



In the matter of the British Transport Police (Conduct) Regulations 2020;

APPROPRIATE AUTHORITY FOR
THE BRITISH TRANSPORT POLICE

V

PC SEBASTIAN ZIOLKOWSKI [2539]

[CASE REF CM/191/25]

Regulation 63 Outcome Report

Location: PSD Offices, Ivason House, 8A London Bridge Road, London, SE1 9SG

Date: 27th February 2026

Chair: Chief Constable Lucy D'Orsi

Outcome: Gross Misconduct

Sanction: Dismissal Without Notice



**IN THE MATTER OF THE BRITISH TRANSPORT POLICE (CONDUCT)
REGULATIONS 2020 (“the Regulations”)**

Case Number CM/191/25

BETWEEN

**THE APPROPRIATE AUTHORITY FOR
THE BRITISH TRANSPORT POLICE**

**Appropriate Authority
(“the Authority”)**

and

PC Sebastian Ziolkowski [2539]

**Officer Concerned
(“the Officer”)**

REGULATION 63(1) NOTIFICATION OF OUTCOME

INTRODUCTION

1. On 27th February 2026, I chaired an Accelerated Misconduct Hearing (AMH) for PC Ziolkowski (the ‘Officer’). I submit this report on my findings, reasons, and outcome to the Appropriate Authority (the ‘AA’) in accordance with Regulation 63(1) of the British Transport Police (Conduct) Regulations 2020 (the ‘Regulations’).

THE HEARING

2. The hearing commenced at 11:00hrs in the presence Lauren Hullet (representing the AA), PC Sebastian Ziolkowski (the officer) and Tom Jepson (Federation Representative).

3. Also present were Zoe Sands (Panels officer), PC Charlotte Casewell (Federation observer), DS Saeed Rasool (PSD), Hannah Patterson (Panels officer) and D/Supt Craig Payne (staff officer to Chief Constable).

THE ALLEGATIONS

4. The allegations against the officer were as follows:

Allegation One, Discreditable Conduct:

5. It is alleged that on 20 September 2025, while off duty, you were driving a blue Peugeot 207 (registration YH58CXR) on Lincoln Road, Peterborough. Upon being stopped by a marked police vehicle, it was found that you held only a provisional driving licence. You were not displaying learner plates and were not accompanied by a qualified supervisor, which constitutes a breach of the conditions of your provisional licence.

Allegation Two, Discreditable Conduct:

6. It is alleged that on 20 September 2025, while off duty, you were driving a blue Peugeot 207 (registration YH58CXR) on Lincoln Road, Peterborough. When stopped by a marked police vehicle, it was identified that you did not hold valid motor insurance. This was due to the fact that you were driving with only a provisional licence, without a qualified supervisor present, which invalidated the insurance cover and breached the conditions of your licence.
7. The Officer had previously submitted a Regulation 54 Response to the allegations, in which he admitted the alleged conduct and agreed that it amounted to **Gross Misconduct**. He also confirmed this position in person at the hearing.

DECISION ON FACTS

8. The Officer admitted the allegations and agreed that they amount to gross misconduct and I also took into account all of the material presented to me and, in particular:
- Body Worn Video of PC Wilson from Cambridgeshire Constabulary, demonstrating PC Ziolkowski was the lone driver when stopped.
 - A signed copy of the Traffic Offence Report, demonstrating that PC Ziolkowski understood the verbal notice of intended prosecution given by PC Wilson at the time.
 - A copy of PC Wilson's statement, demonstrating that an insurance check was conducted by PC Wilson with the Motor Insurance Bureau,



confirming that PC Ziolkowski was not covered by his insurance having driven otherwise than in accordance with his licence.

- A copy of PC Ziolkowski's self-referral email to PSD, declaring the incident that took place that day.

9. I found that:

- The allegations were proven.
- The conduct amounted to a breach of the professional standards, namely Discreditable Conduct.
- The conduct amounted to **Gross Misconduct**.

OUTCOME

10. Having determined that the conduct amounted to **Gross Misconduct**, I moved on to consider outcome. I reminded myself that the outcomes available to me in the case were:

- Final Written Warning – this would stay live for 2 years
- Final Written Warning – a longer period may be determined when considering the question of the disciplinary action, up to a maximum of 5 years
- Dismissal without notice

11. I invited submissions on outcome from the Appropriate authority and the Officer. Lauren Hullett on behalf of the authority referred to the opening note and the detailed submissions made therein. She invited me to conclude that dismissal without notice was the appropriate sanction.

12. PC Tom Jepson (BTP Federation) made the following submissions on behalf of the officer:
 - The officer fully understood the need to maintain the confidence of public but also that the misconduct process is not designed to punish individual officers.
 - The officer had accepted responsibility for his actions and there had been no attempt to minimize the seriousness.
 - Due to concern for his child the officer had made the wrong decision in a moment of poor judgement.
 - Whilst speaking to officers at the roadside he had been open and honest and made no attempt to conceal anything.
 - He had reported the matter to PSD the same day
 - The officer accepted that it was his decision to drive and criminal but was a one off with no element of dishonesty.
 - There was no harm actual caused and any risk potential was short lived in a single isolated incident.
 - He had shown genuine remorse, full co-operation and a genuine commitment to learning with a clean disciplinary record.

13. Based on the facts of this case PC Jepson invited me to find that a final written warning remaining live for 5 years would appropriately address the conduct before me.

14. I also asked the officer if there was anything they would like to say. The officer apologised for his actions and took responsibility for them. He reiterated that he knows officers should uphold the law on and off duty. He explained that on the day he didn't want to let his son down having forgotten to put his books in his bag for his Polish School class so had decided to drive to meet his ex-partner halfway. He highlighted his self-referral email and said he has been performing his duties since the incident as a PST trainer. The officer stated that he is proud to be an officer and his son is proud of his job. The officer promised this would never happen again and that he is trying to put the situation right by working towards his full license and has a driving test booked.

15. In considering the outcome, I followed the Guidance set out in paragraph 4.2 of the College of Policing Guidance on Outcomes in Police misconduct proceedings and adopted the 3-stage approach in that I:
 1. Assessed the seriousness of the misconduct by reference to:
 - a. the Officer's culpability;
 - b. The harm caused by the misconduct;
 - c. The existence of aggravating factors;

d. The Existence of mitigating factors.

2. I kept in mind the purpose of imposing sanctions; and

3. I chose the sanction which most appropriately fulfils the purpose for the seriousness of the conduct.

SERIOUSNESS

Culpability

16. On culpability the Guidance sets out:

- *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.*

17. I considered this to be a serious matter. The officer chose to drive otherwise than in accordance with a license and without insurance. That decision was his alone. He committed a criminal offence and one that officers are entrusted to prevent and enforce against, both on and off duty. While I accepted that his decision was emotionally driven rather than motivated by dishonesty or gain, this did not diminish his culpability. I found that the officer knew he was not permitted to drive and chose to do so regardless. The officer could have easily resolved the relatively minor issue he faced in a multitude of other ways such as calling a taxi

or asking his partner to drive and collect the books. When faced with a relatively minor issue the officer admitted he chose to break the law, and I find his culpability to be **high**.

Harm

16. In considering harm I reminded myself of paragraph 4.66 in the guidance on Outcomes in Police Misconduct Proceedings that states, *“Harm will likely undermine public confidence in policing. Harm does not need to be suffered by a defined individual or group to undermine public confidence. Where an officer commits an act that would harm public confidence if the circumstances were known to the public, take this into account.”*
17. I also noted the case of *Bolton v Law Society* [1994] 1 WLR 512 at 519A where it is said that, *“A profession’s most valuable asset is its collective reputation and the confidence which that inspires”* and to the case of *R (Green) v Police Complaints Authority* [2004] UKHL 6 at [78] that states that, *“Public confidence in the police is a factor of great importance in the maintenance of law and order in the manner which we regard as appropriate in our polity. If citizens feel that improper behaviour on the part of police officers is left unchecked and they are not held accountable for it in a suitable manner, that confidence will be eroded”*.
18. I found that in this case the harm lies not in any actual injury, but in the risk created. Driving without a licence or insurance carries an inherent and serious

risk to the public both other motorists and pedestrians. That risk, even if short lived, is real. In addition, there is real harm to public confidence. Police officers are rightly held to a higher standard and conduct of this nature has the potential to undermine trust if not addressed firmly. Officers are employed to uphold the law and those who choose to break it significantly erode public confidence in the British Transport Police and policing as a whole. Upholding the law is non-negotiable on and off duty. I assessed there to be a **high** degree of harm.

Aggravating Factors

19. The officer's judgement on the day in question was poor and demonstrated a clear disregard for the safety of the public.

Mitigating Factors

20. [4.79] Mitigating factors are those tending to reduce the seriousness of misconduct. Some factors may indicate that an officer's culpability is lower, or that the harm caused by the misconduct is less serious than it might otherwise have been.
21. I listened carefully to the officers' submissions, and to the mitigation given on his behalf by his federation representative. I acknowledge that he accepted responsibility at an early stage and made no attempt to minimise his conduct. He

was open and honest at the roadside, fully compliant with officers, and made no effort to conceal what he had done. He subsequently referred himself to Professional Standards.

22. I also recognised his personal circumstances and that he was distressed and emotionally affected by a disagreement with his former partner and was concerned about his young son. I considered that this was a single incident arising from a moment of poor judgement rather than a pattern of behaviour. I noted his genuine remorse, full cooperation throughout the investigation, clean disciplinary record, and the clear steps he has taken since the incident to put matters right, including working towards obtaining his full driving licence.
23. However, I reminded myself that mitigation **cannot outweigh seriousness** in cases involving conduct which is fundamentally incompatible with being a police officer.

Personal Mitigation

24. I considered the Officer's record and considered his statement of personal mitigation. I had no doubt that the Officer was sincere about his service to date and pride in the British Transport Police. However, the weight of personal mitigation is limited.

The Purpose of imposing sanctions

25. I went on to remind myself that the primary purpose of imposing disciplinary sanctions is to maintain public confidence in and the reputation of the policing profession as a whole. This dual objective must take precedence over the specific impact that the sanction has on the individual whose misconduct is being sanctioned.
26. The Home Office guidance also notes that the proceedings must be a deterrent to other Officers ensuring that they know that if they make serious breaches of the Standards, that they will face significant consequences.
27. This position is supported by the judgement in *Redgrave v Commissioner of Police of the Metropolis* [2003] 1 WLR 1136 at [33] that states, “*The purpose of disciplinary proceedings ... is ... to protect the public ... and to maintain the high standards and good reputation of the honourable profession.*” And Lord Collins’s comments in *R (Coke-Wallis) v Institute of Chartered Accountants* [2011] UKSC at [60] where he *reaffirmed* the purpose of professional disciplinary proceedings to be “*...to protect the public, to maintain public confidence in the integrity of the profession, and to uphold proper standards of behaviour[...]*”.

The Appropriate Sanction

28. I considered the sanctions available to me starting with the least severe. I did not consider a written warning or Final Written warning to be adequate sanctions in



this case. I therefore determined that the appropriate outcome in this case was **dismissal without notice.**

RIGHT OF APPEAL

29. The Officer has a right to appeal this decision in accordance with the Police Appeals Tribunal Rules 2020. If the Officer wishes to appeal, he should provide notice of his intention to appeal to the Appropriate Authority within 10 working days of receipt of this written determination

PUBLICATION OF OUTCOME

30. I must also, pursuant to Regulation 63(5), require the Authority to publish the Report, subject to the harm test in Regulation 6 and to Regulation 63(9).

Appeal Notice

You have a right of appeal to the Appropriate Authority, but may only appeal on the following grounds:

- The finding or disciplinary sanction imposed was unreasonable;
- There is critical new evidence that could not have reasonably have been considered at the misconduct hearing; or
- There was a serious breach of the procedures set out in the British Transport Police (Conduct) Regulations 2020 or other unfairness which could have materially affected the finding or decision on disciplinary action.

You have 10 working days to appeal once you have received the Outcome Report. If you wish to appeal, you must do so in writing to the British Transport Police Authority at btpa-enquiries@btp.police.uk.

You should state your grounds of appeal, whether you require a transcript of the hearing in whole or part, and whether or not you consent to the appeal being determined without a hearing.