

IN THE ACCELERATED POLICE MISCONDUCT HEARING
PURSUANT TO THE MINISTRY OF DEFENCE POLICE (CONDUCT,
PERFORMANCE AND APPEALS TRIBUNALS) REGULATIONS 2020

IN THAT MATTER OF

PC Murphy

Decision of the Chair

PANEL CHAIR: Kier Pritchard

Introduction

1. This case has been dealt with as an Accelerated Misconduct Hearing I am satisfied from the outset of this hearing that there was sufficient evidence, to establish on the balance of probabilities, that the conduct of this officer concerned constitutes gross misconduct; and that it was in the public interest to proceed as an accelerated hearing.

2. The hearing took place virtually on 21st July 2026. I presided over the hearing with the support of Natalia Constanine, counsel acting as legal adviser. The regulated authority was represented by Stephen Morley.

Preliminary Application

3. I dealt with a preliminary application to proceed in absence of PC Murphy. The subject officer, who I shall refer to as Former Police Constable Murphy (FPC Murphy), resigned from the MOD Police on 25th March 2026, prior to the conclusion of these proceedings. His resignation does not, however, preclude this hearing from proceeding to a conclusion, and the allegations are properly before me today.

4. FPC Murphy has chosen not to participate in this hearing. He was given proper notice of these proceedings and the opportunity to attend, to be represented, and to respond to the allegations. He has not done so. I am satisfied that it is appropriate to proceed in his absence.
5. I have considered all of the evidence placed before me, including the written statements and exhibits contained within the hearing bundle. No oral evidence has been called. FPC Murphy has offered no account, either during the investigation or at this hearing, and has advanced no mitigation.

The Allegations

4. The Appropriate Authority alleges that FPC Murphy breached the following Standards of Professional Behaviour:
 - Honesty and Integrity
 - Fitness for Duty
 - Discreditable Conduct
5. The allegations arise from FPC Murphy attending for duty on 24th March 2026 at BAE Systems, Barrow-in-Furness, with cocaine, a Class A controlled substance, present in his body, as revealed by a mandatory random drug test administered on that date.

Findings of Fact

6. The standard of proof I apply is the balance of probabilities. I must be satisfied that it is more likely than not that the facts alleged are established. I find the following facts proven to that standard:

7. On 24th March 2026, FPC Murphy was on duty at BAE Systems, Barrow-in-Furness, an operational station. I am satisfied that this was an operational environment in which firearms officers were present. The significance of that operational context will be addressed when I turn to the question of seriousness.
8. FPC Murphy was one of fifteen officers selected for a random drug test on that date. I am satisfied that the testing process was carried out properly. I accept the evidence of DC Queen as to the process followed, and I accept the integrity and continuity of the sample from collection through to analysis. The chain of custody has been properly established and is not in dispute.
9. The results of that test, received on 27th March 2026, confirmed that FPC Murphy had tested positive for cocaine and its metabolite benzoylecgonine. The reading returned was 610 nanograms per millilitre. The threshold for a positive result is 150 nanograms per millilitre. FPC Murphy's result was therefore approximately four times the detectable threshold. This is a significant reading, not a borderline result.
10. I have considered whether the medications declared by FPC Murphy on the Chain of Custody Form could account for the presence of cocaine or benzoylecgonine in his sample. Those declared medications were eye drops, codeine, co-codamol and paracetamol. Having regard to the toxicologist's evidence, I am satisfied that none of those medications could account for the presence of cocaine or benzoylecgonine. The positive result can only be explained by the consumption of cocaine.
11. FPC Murphy was informed on 24th March 2026 that his sample was non-negative and would require further analysis. He resigned the following day, 25th March 2026, before

the confirmatory results were received. He subsequently indicated on 13th April 2026 that he did not wish to participate in the investigation. He has provided no account and no explanation at any stage of these proceedings.

12. I find it proven on the balance of probabilities that FPC Murphy attended for duty on 24th March 2026 with cocaine in his body, at a level approximately four times the detectable threshold.

Standards of Professional Behaviour

Honesty and Integrity

13. The standard provides that police officers must act with integrity and do not compromise or abuse their position.

14. I find that this standard was breached. FPC Murphy took cocaine, a Class A controlled substance, and then presented himself for duty. The consumption of illegal drugs by a serving police officer is fundamentally incompatible with the standard of honesty and integrity required of a constable. Police officers are expected to uphold the law, not to break it. FPC Murphy knowingly placed himself in breach of that expectation. I find this allegation proven.

Fitness for Duty

15. The standard provides that police officers when on duty or presenting themselves for duty are fit to carry out their responsibilities.

16. I find that this standard was breached. By attending for duty with cocaine in his body at a level nearly four times the detectable threshold, FPC Murphy was not fit to carry

out his responsibilities as a police officer. The potential consequences of an officer being impaired in an operational environment and in particular one where firearms officers were present, are serious. I find this allegation proven.

Discreditable Conduct

17. The standard provides 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.

18. I find that this standard was breached. The consumption of cocaine by a serving police officer is plainly conduct that is likely to bring discredit upon the police service and to undermine public confidence in it. The public are entitled to expect that those who enforce the law comply with it. I find this allegation proven.

Severity ; Misconduct or Gross Misconduct

20. Having found the allegations proven, I must determine whether the conduct amounts to misconduct or gross misconduct. Gross misconduct is defined as a breach of the Standards of Professional Behaviour that is so serious as to justify dismissal.

21. For these reasons alone, the breaches of professional standards in this case are found to be so serious as to justify dismissal and therefore constitute gross misconduct

DECISION ON SANCTION

22. Having found that FPC Murphy's conduct amounts to gross misconduct, I must now determine the appropriate sanction. The available sanctions range from a final written warning to dismissal without notice. I have had careful regard to the Home Office Guidance on police officer misconduct, and in particular to the factors set out at paragraph 4.2 regarding the maintenance of public confidence in the police service.

The Purpose of Sanction

23. Sanction in misconduct proceedings serves several purposes: to protect the public, to maintain public confidence in the police service, to uphold the standards of the profession, and to deter similar conduct by others. It is not primarily punitive in nature, though the gravity of the conduct must be reflected in the outcome.

Culpability

24. I find that FPC Murphy's culpability is high. He made a personal decision to consume cocaine, a Class A controlled substance. He has offered no account and no explanation at any stage of these proceedings. In the absence of any explanation, I can only conclude that the decision to take cocaine was his alone and was made with full knowledge of the standards he was bound to uphold as a police officer. There is nothing before me that could reduce or qualify that culpability.

Harm

25. In assessing harm, I am not limited to considering actual harm. I must also have regard to the potential for harm. The MOD Police is a predominantly armed force. Officers operate in environments where the presence of firearms is routine. I find that attending for duty with cocaine in the body at a level nearly four times the detectable threshold, in such an environment, carried with it a serious potential for harm. The consequences of impairment in an armed policing context could have been grave. I find the potential for harm to be high.
26. Beyond the direct operational risk, I find that there is real and significant harm to public confidence in the police service and in the Ministry of Defence Police in particular. The public and those whose security the MOD Police exists to protect are entitled to place their trust in officers who are fit, sober and law-abiding when they report for duty. That trust has been seriously damaged by FPC Murphy's conduct.

Maintaining the Highest Standards

27. Paragraph 4.2 of the Home Office Guidance makes clear the importance of maintaining public confidence in policing. The MOD Police operates in a unique and sensitive environment. Its officers are routinely deployed at sites of national security significance and alongside armed colleagues. It is therefore essential, more so perhaps than in many policing contexts, that the highest standards of professional behaviour are maintained and are seen to be maintained.
28. A police officer who attends for duty under the influence of cocaine departs entirely from those standards. The conduct is reprehensible. It is incompatible with the office of constable and, in the context of an armed force, carries risks that are not present in all policing environments. I am satisfied that the conduct strikes at the very heart of what it means to be a police officer and that it would significantly and justifiably undermine public confidence were it not met with the most serious of outcomes.

Service Record and Mitigation

29. I have carefully considered FPC Murphy's service record. He served as a police officer for approximately twelve years. Whilst length of service may be a relevant factor, I do not find his record to be remarkable or to disclose distinguished service that might weigh materially in mitigation.
30. I note that FPC Murphy had been absent from duty on long-term sick leave due to mental health difficulties. I have given this consideration. However, FPC Murphy has chosen not to engage with these proceedings and has provided no information, evidence or submissions in relation to his health, the nature of his difficulties, or any connection between those difficulties and the conduct under consideration. In the absence of that information, I am not in a position to make findings about the significance of his mental health history or to afford it material mitigating weight. I cannot speculate as to matters that have not been placed before me.

31. I note that FPC Murphy was assessed as fit to return to duty in December 2025 and was, at the time of these events in March 2026, awaiting further training to secure a firearms qualification. The fact that he had been cleared as fit to return and was actively preparing to obtain a firearms authorisation makes his conduct on 24th March 2026 all the more difficult to understand and all the more serious in its implications.
32. Beyond the above, there is no mitigation before me. FPC Murphy has not attended, has not been represented, has expressed remorse, and has not acknowledged the gravity of what occurred. There is nothing before me that I can properly weigh in his favour.

Conclusion on Sanction

33. I have weighed all of the above carefully. This is a case of gross misconduct involving the consumption of a Class A drug, attendance for duty in an impaired state, in an armed operational environment, by an experienced officer who has provided no explanation and sought no engagement with these proceedings.
34. The conduct fundamentally undermines the standards of integrity, fitness for duty and public confidence that lie at the core of the police officer's role. There is no mitigation of substance. A final written warning would not reflect the gravity of what has occurred and would not adequately protect the public or maintain the standards of the profession.
35. The only appropriate sanction is **dismissal without notice**.