

Accelerated Misconduct Hearing of PC Maurice Maison, held on 20th July 2021

Finding

I have had the benefit of the papers in advance of today and have read them carefully. I have listened to the case presented by the Appropriate Authority. I am grateful for the submissions made on behalf of PC Maison by PC Scrutton and for the open way in which PC Maison answered the questions I asked him

I have carefully considered the documentary evidence provided to me, including:

- The record of PC Maison's plea of guilty to driving at excess speed at pages 40-41
- PC Frankland's statements at pages 15 and 22.
- PC Maison's responses, firstly to the service of form 163 and secondly under Regulation 45 at pages 28 and 34.

PC Maison has admitted that his actions amount to misconduct but has denied gross misconduct.

As has been agreed, the facts of this case are very clear. PC Maison drove his car at 122 miles per hour in a 70 miles per hour limit. He pleaded guilty to driving at an excess speed.

Behaving in this way, that is in driving at such an excess speed, and being convicted of a criminal offence in respect of this behaviour, discredits the police service and undermines confidence in it. In doing so, I consider that PC Maison has breached the Standards of Professional Behaviour in respect of:

Discreditable Conduct

I have reminded myself that gross misconduct is a breach of the Standards of Professional Behaviour so serious that dismissal would be justified. Applying that definition, I find the matter proven as gross misconduct.

PC Maison behaved in the manner described and can have been in no doubt that this was wrong. It is relevant that he had had an endorsable speeding ticket two years before, which resulted in him being fined and incurring three penalty points, and so he was certainly left in no doubt then as to the seriousness of speeding.

He can also have been in no doubt that this was highly dangerous behaviour. The speed he drove at – 122 miles per hour - was dangerous to other road users and himself because it increases stopping distances and the severity of any collision and reduces reaction time. Other road users do not cater for their fellow drivers to be driving at such an excessive speed and would have had less time to react to him.

I have heard that he believed he might be late for training, but in fact he had more than ample time to spare but put his own convenience first in wanting to leave time to park,

change and eat before starting his training day. And anyway even if he didn't have time to spare or genuinely believed he didn't, he does not have a valid reason for driving in the way that he did.

In addition, it is unacceptable for police officers, who are responsible for upholding the law, to break the law themselves and to do so brings discredit on the service. His conviction further reflects the gravity of the breach of Professional Standards.

For all of these reasons I therefore find the matter proven as gross misconduct.

Outcome decision

Having considered the matter fully and having had regards to the nature and severity of the breach of the Standards of Professional Behaviour, my decision is that PC Maison is

- Dismissed without notice.

I would like to explain my rationale for that decision in detail now.

The College of Policing Guidance on Outcomes in Police Misconduct Proceedings is a clear document that sets out the stages of the decision-making process. I have applied those Guidelines and that process to my decision-making today.

The first stage of deciding on the outcome is to assess the seriousness of the conduct. This covers the areas of the officer's culpability – that is, their blameworthiness or responsibility for their actions - the harm caused and any aggravating or mitigating factors.

The second stage is to keep in mind the purpose of the police misconduct regime. This has three elements:

- To maintain public confidence in and the reputation of the police service,
- To uphold high standards and deter misconduct, and
- To protect the public.

The police misconduct regime is not designed to punish police officers – it is about the reputation and standing of the profession as a whole.

The third stage is to choose the outcome that most appropriately fulfils the purpose given the seriousness of the conduct in question.

I will also consider PC Maison's record of service during this decision-making process. At all times I must be aware of and adhere to human rights and equality legislation. That is, of course, part of my approach at all times as a police officer.

Every case is different and I have made my decision on the specific facts of this individual case.

I have started by assessing the seriousness of the conduct.

In terms of culpability, PC Maison has admitted driving at a speed very far in excess of the limit. He has explained why he chose to do that – a reason which was not valid – but having

a reason shows me that he had at every stage the option not to embark on this course of conduct and to move away from it and did not do so.

In addition, PC Maison has pleaded guilty to and been convicted of a criminal offence of driving at excess speed. It is entirely unacceptable for police officers who are responsible for enforcing the law to break the law themselves. He was wholly responsible for his actions and his culpability is high.

In terms of harm, I have placed weight on two factors. Firstly, and of course most importantly, in driving as he did, PC Maison put the public, his colleagues and himself at real risk. As I have noted in my finding, the speed he drove at – 122 miles per hour - was very dangerous to other road users and himself because it increases stopping distances and the severity of any collision and reduces reaction time. Other road users do not cater for their fellow drivers to be driving at such an excessive speed and would have had less time to react to him.

Secondly, if the facts were known, they would harm public confidence in and the reputation of the MPS.

I do not find other aggravating factors.

In his regulation 45 response, while he did not accept that his conduct amounted to gross misconduct, PC Maison does accept that he has made a 'terrible and grave mistake' to use his words. I am grateful for this insight and the apology that he made in his response and again today. But he has minimised the gravity of what he has done and the potential harm he was causing and although I accept he made open admissions at an early stage these are not sufficient to mitigate the gravity of his offence.

I have reviewed PC Maison's record of service, and note the comments about his failing to update colleagues while he is in the USA, going so far as to tell lies to them. While I have not taken this into account in making my decision today, I am disturbed by the lies he has told to supervisors and his welfare officers as to his whereabouts and the way in which he has treated his responsibilities to this Hearing. Let me make crystal clear that he must abide by the instructions of the Court for his sentencing hearing. His Unit Commander is not willing to retain him and his service record does not mitigate the gravity of his behaviour.

I have also reviewed the two character references provided on behalf of PC Maison and note and accept that he was a thoughtful, kind and well-respected recruit in training. Regrettably his behaviour since then, as set out in the evidence of character, has not maintained the same high standards and so the character references also do not mitigate the gravity of his behaviour.

I explained above that the decision making process has three stages. I now move to the second stage, which is to keep in mind the purpose of the police misconduct regime. As I mentioned before, this has three elements:

- To maintain public confidence in and the reputation of the police service,
- To uphold high standards and deter misconduct, and
- To protect the public.

In behaving as he did, driving at excess speed, and in being convicted of a criminal offence in respect of that behaviour, PC Maison has discredited himself and the Metropolitan Police Service.

This was grave misconduct which undermines public confidence in policing as well as our reputation. The public could not have confidence in PC Maison to protect them if he puts them in danger in this way. Nor would the public have confidence in the MPS if we appeared not to take criminal convictions and such behaviour by a police officer seriously, which would be the case if I imposed any lesser sanction today. A lesser sanction would not serve to uphold high standards and deter misconduct that is so completely out of keeping with colleagues' and the MPS's ethics and values. And dismissal is necessary in order to protect the public from a police officer who can cause this kind of harm.

And therefore as I move to the third stage of decision making, which is to choose the outcome that most appropriately fulfils the purpose given the seriousness of the conduct in question, it is clear to me and it is my decision that nothing less than dismissal would fulfil the purpose of the police misconduct regime.

A handwritten signature in cursive script, appearing to read 'Helen Ball'.

Assistant Commissioner Helen Ball QPM

20th July 2021