accepted that he should not be called or relied upon. The Panel ruled that this witness would not be called or relied upon.

17. Counsel for the Officer applied for permission for the expert witness, Mr Mills, to be allowed to be present during the hearing and to listen to the evidence of the witnesses and the Officer. The AA supported this application. The Panel ruled that Mr Mills be allowed to be present as evidence is heard.

Evidence:

18. All evidence was considered by the Panel namely

    a) All the written witness statements and documents in the hearing bundle

    b) The video evidence.

19. The Panel was helped in identifying the contested issues by the Regulation 31 Notice and the AA's Opening Note.

20. The following paragraphs 21 – 44 are a summary of the evidence heard and not a complete record. All evidence heard was considered by the Panel, as were all the written witness statements and documents in the hearing bundle. The Panel had

viewed all the video evidence and was shown some of that video evidence in the hearing.

Summary of Evidence Called (before the full Panel):

PC Day:

21. She confirmed that her witness statement was true. On January 11th 2024 she attended an incident in Stow-on-the-Wold when she was the driver of a police van. She knew the basic details and on arrival A was abusive and swearing. She knew he had been arrested for assault and breach of bail. He had been handcuffed. There was a search at the roadside and there were difficulties getting him into the police van.
22. On the journey he initially was violent and head butting the van. However, he calmed down and they did not need a 'welcome party' at custody. On arrival he was placed in a holding cell. Although he was swearing, she had no safety concerns and he did not present as a violence risk. The situation did not need more control. He hadn't presented as violent and hands on was not necessary. If she had thought that he was violent she would have immediately have told the custody officer.
23. She recalled A saying to the custody officer that he was in charge. Things happened very quickly and the custody officer jumped over the desk and pushed A who fell to the ground and his head hit the floor. There was a struggle on the floor between the Officer and A whose head hit the wall again.
24. A was taken to a cell by the Officer and a detention officer and A was searched in the cell while she was in the corridor. Other officers were involved.
25. She felt that A had been compliant to her and to her colleague.

PC Duke:

26. She confirmed that her witness statement was true. She was the passenger in a police van driven by PC Day. On arrival in Stow-on-the-Wold, A had already been handcuffed. A was abusive and she turned on her BWV. A tried to resist being put in a van. When he was in the van he was kicking and head butting.
27. A had been further verbally aggressive but on the journey he calmed down. In the holding cell A was verbally aggressive but she did not consider him to be a risk. She had not felt a 'welcome party' was needed and did not radio ahead to inform custody. She didn't consider that the risk had increased. This was an informed decision by her and not an oversight.
28. She did not recall a conversation about "I'm in charge". She recalled the Officer jumping over the counter. The Officer pushed the prisoner over. The Officer picked A up, and A dropped hitting his head on the wall.
29. She did not go into the cell but was in the corridor nearby.

Custody Detention Officer Cruse:

30. He had been sitting by this computer. He saw A come in and A was swaying. He thought that A was aggressive. He heard the Officer going over the counter but did not see him.
31. He recalled that A's head hit the floor. He helped move A to a cell. He searched A but, as it had happened so long ago, he could not remember much.
32. He didn't recall a kick.
33. He has dealt with over 1000 detainees. Jumping over the counter was very rare but, when asked, he could not say how often he had seen it.

The Officer:

34. He had been a custody officer since January 2024. He saw A in a holding cell. He did not remember hearing what A was saying but believed he was shouting.

35. When A was brought into the custody suite, neither police officer had hold of him. He felt that they were at great risk of assault. He had heard A say that they needed to get some male officers and then A said that he was in charge. He told the police officers to take him to the cell. A then moved away and he felt that A was going to assault the officer and therefore he jumped over the custody desk. He did not kick out but ended up very close to A. He used two hands to push A away and A fell to the ground. He was aware that A had hit his head. He said "what a shame". This was unprofessional and he regretted saying it. The two officers were not controlling A and there had been an immediate risk.

36. He accepted that he was not aware of any details of the circumstances of A's arrest. His assessment of risk only arose after A's arrival based on his mannerisms and his language. He did not know that A was handcuffed. He admitted that A may have been handcuffed and accepted that he could have asked.

37. "What a shame". This was inappropriate disrespectful and not professional. It was said after A had banged his head and had complained. In the cell A was restrained. The officer said that he used reasonable force. He regrets the language he used in the cell.

38. He did not include any of these incidents in the custody record and having realised this the next day had decided it was inappropriate to make the relevant changes then. He regretted that.

39. He did not use too much force. He used what was necessary.

40. He accepted that, if the public viewed the video, it would be unpleasant to watch especially with the language that the officer had used.
41. When A arrived, he could not see into the holding cell and he could not hear what A was saying but just that he was loud but not what was being said.

Mr Ian Mills:

42. He explained his expertise and his experience. In his view A presented a clear potential threat and he would have expected the two police officers to have physical contact on A when bringing him to the custody desk.
43. He accepted that the two police officers were well placed to assess the risk. He was giving his subjective view.
44. He accepted that he could not know what the officer actually felt. He accepted that there were some tactical errors by the Officer. His view was that at the start it was likely to escalate to a possible assault. In his view the actions in the cells were slightly messy but inline with training. He confirmed that, in his view, the force used by the Officer was justified. He accepted that it was for the Panel to decide.

Decision on Facts and Allegation:

45. The Panel carefully approached its task by:

    a. First deciding the facts;
    b. Second determining if any professional standards had been breached, and if so;
    c. Third deciding at what level the Panel assessed the seriousness of those breaches.

46. The Panel considered all the evidence contained within the bundle, the evidence of the witnesses and all the video evidence together with the points raised in submissions.

47. The Panel applied the following principles:

    a. The burden of proving any allegation rests with the Appropriate Authority. The Officer does not have to prove anything, let alone his innocence from Misconduct.

    b. The standard of proof in establishing any fact is the balance of probabilities.

    c. The Panel does not have to decide every matter in dispute; only those which assist them in making a decision as to whether or not a particular allegation is proved.

    d. The Panel is required to consider and where possible determine factual matters not specifically alleged within the Regulation 17 notices, but which are nonetheless relevant to an allegation.

    e. The Panel can draw inferences from the evidence adduced before them, meaning they can reach common sense conclusions arising from that evidence, but they must not cross into speculation. Any conclusions reached must be reached fairly.

    f. The Panel must not find that the conduct of the Officer amounts to gross misconduct unless:

        (i) The Panel is satisfied on the balance of probabilities that this is the case, or

        (ii) The Officer admits it is the case.

Factual Determinations:

48. The Panel had discussed a decision tree with the advocates who had agreed on this approach. The Panel made the following preliminary findings of fact namely:

    a. The Panel did not find that there was imminent risk of A assaulting the two female officers. The Panel had viewed the video evidence of the incident. It also noted that neither officer was of the view that there was going to be any violence from A. A's aggressive behaviour mostly verbal, albeit he did pull away from the officers imminently before PS Coombs intervened. However the Panel concluded that there was no imminent risk that A would assault the two female officers.
    b. The Panel did find that the Officer honestly believed there was that risk. There was no other plausible reason for him jumping over the counter as he did.
    c. The Panel did find that his mistaken belief, was reasonable in the particular circumstances. He was aware that A had been brought to the police station as a result of domestic violence. He had heard A shouting in the holding cell and as he entered the custody area he heard A shout about females "get some male officers here" and say "I am in control". Further, when he told the officers to take him down to the cell, A had pulled away.

49. On the basis of the above findings , the Officer was entitled to use reasonable force to defend the officers.

50. Having viewed the video evidence and heard the evidence from PC Duke, PC Day, CDO Cruse and the Officer, the Panel did not find that PS Coombs kicked A.

51. All other facts were either admitted or found.

52. The Panel reminded itself that the amount of force justified in self-defence of others cannot be accurately measured. However, the Panel considered all the evidence including oral evidence from witnesses and the video evidence from the custody suite and from the cell. The Panel found that the Officer's actions went beyond justifiable self-defence both in custody area and the cell. The Panel found that his excessive approach was evidenced by his repeated comment "What a shame" followed up by using foul language to A in the cell.

53. The Panel found that the Officer had failed to treat A with the necessary level of respect, courtesy and dignity throughout the entire incident.

Decision on Allegations & Standards of Professional Behaviour

54. On the basis of the findings of fact, the Panel made the follow determination on the previously detailed alleged breached of standards:

1.1 – Proved.
1.2 – Proved
1.3 – Proved (except the Panel did not find that there was kicking).
2.1 – Proved
2.2 – Proved
2.3 – Proved

Level of Breach:

55. The Panel concluded that despite PS Coombs's mistaken yet honestly held and reasonable belief, his actual use of force was unnecessary, disproportionate and unreasonable, in both allegation 1 and 2.

56. The Panel found that the seriousness of his use of force amounted to **misconduct** in allegation 1.1 ,1.2 and in allegation 2.1 and 2.2.

57. However, in allegation 1.3 and 2.3 (Authority, Respect and Courtesy) PS Coombs's actions, language, behaviour and abuse of position of authority amounted to **Gross Misconduct** for both allegations.

58. Having therefore found misconduct in both allegation 1.1, 1.2, 2.1 and 2.2 for Discreditable Conduct and Use of Force, and, having found Gross Misconduct in allegation 1.3 and 2.3 for Authority, Respect and Courtesy, the Panel found that the totality of **the misconduct amounted to Gross Misconduct**, which could be so serious to justify dismissal.

Seriousness:

59. The Panel heard submissions on sanctions. The AA submitted that a final written warning was the appropriate outcome and left the length for the Panel to decide. Counsel for the Officer also submitted that a final written warning was appropriate but that 2 years was adequate length for the written warning.

60. The Panel considered the Guidance on outcomes in police misconduct hearings and the Panel bore this in mind in its deliberations.

61. The Panel was aware there had been no previous misconduct allegations and noted the character references.

62. 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

63. The Panel first considered the seriousness of the proven allegations and took all factors into consideration and these include:

(a) Culpability

(b) Harm

(c) Aggravating factors

(d) Mitigating factors

Culpability:

64. The Panel noted that he was solely responsible for his actions.

65. The Panel found the level of culpability was **medium**

Harm:

66. The Panel found that there was reputational damage (high level) and physical and psychological harm (medium) to A

67. The Panel found the overall level of harm was **medium**

Seriousness Starting Point:

68. Having assessed culpability and harm, the Panel decided that the seriousness starting point was at the level of **medium**.

Aggravating circumstances:

69. The behaviour continued and he was in a position of leadership.

Mitigating circumstances

70. It was a short duration event. There was a legitimate purpose and early contrition about his inappropriate use of words. There was evidence of remorse and insight. There was no operational dishonesty. His actions arose from a mistaken but honest belief.

Overall Assessment of Seriousness:

71. Having further identified aggravating factors and limited mitigating factors, the Panel decided that seriousness was **medium**.

Personal mitigation

72. The Panel noted the Officer's good character and his character references.

73. The Panel took these into consideration but gave them limited weight in determining the appropriate sanction.

Decision on Outcome:

74. The Panel has given appropriate weight to the submission from counsel and has regard to the Outcomes Guidance.

75. The Panel found that the following purposes of the police misconduct regime were given due consideration: maintaining public confidence in and the reputation of the police service; upholding high standards in policing and deterring misconduct.

76. Indeed, the Panel reminded itself that its central concern, having regard to the principle of proportionality and weighing the interests of the public and the Officer,

is the reputation or standing of the policing profession rather than the punishment of the Officer.

77. The Panel once again considered the totality of the evidence and circumstances in deciding whether a final written warning was appropriate and proportionate.

78. The Panel found that the particular circumstances of this case meant that a final written warning was adequate and the confidence of a member of the public knowing the full circumstance would not be undermined by this outcome.

79. The threefold purposes of the police misconduct regime, and in particular the purpose to maintain confidence in and the reputation of the police service, can be satisfied by a final written warning.

80. The Panel decided that the warning should be held on the Officers record for 3 years.

81. The decision should be publicised in the normal way.

ACC Arman Mathieson

29th November 2025