

# Gross misconduct proceedings abandoned

08 March 2021



Carolina Bracken successfully secured no finding of gross misconduct against a police officer accused of dishonesty and drink driving.

The case involved complex legal questions as to whether the officer's diagnosed mental health issues amounted to a disability under the Equality Act 2010, and, if so, the impact of that on the Appropriate Authority's decision to bring and continue with proceedings. Following lengthy legal argument, the Chair accepted Carolina's submissions in respect of the served medical evidence. As a result of the Chair's decision, the AA conceded that there was no case to answer.