

IN THE POLICE CONDUCT PANEL

IN THE MATTER OF THE POLICE ACT 1996

**AND IN THE MATTER OF THE POLICE (CONDUCT) REGULATIONS 2020
(AS AMENDED)**

BETWEEN:

THE CHIEF CONSTABLE OF THE CIVIL NUCLEAR CONSTABULARY

The Appropriate Authority

AND

FORMER PC 2774 AIDEN LOVE

The Officer

**NOTIFICATION AND REPORT OF THE OUTCOME UNDER REGULATION 40
OF THE POLICE CONDUCT REGULATIONS 2020**

Chair: ACC Michael Vance

ILQA : Derek Marshall

IPM: Susannah Dengate

Carolyn Graham

AA Solicitor: Erin Kyle-Davidson

Fed Rep: N/A

IO: Mr Toker

Hearings Manager: Andrew Evans

Background and preliminary matters

1. This is a case which in other police forces would probably have been proceeded with as an Accelerated Hearing. The Civil Nuclear Police does not presently have the capacity to follow this procedure. The (former) Officer has resigned and has not served a Regulation 31 notice nor has he co-operated with or taken any part in the proceedings. This case therefore proceeds under the “former Officer” regime. He is referred to in the report as “the Officer”.
2. The first task of the Panel was to determine whether the case should proceed in the absence of the Officer. They were advised by the ILQA that they may do so if satisfied that he knew of the proceedings, had no good reason for his non-attendance or had chosen not to attend and that it was fair just and reasonable to proceed, given the over-riding objective of the proceedings, which is to protect the public and maintain public confidence, uphold the highest standards of professional behaviour in the police service and to deter wrongdoing.
3. Ms Kyle-Davidson for the AA explained to the hearing the efforts she had made to engage with the Officer. The AA had made an enquiry on 14 October 2025 as to the current postal address or other contact details for the Former Officer. An address was obtained by a Field Intelligence Officer and the Officer himself was served with the relevant material, and kept updated in relation to the proceedings, including the hearing date and location. Contact was then made by email, and upon receiving no acknowledgement to the email sent on 17 October 2025, the Regulation 30 documents were sent by Royal Mail Special Delivery on 4 November. The tracking details confirmed that this was delivered and signed for by the Officer on 11 November 2025. This correspondence also included the provisional date and location of the hearing. On 20 November 2025, the Former Officer was emailed a copy of the hearing bundle, alongside the AA’s submission for the Chair to consider whether a misconduct pre- hearing was required, but no acknowledgement to that email was made.

4. On 24 November 2025, the Officer was emailed a copy of the ILQA's open advice to the Chair and on 1 December 2025, he was emailed a copy of the Chair's Directions, as well as the draft Public Notice. There was no acknowledgment to either email. On 27 November he was sent a copy of the hearing bundle and hearing details by recorded delivery. This bundle was undelivered and returned to sender. On 9 January 2026, a Police National Computer (PNC) check confirmed that the Former Officer has a Sex Offender Notification Requirement, and as of 08 September 2025, his Notification/Relevant Home Address remained the same as provided on 14 October 2025. However, the PNC check also showed that the Former Officer had an additional address, so on 9 January 2026 Mark Toker, CNC PSD Investigator, contacted Police Scotland for confirmation of the Former Officer's address. On 12 January 2026, the hearing bundle was sent next day recorded delivery to the additional address. The tracking detail states that this was delivered and signed for by the Officer on 14 January 2025. A copy of the signature was included. A Civil Nuclear Police Federation Representative has confirmed that he is not being represented by the Federation.

5. The Chair asked whether all of this information had been documented in a separate bundle and Ms Kyle-Davidson confirmed that it had been. She submitted the bundle to the Panel and after pursuing the contents the Chair said that he was completely satisfied that the Officer was fully aware of the hearing and had no intention of co-operating or attending. The ILQA confirmed that as a matter of law the Panel could now proceed in his absence and they now resolved to do so.

The background allegations of fact

6. The allegations against the Officer are of discreditable conduct and breaches of the required standards of professional behaviour as to honesty and integrity , authority courtesy and respect. The factual basis of the allegations is his conduct in engaging in indecent sexual communications with a twelve year old girl by pretending to be a fourteen year old boy. He persuaded her to send him images of her private parts and of her face and he in turn sent her images of a penis, including a moving image of a male penis in the act of masturbation. These are serious offences under the Sexual Offences (Scotland) Act 2009. The Officer pleaded “Guilty” to the alleged offences at the Wick Sheriff Court on 27 May 2025 (the equivalent of an English Magistrates Court) and was sentenced to a Community Order by the Sheriff (the equivalent of an English District Judge).

7. The fact of FPC Love’s appearance in Court, plea of “Guilty”, conviction and sentencing by the Sheriff is readily established by the written evidence of Inspector Green of the CNP who was present in Court and witnessed the hearing. There is also a Certificate of Conviction in the bundle duly signed by the Sheriff Clerk Depute dated 26 August 2025. The ILQA directed the Panel that the significance of the signed memorandum of conviction is this: Police Misconduct proceedings are civil proceedings according to the law (Kuzmin v GMC [2019] EWHC 2129 (Admin) (paragraph 34) and that Section 11 of the Civil Evidence Act 1968 therefore applies. This states that:

(1) In any civil proceedings the fact that a person has been convicted of an offence by or before any court in the United Kingdomshallbe admissible in evidence for the purpose of proving, where to do so is relevant to any issue in those proceedings, that he committed that offence, whether he was so convicted upon a plea of guilty or otherwise and whether or not he is a party to the civil proceedings; but no conviction other than a subsisting one shall be admissible in evidence by virtue of this section.

(2) In any civil proceedings in which by virtue of this section a person is proved to have been convicted of an offence by or before any court in the United Kingdom or

(a) he shall be taken to have committed that offence unless the contrary is proved; and

(b) without prejudice to the reception of any other admissible evidence for the purpose of identifying the facts on which the conviction was based, the contents of any document which is admissible as evidence of the conviction, and the contents of the information, complaint, indictment or charge-sheet on which the person in question was convicted, shall be admissible in evidence for that purpose.

(3) *Nothing in this section shall prejudice the operation of section 13 of this Act or any other enactment whereby a conviction or a finding of fact in any criminal proceedings is for the purposes of any other proceedings made conclusive evidence of any fact.*

(4) *Where in any civil proceedings the contents of any document are admissible in evidence by virtue of subsection (2) above, a copy of that document, or of the material part thereof, purporting to be certified or otherwise authenticated by or on behalf of the court or authority having custody of that document shall be admissible in evidence and shall be taken to be a true copy of that document or part unless the contrary is shown.*

It follows that the Panel was entitled to find (and they did find) that the underlying facts of this case are proved without the need for further oral evidence.

Panel review of the evidence in terms of the alleged breaches of professional standards

8. The fact of the Officer's conviction and of the underlying offences is clearly established. Those underlying facts are shocking. In late March 2024 the Officer sent a "friends" request on Instagram to a 12 year old girl. She accepted the request. As set out above, the Officer then made a request for intimate pictures and one of her face, which she also sent. This allowed him to identify her. In response he sent her an image of an erect penis and a video of a male masturbating. This girl thought that she was communicating with a 14 year old boy. She subsequently deleted the images but her mother saw enough of the materials to become suspicious and alert the police. The Panel had no doubt that the AA has sufficiently proved the facts of their case by reason of the Officer's pleas of "guilty" before the Sheriff and his subsequent convictions as witnessed by Inspector Green.
9. The Panel was also satisfied that the alleged breach of the required standards of professional behaviour had been established. The Home Office Guidance says this:

2.15 Discredit can be brought on the police by an act itself or because public confidence in the police is undermined or is perceived to be undermined. In general, it should be the actual underlying conduct of the police officer that is considered under the misconduct procedures, whether the conduct occurred on or off-duty. However, where a police officer has been convicted of or cautioned for a criminal offence, that alone may lead to discipline or vetting action irrespective of the nature of the conduct itself.
10. It was obvious to the Panel that police officers do not break the law, especially in relation to matters of sexual misconduct involving a child. The public would be rightly appalled to learn that a serving police officer had engaged in conduct which involved causing a child to look at a sexual image and of communicating indecently with her. There could be no other reasonable conclusion than that this amounted to breaches of the required standards of professional behaviour as alleged concerning honesty and integrity and it was discreditable conduct and an obvious breach of the required standard of courtesy and respect. The case speaks for itself.

Misconduct or gross misconduct

11. Whether this amounts to gross misconduct as alleged by the AA involves an assessment of the seriousness of the incident. The Panel was advised by the ILQA to use the familiar fourfold criteria in the Guidance on Outcomes to assess seriousness based on the common law decision in Fuglers v SRA [2014] EWHC 179.
12. In their view, culpability in this case was very high. This was a criminal offence committed against a child. It was a gross breach of trust against a female child by a serving officer who dishonestly pretended to be a young boy for his own sexual gratification. The behaviour was deliberately aimed at the female child, who he clearly knew was a child because she sent him a picture of her face and told him that she was 14 years old (she was in fact only 12). The public is rightly concerned at the moment about violence and sexual offending against women and girls. This behaviour serves to undermine public confidence in the police service.
13. The harm was both direct, in that the child concerned was a victim of the Officer's offending and indirect in that it casts a serious and dark shadow on the reputation of the police service. Violence against women and girls and sexual misconduct towards them, especially by serving police officers, is a matter of high public concern at the moment.
14. Although the Panel was careful not to fall into the trap of double-counting, they were persuaded by Ms Kyle-Davidson that there were some aggravating features in this case. This was planned and targeted misconduct aimed at a vulnerable victim for the purposes of the Officer's own sexual gratification.

15. Beyond the Officer's admissions, plea of Guilty in the Sheriff's Court and his resignation from the police there is no mitigation in this case. In the circumstances the Panel had no doubt that this was a case of gross misconduct, and at a high level.

The Outcome – Disciplinary Action

16. The Panel reminded itself of the threefold purpose of these proceedings: To maintain public confidence in the police service, to protect the public and deter wrongdoing and to maintain the highest standards of professional behaviour. The objective is not to punish the officer and the Panel should therefore do no more (although also no less) than that which is necessary to satisfy the key objectives of these proceedings. The Panel clearly understood that they must consider the seriousness of the misconduct, the purpose of sanctions and then choose an outcome which most appropriately meets that purpose. Since this is a "former officer" case the outcomes available given a finding of gross misconduct were either to record that if the Officer were still serving, he would have been dismissed without notice, or to take no action.

17. The Panel therefore revisited their considerations as to the seriousness of the matter and applied the familiar fourfold analysis in the Guidance on Outcomes but they could see no reason to change their previous assessment. The Panel received a copy of the Officer's service record but decided that there was nothing of note in there. No personal mitigation was offered and there was no reason to change the original assessment as to seriousness.

18. In the Panel's judgment if this Officer were still serving, he would have been dismissed without notice for gross misconduct and this is their decision. Nothing less would have been sufficient to protect the public or to maintain confidence in the police.



Drafted by Derek Marshall LLB. MCIArb ILQA

College Chambers, Southampton

19 January 2026

Revised and Approved by

Michael Vance

ACC

Chair

Susannah Dengate

Independent Panel Member

Carolyn Graham

Independent Panel Member

TO THE OFFICER

You have the right of appeal to the Police Appeal Tribunal under Regulation 43.

If you admitted your misconduct you may appeal against any disciplinary action imposed under Regulation 35.

If you denied your misconduct but the person conducting found that your conduct amounted to misconduct/ gross misconduct, you may appeal against that finding or any disciplinary action imposed under Regulation 35.

Any appeal must be made in writing to your local policing body within 10 working days beginning with the day following the day on which you receive this notice. (Rule 7 Police Appeals Tribunals Rules 2008)

Postal address:

Phone:

Fax:

Email

You may request a transcript of the proceedings (or part of the proceedings) at your original hearing in your notice of appeal.

The only grounds for appeal under this regulation are that:

- a) the finding or disciplinary action imposed was unreasonable;
- b) there is evidence that could not reasonably have been considered at the misconduct hearing which could have materially affected the finding or decision on disciplinary action; or
- c) there was a serious breach of procedures set out in the Regulations or other unfairness which could have materially affected the finding or decision on disciplinary action.

Legislation governing appeals following misconduct hearings is the Police Appeals Tribunals Rules 2020

Copies: Officer

PSD