



WILTSHIRE POLICE

OUTCOME OF SPECIAL CASE HEARING

NOTICE under Regulation 63 of the Police (Conduct) Regulations 2020

Date of Hearing:	20 th July 2026
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Persons Present

Officer Subject of Proceedings:	Former Police Constable 71474 Daniel Rusling
Chief Officer Hearing the Case:	Assistant Chief Constable Deborah SMITH
Other Person(s) Present:	DCI Debbie Hatch - Police Federation Mr Lucas Wysocki - Appropriate Authority Presenting Officer
Allegation 1	Following an investigation that is being conducted by the IOPC, Former PC Rusling was charged with Assault by beating contrary to Section 39 of Criminal Justice Act 1988, with the following offence wording: “On 14 October 2025, at Chippenham in Wiltshire, whilst on duty as a Police Constable with Wiltshire Police, you assaulted [REDACTED] by beating him”. On Thursday 21st May 2026, former PC Rusling pleaded guilty therefore accepting a conviction for that offence. As a result, he was committed to Bristol Magistrates Court for sentencing on Tuesday 30th June 2026. During the sentencing hearing, the judge issued an 8-week custodial sentence, suspended for 12 months, 150 hours of

unpaid work with 10 days rehabilitation requirement plus a £239 fine.

The Delegated Appropriate Authority has assessed that this conviction constitutes a breach of the Standards of Professional Behaviour, namely:

Discreditable Conduct - Police officers behave in a manner which does not discredit the police service or undermine public confidence, whether on or off duty.

Such a breach could seriously undermine public confidence in Policing, justifying dismissal and therefore is assessed as amounting to Gross Misconduct.

Finding: PROVEN

PRELIMINARY MATTERS

1. Former PC Rusling submitted his resignation notice to Wiltshire Police prior to the Special Case Hearing and before commencement of proceedings. Therefore, former PC Rusling is no longer serving within Wiltshire Police, and this hearing has been heard with him as a former officer.
2. This is my full written decision which has been delivered orally at the Special Case Hearing on Monday the 20th July 2026.
3. The hearing took place over one day and was in public. No members of the public were present and no media were present.

4. Neither the Appropriate Authority nor former PC Rusling had legal representation during the hearing.
5. Former PC Rusling did not attend the hearing, however, was represented by Federation representative Detective Chief Inspector Debbie Hatch.

APPROACH

6. I have approached this hearing by:
7. First deciding the facts (**Factual Determinations**).
8. Second determining if any professional standards have been breached (**Breaches of Professional Standards**), and if so which ones.
9. Third deciding at what level I assess the seriousness of those breaches (**Level of Breach**).
10. I have considered the facts as laid out in the Special Case Certificate submitted within the bundle. No response nor evidence has been put forward by or on behalf of former PC Rusling.
11. I have applied the following principles:
 - a. The burden of proving any allegation rests with the Appropriate Authority. The former officer does not have to prove anything, let alone his innocence from Misconduct.
 - b. The standard of proof in establishing any fact is the balance of probabilities.
 - c. I do not have to decide every matter in dispute; only those which assist me in deciding as to whether a particular allegation is proved.
 - d. I am required to consider and where possible determine factual matters not specifically alleged within the Special Case Certificate, but which are nonetheless relevant to an allegation.
 - e. I can draw inferences from the evidence adduced before me, meaning I can reach common sense conclusions arising from that evidence, but I must not cross into speculation. Any conclusions I reach must be reached fairly.
 - f. I must not find that the conduct of the former officer amounts to gross misconduct unless:
12. I am satisfied on the balance of probabilities that this is the case

or
13. The former officer admits it is the case.

ALLEGATIONS

14. The specific allegation was read into the hearing by the Appropriate Authority. The allegation is as follows:

Following an investigation that is being conducted by the IOPC, former PC Rusling was charged with assault by beating contrary to Section 39 of Criminal Justice Act 1988, with the following offence wording:

“On 14 October 2025, at Chippenham in Wiltshire, whilst on duty as a Police Constable with Wiltshire Police, he assaulted [REDACTED] by beating him”.

On Thursday 21st May 2026, former PC Rusling pleaded guilty therefore accepting a conviction for that offence. As a result, he was committed to Bristol Magistrates Court for sentencing on Tuesday 30th June 2026.

During the sentencing hearing, the judge issued an 8-week custodial sentence, suspended for 12 months, 150 hours of unpaid work with 10 days rehabilitation requirement plus a £239 fine.

The delegated Appropriate Authority has assessed that this conviction constitutes a breach of the Standards of Professional Behaviour, namely:

Discreditable Conduct

FACTUAL DETERMINATIONS

15. I have read the investigator’s report, written by Mr Lucas Wysocki of the Professional Standards Department. This report sets out the evidence that was presented to Former Pc Rusling in the Special Case Certificate.

16. I have considered the fact that whilst still a serving Wiltshire Police Officer, former PC Rusling was charged with assault by beating contrary to Section 39 of Criminal Justice Act 1988, with the following offence wording:

17. “On 14 October 2025, at Chippenham in Wiltshire, whilst on duty as a Police Constable with Wiltshire Police, he assaulted [REDACTED] by beating him”

18. I have considered that, on Thursday 21st May 2026, whilst still serving as a Wiltshire Police Officer, former PC Rusling pleaded guilty therefore accepting a conviction for that offence. As a result, he was committed to Bristol Magistrates Court for sentencing on Tuesday 30th June 2026.

19. I have considered that during the sentencing hearing, the judge issued an 8-week custodial sentence, suspended for 12 months, 150 hours of unpaid work with 10 days rehabilitation requirement plus a £239 fine.

20. Former PC Rusling submitted his resignation to Wiltshire Police on Friday the 17th July 2026.
21. As a serving Police Officer at the time of the criminal offence for which he has pleaded guilty and been convicted, I consider that his behaviours are evidence of a significant breach of the standard of Professional Behaviour. Police Officers must always act with the highest level of professionalism when on or off duty and this is essential to ensure public trust, confidence and legitimacy in the Police Service.

Discreditable Conduct

22. On the basis of the evidence presented the only conclusion that can be reached is that former PC Rusling's actions and subsequent criminal conviction had the effect, potential or otherwise, of seriously undermining public confidence in the police service.

FINDINGS ON GROSS MISCONDUCT

23. I am required to review the facts of the case and decide whether the conduct of former PC Rusling amounts to gross misconduct.
24. That requires me to assess seriousness and to do so, I have applied the structure set out in the College of Policing Guidance on outcomes.
25. I remind myself that gross misconduct means a breach of the Standards of Professional Behaviour that is so serious as to justify dismissal, or in this case, would have justified dismissal if still a serving officer.
26. The evidence submitted by the Appropriate Authority, upon the balance of probabilities shows the significantly discreditable actions undertaken by former PC Rusling.
27. As a serving Police officer, and in line with his training, he should have known that his behaviour fell short of that expected within the standards of professional behaviour.
28. Whilst former PC Rusling has provided no submission in response to his special case certificate, he has entered a guilty plea in criminal court in relation to the charge against him and been convicted by a criminal court.
29. The likely detrimental impact his conduct will have upon the trust and confidence in Wiltshire Police cannot be underestimated. The public have every right to always expect the highest standards of Police Officers both on and off duty.
30. The fact that former PC Rusling has committed and been convicted of a criminal act against a member of the public, has led me to reach the decision that former PC Rusling's actions have breached the Standards of Professional Behaviour in a manner that is so serious that they could justify dismissal as a potential outcome.
31. Accordingly, I find that the conduct of former PC Rusling amounts to gross misconduct.

Determination of Outcome

32. In assessing the seriousness of this case, I have (as is usefully summarised in the College of Policing Guidance (CoP) on Outcomes in Misconduct Proceedings) kept at the forefront of my mind the purpose and objective of these proceedings, namely:

33. To maintain public confidence in and the reputation of the Police

34. To uphold high standards and deter misconduct

35. To protect the public.

36. I have reminded myself that Misconduct Hearings and accelerated Special Case Hearings for former officers are conducted under the Conduct Regulations (modified under Schedule 1) with some important differences in the possible sanctions and outcomes, the details of which are explained in the HOG.52 3.31.

37. Where the chair finds that the conduct amounted to gross misconduct, as in this case, they can only consider two outcomes: disciplinary action or no disciplinary action.

38. Where the finding is gross misconduct and disciplinary action is imposed, this can only be that the former officer would have been dismissed if still serving. No other sanctions can be enforced. If the finding is gross misconduct but the chair determines that dismissal is not justified, then no action will be taken, and the gross misconduct will be recorded.

39. Before a chair decides to impose the disciplinary action that the former officer would have been dismissed if still serving, they must follow the same process that applies to serving officers in arriving at what the appropriate sanction would have been.

40. I have reminded myself that the objective here is not to punish the officer (although it may have that effect) and that I should therefore do no more (although also no less) than that which is necessary to satisfy the key objectives of the proceedings. I must (and I have) considered the seriousness of the misconduct, the purpose of sanctions and chose the outcome which most appropriately meets that purpose.

41. I have therefore followed the structured approach as set out in the College of Policing Guidance on Outcomes in Police Misconduct Proceedings. In summary, I have:

- i. Assessed the seriousness of the conduct and the behaviour of the officer.
- ii. Reminded myself of the purpose of imposing sanctions.
- iii. I have arrived at an outcome which most appropriately fulfils the purpose of imposing sanctions in the light of the seriousness of former PC Rusling's conduct.

42. In assessing the seriousness of the behaviour of former PC Rusling I have worked through the following factors in line with the guidance in the College of Policing Guidance on Outcomes:

- i. The culpability borne by him for his actions
- ii. The harm caused by his actions
- iii. The existence of any aggravating factors

iv. The existence of any mitigating factors

43. Thereafter I have considered whether there is any personal mitigation on behalf of the former officer, accepting that it should have limited effect.

ASSESSMENT OF SERIOUSNESS OF THE CONDUCT

Culpability

44. Para 4.9 of the College of Policing Guidance - Culpability denotes the officer's blameworthiness or responsibility for their actions. The more culpable or blameworthy the behaviour in question, the more serious the misconduct and the more severe the likely outcome.

45. Conduct that is intentional, deliberate, targeted or planned will generally be more culpable than conduct that has unintended consequences, although the consequences of an officer's actions will be relevant to the harm caused. I consider that former PC Rusling's conduct was deliberate and intentional.

46. Criminal proceedings have resulted because of this action, which raises the level of culpability.

47. Culpability is increased as the officer is holding a position of trust or responsibility at the relevant time. Whilst not a supervisor, I have considered that all police officers are of course in a position of trust and the fact that he was on duty at the time he behaved in the manner that he did which has led to a criminal conviction increases his culpability.

48. The Home Office Guidance on outcomes points out that it is unacceptable for police officers, who are responsible for enforcing the law, to break the law themselves. Former PC Rusling has done this.

49. I have considered the seriousness of the criminal offence and the sentence imposed by the criminal court. This seriousness and conviction will inevitably have a detrimental impact on public trust and confidence and therefore raises the level of culpability.

Having done so I find that the culpability of the former officer is **HIGH**

Harm and/or potential for harm

50. The College of Policing Guidance then addresses the harm caused by the officer's actions, indicating that this can be considered in various ways. The text refers to harm caused to particular individuals, but the guidance recognises that harm may also be caused on a wider basis.

51. The guidance sets out that where gross misconduct has been found and the behaviour has caused – or could have caused – serious harm to individuals, the community and/or public confidence in the police service, dismissal is likely to follow. A factor of the

greatest importance is the impact of the misconduct on the standing and reputation of the profession as a whole.

52. How such behaviour would be or has been perceived by the public will be relevant, whether the behaviour was known about at the time or not.

53. The legitimacy and effectiveness of UK policing is built on relationships between the Police and the public. I have considered wider harm in relation to the public and how former PC Rusling's behaviour might be viewed.

54. I have considered what the public might think, with knowledge of all the context and surrounding circumstances given the Police's duty to uphold the law and act with and behave in a manner which will not discredit the Police service. As such the confidence the public would have in Wiltshire Police, and the broader policing family is likely to be seriously diminished.

55. Given the full facts, I find the harm caused to be **HIGH**

Aggravating Factors

56. I have considered paragraph 4.76 of the College of Policing guidance on outcomes and again reminded myself not to "double count" with matters already considered under culpability and harm. I have concluded that the following additional aggravating features were present in this case:

57. The fact that Former PC Rusling was on duty at the time of the offence for which he was convicted increases the aggravation in this case.

58. I assessed the aggravating factors as **High** in this case.

Mitigating Factors

59. I have considered the factors at paragraph 4.81 of the College of Policing Guidance on outcomes.

60. Whilst the former officer has admitted his offending in a criminal court, I do not consider this to be significant in determining the overarching severity in determining outcome.

61. I assess the mitigation in this case to be **LOW**.

Personal Mitigation

62. No personal mitigation was put forward on behalf of former PC Rusling.

CONCLUSION ON OUTCOME

63. Having followed the steps above, I have chosen the disciplinary action which most appropriately fulfils the purpose of the proceedings, cognisant of the fact that as this

hearing is being held under the former Police Officer regulations, I can only consider two outcomes: disciplinary action or no disciplinary action.

64. With respect to the purpose of imposing disciplinary action in police misconduct proceedings, I again reminded myself that:

- i. The primary purpose is to protect the public confidence in and the reputation of policing;
- ii. The second purpose is the declaratory purpose of maintaining high professional standards by demonstrating to other officers that misconduct of a certain kind and/or a certain seriousness will be dealt with by disciplinary action of a certain severity; and
- iii. The third purpose is to protect the public and/or officers and staff by preventing the officer from committing similar misconduct again by excluding them from the police service.

65. Having considered all the above, it is my decision that had former PC Rusling remained a serving officer he would have been **dismissed for gross misconduct without notice**.

Disciplinary Outcome: Dismissed without notice

Representations by the Chair as to Publication on the Police Barred List

66. Following my request for submissions on this point from former PC Rusling none were submitted.
67. I have no representations to make as to why former PC Rusling should not be placed on the Police Barred List with immediate effect.
68. Daniel Rusling is to be added to the barred list maintained by the College of Policing.
69. The Outcome is to be published.

Further Directions.

70. No reporting and publication restrictions apply in this case

Signature of Hearing Chair: Deborah SMITH

Date : 20/07/2026

I acknowledge that I have been served with this Notice. I have read and had the document explained to me.

Signature:

Date:

Right of Appeal

- 1 You may appeal to a police appeals tribunal against:-
 - (a) The finding; or
 - (b) The disciplinary action, if any, imposed in consequence of that finding; or
 - (c) Both.
- 2 A police officer may not appeal to a tribunal against a finding where that finding was made following acceptance by the officer that his conduct amounted to misconduct or gross misconduct.
- 3 The grounds of appeal are:-
 - (a) That the finding or disciplinary action imposed was unreasonable; or
 - (b) That there is evidence that could not reasonably have been considered at the original special case hearing which could have materially affected the finding or decision on disciplinary action; or
 - (c) That there was a breach of the procedures or other unfairness which could have materially affected the finding or decision on disciplinary action.
- 4 If you wish to appeal, you must give notice of the appeal before the end of 10 working days beginning with the first working day after the day on which you are supplied with a written copy of the relevant decision.
- 5 The notice of appeal shall be given in writing to the relevant local policing body.
- 6 You may request a transcript of the proceedings (or part of the proceedings) at the original hearing in your notice of appeal.
- 7 This rule applies where a police officer who wishes to appeal to a tribunal wishes to give notice of the appeal after the end of the period mentioned in paragraph 4 above. A police officer may give notice of the appeal within a reasonable time after the end of such period, and the notice shall be accompanied by the reasons why it was not served within such period and the reasons for the officer's view that it has been served within a reasonable time after such period.
- 8 Upon receipt, the relevant local policing body shall supply a copy of the notice and the reasons to the chair who shall determine:-
 - (a) Whether it was reasonably practicable for the notice to be given within the period mentioned in paragraph 4 above; and
 - (b) Whether the notice has been given within a reasonable time after the end of such period.
- 9 If the chair determines either that it was reasonably practicable for the notice to be given within such period or that the notice has not been given within a reasonable time after the end of such period, the appeal shall be dismissed.
- 10 Where the appeal is not dismissed under paragraph 9 above, the appeal shall proceed and the chair shall give directions for the application of the rules to the appeal.

Your appeal should be given in writing to the Office of the Police and Crime Commissioner in accordance with the Police Appeals Tribunals Rules 2020 (Postal Address: The Office of the Police and Crime Commissioner, Police Headquarters, London Road, Devizes, Wiltshire SN10 2DN)

