

IN THE MATTER OF THE POLICE (CONDUCT) REGULATIONS 2020

IN THE MATTER OF PC 2816 CULLEN GOUGH-NICHOLLS

Accelerated Misconduct Hearing on 9 March 2026

by Assistant Chief Constable Nicholas McLain

Decision on Outcome

Former PC 2816 Cullen Gough-Nicholls is a student police officer who has recently resigned as a police officer. It follows that he is no longer a serving police officer. Therefore, this Accelerated Misconduct Hearing, held under Part 5 of the Police (Conduct) Regulations 2020 is concerned with a former officer and I direct that the Regulations be amended to the extent required for a former officer.

Former PC Gough-Nicholls has not attended the hearing today, but he is represented by his Police Federation representative, PS Matthew O'Brien.

There are three allegations against former PC Gough-Nicholls. It is common ground that the matters referred to in each allegations took place when former PC Gough-Nicholls was a student police officer with Gwent Police and that he was absent form duty and on sick leave at the relevant time. The allegations are contained in the Regulation 51 Notice served on former PC Gough-Nicholls. I have summarised the allegations as follows:

Allegation 1

That on 10, 11, 12, 16 and 24 September 2025, whilst signed off sick and stating that he was unfit to work in any capacity, former PC Gough-Nicholls attended [REDACTED] Post Office and undertook activities consistent with working.

Allegation 2

That on 22 July, 21 August and 21 September 2025, former PC Gough-Nicholls provided information to his supervisors that was false or misleading about his ability to work and his involvement in the Post Office.

Allegation 3

That former PC Gough-Nicholls failed to notify the Gwent Police of a business interest relating to [REDACTED] Post Office, contrary to Gwent Police force policy.

The Appropriate Authority contends that the actions of former PC Gough-Nicholls are in breach of the Standards of Professional Behaviour relating to:

Standard 1: Honesty and Integrity, that:

“Police Officers are honest, act with integrity and do not compromise or abuse their position.”

Standard 6: Duties and Responsibilities, that:

“Police Officers are diligent in the exercise of their duties and responsibilities.”

Standard 9: Discreditable Conduct, that:

“Police Officers behave in a manner, which does not discredit the police service or undermine confidence in it, whether on or off duty.

Police officers report any action taken against them for a criminal offence, any conditions imposed on them by a court or receipt of any penalty notice.”

The Appropriate Authority maintains that former PC Gough-Nicholls’ behaviour, individually or collectively, amounts to gross misconduct, which is defined in Regulation 2 (1) of the Police (Conduct) Regulations 2020, as amended, as *“a breach of the Standards of Professional Behaviour that is so serious as to justify dismissal.”*

As former PC Gough-Nicholls resigned during this investigation and is now a former officer, this is amended to the effect that the breach of the Standards of Professional Behaviour is

so serious that former PC Gough-Nicholls would have been dismissed if the officer had not ceased to be a member of a police force.

Former PC Gough-Nicholls has provided a written response to the allegations as required by Regulation 54 in which he states:

“I accept that aspects of my conduct fell below the standards expected of a police officer. I accept that mistakes were made in what I said and, in my failure, to submit a Business Interest form. However, I do not accept that my behaviour amounts to Gross Misconduct. [REDACTED]

Former PC Gough-Nicholls adds that he does not wish his recent resignation to be seen as an admission or acceptance of the facts presented in the hearing bundle. He goes on to provide context and an explanation of events and has requested his Police Federation Representative, PS Matthew O’Brien to be present at the Hearing today to ensure that the process is conducted in accordance with the Regulations.

The former Officer provides further clarity in paragraph 15 of his Regulation 54 Response. This states as follows:

“In this case, the behaviour which forms the basis of the alleged misconduct is accepted. It is accepted that the behaviour breaches the Standards of Professional Behaviour relating to discreditable conduct. It is not accepted that the conduct is gross misconduct.”

Findings

I have fully considered the evidence before me. Former PC Gough-Nicholls admits the behaviour set out in the allegations. He also his conduct is in breach of the Standards of Professional Behaviour. On the balance of probabilities, I have no hesitation in finding all of the allegation to be proved. I am also satisfied that the conduct amounts to gross misconduct.

Outcome

Having found gross misconduct, I must decide whether to impose disciplinary action.

In doing so I am satisfied that there are no exceptional circumstances in this case.

The College of Policing Guidance on Outcomes in Police Misconduct Proceedings states at paragraph 3.32 in relation to former officers: *"... at an accelerated misconduct hearing, if the special conditions apply, disciplinary action can only be to find that the former officer would have been dismissed if still serving."*

My decision on Outcome is that I am satisfied that former PC Gough Nichols would have been immediately dismissed had he not resigned.

In reaching my decision, I have fully considered the College of Policing Guidance on Outcomes in Police Misconduct Proceedings which has formed the basis for my conclusion. I have tested the seriousness of the allegations and the purpose of imposing a sanction, which I have to consider in deciding an outcome. I have given due consideration to culpability, harm, any aggravating factors, and any mitigating factors as set out in the Guidance.

In assessing the seriousness of the conduct, I recognise the more culpable or blameworthy the behaviour in question, the more serious the misconduct and the more severe the likely outcome. I am mindful that the former officer held a position of trust and responsibility, and his misconduct is a serious abuse of that trust. Both these matters significantly increase culpability. There can be no doubt that former PC Gough-Nicholls behaviour has an adverse impact on public confidence in policing.

The harm caused by the former officer's actions is reputational harm and affects the police service and public confidence in the service as a whole. A factor of the greatest importance is the impact of the misconduct on the standing and reputation of the profession as a whole. I am satisfied that former PC Gough-Nicholls has caused damage to that reputation.

Aggravating factors are those tending to worsen the circumstances of the case, in relation to either the former officer's culpability or harm caused. I found that there are a number of

significant aggravating factors present. The conduct was premeditated, intentional and deliberate. It is a significant deviation from, instructions which includes orders, force policy and national guidance. Former PC Gough-Nicholls behaviour. His behaviour continued after he realised, or should have realised, that it was improper. In my judgment, all of these matters are aggravating factors.

In terms of any mitigating factors which lower the level of culpability and harm, in the present instance, I acknowledge that former PC Gough-Nicholls has resigned, and it would appear that he has at least taken some responsibility for his actions. I give him credit for that.

I have reminded myself of the threefold purpose of the outcomes in police misconduct proceedings which is to maintain public confidence in policing and the reputation of the police service; to uphold high standards in policing and to deter misconduct; and to protect the public.

Former PC Gough-Nicholls has put forward personal mitigation. He contends that his intention was not to deceive; that he felt scrutinised and ashamed and was fearful of being misunderstood; and that poor insight and anxiety impaired his judgment and communication. I recognise that due to the nature and purpose of disciplinary proceedings, the weight attached to any personal mitigation will necessarily be limited, particularly where serious misconduct has been proven, as is the case here.

In the circumstances, there is only one possible outcome which I am able to impose, and I have absolutely no hesitation in doing so. Therefore, my decision on Outcome is that I am absolutely satisfied that the misconduct is so serious that former PC Gough-Nicholls would have been immediately dismissed had he not resigned.

The behaviour of former PC Gough-Nicholls is totally unacceptable. There is no room in Gwent Police for this type of behaviour. The public rightly expect our officers to uphold the highest professional standards, and former PC Gough-Nicholls has failed to do so.

The vast majority of the police officers, staff and volunteers, who work for Gwent Police conduct themselves impeccably and work tirelessly to protect the public, those very few who choose to breach the standards expected of them and undermine the public's trust in policing.

In accordance with the Police (Conduct) Regulations 2020 the Findings and Outcome from this hearing will be referred to the College of Policing in order for Former PC 2816 Cullen Gough-Nicholls to be placed on the Police Barred List.