

Former PS Martin Coughlan:

I will deliver my findings with brief reasons now. I have carefully considered all the written material submitted, along with the evidence heard at the Hearing itself. I also remind myself that the AA brings the case, and it is for the AA to prove the case on the balance of probabilities.

I have followed the staged approach as set out in the guidance. Firstly, to consider findings as to the facts.

FACTS

Allegation 1: That Former PS Martin Coughlan had been dishonest with Police colleagues when asked about ownership or access to vehicles.

I find this allegation proven on the balance of probabilities. In making this decision I note the following:

- The BWV Transcript from DC Cutts
- The email from Tusker Direct naming Former PS Coughlan as the registered driver.

All of which confirm the allegation.

With regards the dishonesty element, I have applied the two-stage test for dishonesty confirmed by Lord Hughes at [74] in the case of *Ivey v Genting Casinos* [2017] UKSC 67. I considered the first stage of the test which concerns establishing the actual state of the Former officer's knowledge or belief as to the facts at the time of making these statements. I find that Former PS Coughlan by this subjective test was dishonest. He would have known at the time that he had access to this vehicle.

Considering the second stage as to whether this conduct was dishonest by applying the standards of ordinary decent people, again I find the officer to be dishonest. By this objective standard, I fail to see how the Former officer would have forgotten about his vehicle, especially when specifically questioned about it.

Therefore, I find the dishonesty proven by both the subjective and objective tests.

Allegation 2: That Former PS Coughlan was dishonest with regards to requesting leave to attend hospital with ** and subsequently being given dependent's leave.

I find this allegation not proven on the balance of probabilities. I remind myself that it is the AA that brings the case and it is for the AA to prove the case on the balance of probabilities. I note:

- Whilst the AA has proven the registered VW was not used; they have failed to rule out any other means of travel.
- The AA has failed to check with the hospital as to whether any appointment took place or not.
- The AA has failed to question MC or ** regarding these specific allegations.

Given the above, I find the AA has failed to prove this allegation on the balance of probabilities.

Allegation 3: That Former PS Coughlan breached his bail conditions (and likewise **) on 04 June 2025 when the Former officer was dropped off at Gatwick Airport.

I find this proven on the balance of probabilities. In making this decision I note:

- The CCTV footage and timestamps of the vehicle entering and exiting the parking at Gatwick.

- The email from Tusker confirming that ** was the other registered driver of the vehicle.
- The inference from clear footage of ** picking up MC on his return on 18 June 2025.
- The bail conditions for MC and **.
- The statement of DC Wood referring to MC's awareness of **'s bail conditions.
- The statement of DC Wood regarding the images retrieved from the airport CCTV.
- The Transcript of Clip of the BWV of DC Wood on 24 June 2025.

Whilst I note that for this specific date no clear image has been provided of the driver, considering the above information, I find this allegation proven on the balance of probabilities.

Allegation 4: That Former PS Coughlan breached his bail conditions (and likewise **) on 18 June 2025 when the Former officer was collected from Gatwick Airport.

I find this proven on the balance of probabilities. In making this decision I note:

- The CCTV footage and timestamps of the vehicle at Gatwick.
- The statement of DS Fitz-Gibbons.
- The clear images of ** and MC together and entering the vehicle.
- The email from Tusker confirming that ** was the other registered driver of the vehicle.
- The bail conditions for MC and **.
- The statement of DC Wood regarding MC's awareness of **'s bail conditions.
- The Transcript of Clip of the BWV of DC Wood on 24 June 2025.

All of which confirm the allegation.

Allegation 5: That Former PS Coughlan breached his bail conditions (and likewise **) on 18 June 2025 when both parties entered the address in Eastbourne.

I find this proven on the balance of probabilities. In making this decision I note:

- The statement of DS Boxall
- The clear images of ** and MC together and entering the address.
- The bail conditions for MC and **.
- The statement of DC Wood referring to MC's awareness of **'s bail conditions.
- The Transcript of Clip of the BWV of DC Wood on 24 June 2025.

All of which confirm the allegation.

Allegation 6: That Former PS Coughlan breached his bail conditions in having contact with ** and that he assisted ** in breaching his bail conditions by assisting him in concealing himself within the premises.

I find this proven on the balance of probabilities. In making this decision I note:

- The statement of PC Wright.
- The statement of DC Cutts.
- The bail conditions for MC and **.
- The statement of DC Wood referring to MC's awareness of **'s bail conditions.

All of which prove this allegation.

STANDARDS OF PROFESSIONAL BEHAVIOUR

HONESTY and INTEGRITY

The Standard of Honesty and Integrity as set out in Schedule 2 of The Police (Conduct) Regulations 2020 states the expectation that: *“Police officers are honest, act with integrity and do not compromise or abuse their position.”*

Given the finding of dishonesty, **I have concluded that the Standard of Honesty and Integrity has been breached.** However, I note that this is not operational dishonesty.

DUTIES AND RESPONSIBILITIES

The Standard related to Duties and Responsibilities as set out in Schedule 2 of The Police (Conduct) Regulations 2020 states that the expectation that: *“Police officers are diligent in the exercise of their duties and responsibilities.”* And *“Police officers have a responsibility to give appropriate cooperation during investigations, inquiries and formal proceedings, participating openly and professionally in line with the expectations of a police officer when identified as a witness.”*

Given the findings of facts, **I have concluded that the Standard of Duties and Responsibilities has been breached.** Not only has Former PS Coughlan repeated breached his own bail conditions, he has also facilitated and failed to report the breaches of bail conditions by **.

DISCREDITABLE CONDUCT

The Standard related to Discreditable Conduct as set out in Schedule 2 of The Police (Conduct) Regulations 2020 states that the expectation that: *“Police officers behave in a manner which does not discredit the police service or undermine public confidence in it, whether on or off duty.”*

Given the findings of the facts, I find that the Former officer engaged in a pattern of behaviour that brought significant discredit on the police service and has the potential to significantly undermine public confidence in the police, **I have concluded that the Standard of Discreditable Conduct has been breached.**

SEVERITY ASSESSMENT

Following the staged process the I have then considered the severity of the breaches of the Standards and whether they were at a misconduct or gross misconduct level (that is, misconduct so serious as to justify disciplinary action or misconduct so serious as to justify dismissal).

Considering the College of Policing Guidance on Outcomes for the purposes of assessing seriousness at this stage, I find:

The Former officer has a high level of **culpability**:

- The officer’s actions were Intentional and deliberate.
- As an experienced officer and a Sergeant, the Former officer was holding a position of trust and responsibility at the relevant time.
- The actions involved dishonesty.

The actions were at the high end of the **harm** scale, whilst no persons were physically harmed, the potential harm is high.

- There is a significant reputational risk for Sussex Police and policing nationally if it were to be public knowledge that an officer was dishonest, breached their bail conditions and facilitated others in breaching their own bail conditions. This could have a significant impact on trust in the police and confidence that the police take these matter seriously and do not apply a different standard to that by which we hold the public accountable.

There were a number of **aggravating factors** present. Including:

- The behaviour continued after the Former officer realised or ought to have realised it was wrong.
- The behaviour involved concealing wrong-doing.
- The behaviour was repeated and sustained over a period of time.
- The behaviour is a significant deviation from instructions and policy.
- The behaviour involved multiple breaches of the standards.

I found limited **mitigation** for the behaviour. **** * . However, I note that there is no inference of causality from these mitigating factors.

Taking all of the above into account, I find the Former officer's conduct was so serious and fell short of the Standards expected to such an extent, that their dismissal from Sussex Police would be justified. Accordingly, I make **a finding of Gross Misconduct individually and collectively in this matter for the breach of the standards of Honesty and Integrity, Duties and Responsibilities and Discreditable Conduct.**

OUTCOME

Following the findings, I have gone on to consider the most appropriate outcome for the finding of gross misconduct, and I have followed the structured approach as set out in the College of Policing's Guidance on Outcomes.

I first considered once more the severity assessment and the seriousness of the breaches with respect to:

- Culpability
- Harm
- Aggravating factors; and
- Mitigating factors

I considered the assessment of severity at the previous stage and revisited this with regards to the considerations this stage of proceedings. I also considered the Former officer's service record and note that the Former officer has not proffered any personal mitigation at this stage.

I then reminded myself of the purpose of imposing sanctions as set out in the College of Policing Guidance:

- 1) To uphold public confidence in and the reputation of the police service;
- 2) To uphold high standards in policing and deterring misconduct; and
- 3) To protect the Public.

I then considered as per section 2.8 of the Guidance, that any sanction imposed must be "*... no more than is necessary to satisfy the purpose of the proceedings*" and therefore less severe outcomes must be considered before more severe outcomes.

I also note the case of *R v Slater* ([1995] Crim LR 244), and whilst I note the emphasis on operational dishonesty, I also note the wider implications regarding dishonesty and the conclusions of Mr Justice Burnett that:

"The public should be able unquestioningly to accept the honesty and integrity of a police officer."

Noting the officer has resigned, I considered whether any lesser sanction than dismissal (should the Former officer still have been serving) would serve the purposes of these misconduct proceedings.

However, I concluded that given the seriousness of the gross misconduct and considering its impact in particular on public confidence and trust in policing, I find that no sanction less than the dismissal of the Former officer had they still been serving and being placed on the police barred list, would meet the purposes of the Police Misconduct process.

As the officer has resigned, the remaining sanction is to place the officer on the College of Policing Barred List and to note that they would have been dismissed without notice should they still have been serving.