

IN THE MATTER OF THE POLICE CONDUCT REGULATIONS 2020

IN THE MATTER OF

Former PC 3770 Fraser Dunbar

CM/52/26

On 11th September 2026

Before CC Steven Cooper

At Nottinghamshire Police Headquarters.

WRITTEN DECISION

1. My task is to:

- 1) first, determining the facts, based upon what is admitted by the officer or proven on the balance of probabilities;
- 2) second, determining whether, on the basis of those facts, the officer has breached the Standards of Professional Behaviour alleged;
- 3) third, deciding whether the breaches found amount to gross misconduct or not;
- 4) fourth (dependent on the findings under (b) and (c) above), deciding what the outcome should be.

Allegations

2. The Allegations are set out at page 13 of the bundle. These could be summarised as:
 3. On 5th June 2026, the now former Officer was breathalysed and provided a specimen of breath which confirmed that the amount of alcohol exceeded the prescribed limit. As a result, the Officer was charged and, on 1 July 2026, convicted of drink driving.
 4. These allegations are said to engage and breach the Standard of Professional Behaviour in respect of:
 - 1) Discreditable Conduct
5. The Former Officer (FO) has resigned and has not attended this hearing. I am satisfied that he is fully aware of the hearing, and he is represented by DC Tom Hill. I have therefore decided to proceed in the absence. Adjourning would serve no useful purpose.

Facts

6. I have considered the documents in the bundle of papers running to 74 pages, which includes the Former Officer's Regulation 54 Response. I have also considered the helpful submissions from both advocates today and previously in writing, and the AA's written opening.
7. The facts of this case are that PC Dunbar was convicted at Magistrates Court on 1 July 2026 after pleading guilty to drink driving and was disqualified from driving for 12 months.

Breach

8. The issue is whether the proven facts amount to a breach of the Standards of Professional Behaviour. I am satisfied that they do.
9. A criminal conviction for a serious offence of this nature would, in the view of a reasonable and informed member of the public, undermine confidence in the police service. As highlighted 4.17 it is unacceptable for police officers, who are responsible for enforcing the law, to break the law themselves. Police officers are entrusted to uphold the law; a serious breach of that law is fundamentally incompatible with that expectation.
10. Accordingly, I find that the Standard of **Discreditable Conduct** is breached.

Gross Misconduct or Misconduct

11. In my view, this is a case of gross misconduct and this has been admitted in the Regulation 54 response by the officer.

12. In addition, the receiving of a criminal conviction for such an offence is likely to damage public confidence and bring the service into disrepute to such a high degree that would justify dismissal. As highlighted at 4.21 of the guidance, any criminal conviction will be serious and will be likely to have an adverse impact on public confidence in policing.

13. Members of the public are entitled to expect police officers to obey the law and demonstrate the highest standards of personal responsibility. Drink-driving places members of the public at risk and undermines trust and confidence in policing.

Outcome

14. The Regulations, as modified in the case of a former Officer, mean that I have to choose whether to impose disciplinary action or record my findings and take no action. The Regulations define disciplinary action as “a finding that the officer concerned would have been dismissed if the officer had not ceased to be a member of a police force.”
15. I remind myself that taking no action is not a signal that I condone the FO’s behaviour, and that my task is to determine whether he would have been dismissed had he remained in service, or whether another outcome would have been more appropriate. That feeds into a central purpose of former Officer proceedings, ensuring the barred list is effective. If another outcome were in the public interest, then a serving officer would not be barred. The same should apply to a former officer.
16. The College of Policing Guidance on outcome, applying case law, tells me to consider:
 - 1) Seriousness by assessing culpability and harm
 - 2) Remind myself of the purposes of police conduct proceedings
 - 3) Select the most appropriate outcome, preferring less serious outcomes where appropriate.
17. I have reminded myself that the Guidance is a tool to help me make a fair decision. It is not a tick box exercise.
18. I have seen and considered the Officer’s record of service.

Seriousness

Culpability

1. The former officer has pleaded guilty at court and received a criminal conviction. A criminal conviction is relevant to culpability because it is a reflection that the conduct was so serious that criminal liability was incurred, therefore it is **high** culpability. As the College of Policing guidance states at 4.17, it is unacceptable for police officers, who are responsible for enforcing the law, to break the law themselves.

Harm

2. This was conduct which had both potential actual physical harm as well as reputational harm.
3. In relation to Physical harm – this incident could have resulted in a serious road traffic collision, with alcohol being one of the 'fatal 4' offences which causes greatest harm on our roads.
4. The reputational harm of this case is also **high**. This is as a result of the inevitable impact on public trust and confidence of an officer being found guilty of a criminal offence. As the guidance states, harm does not need to be suffered by a defined individual or group to undermine trust and confidence, with the greatest importance being the impact of the misconduct on the standing and reputation of the profession as a whole.
5. This is therefore a **high** harm case for both physical and reputational harm.

Aggravating and Mitigating Features.

6. I have considered the aggravating and mitigating features from the Guidance on Outcome, taking care not to double-count.
7. Drink driving is a matter of serious local and national concern which sees Nottinghamshire Police Colleagues working hard to prevent and detect.
8. I note in mitigation that this appears to be a confined single episode, was admitted at the earliest opportunity. I acknowledge this but can only afford limited weight to this mitigation. This type of conduct is typically a single episode and the evidence of culpability is clear.

Personal Mitigation

9. I have considered the FO's record of service. I give those matters what weight I can, granted the Guidance on this point. I also note details contained within the Reg 54 response in relation to personal circumstances at the time and his sincere regret.

Purposes

10. I remind myself of the purpose of these proceedings- set out at paragraph 2.3 of the Guidance on Outcome. They are to:
 - 1) maintain public confidence in and the reputation of the police service
 - 2) uphold high standards in policing and deter misconduct, and
 - 3) protect the public.
11. I approach this case by considering the sanctions that might have been available had the former officer still been a police officer.

12. Former officer Dunbar was a member of a disciplined service that relies upon the trust and confidence of the police to effectively discharge its duties.
13. In a situation where I find culpability to be high and harm to be high, there would need to be some very significant mitigation around the conduct itself to justify moving away from dismissal. In that respect, it would have to be a very unusual case.
14. The seriousness of the offending, combined with its consequences and its impact on public confidence, places this case firmly within the category where dismissal is the only appropriate outcome had the Officer not resigned.
15. The Officer is entitled to appeal in writing against this decision within ten working days of receiving the full rationale.
16. The Officer's details will be added to the barred list.