

Not Disclosable

POLICE OFFICER / POLICE STAFF MISCONDUCT RECORD

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Name: Rank & No. / Job Title:

Station:

This form should be used by police officers (including special constables) and police staff members (including police community support officers) when submitting any witness statement in connection with any criminal proceedings where any of the following apply:

(Please check box as appropriate)

1. I have a **criminal conviction/caution** (see note 2).
2. I have been **charged** with a criminal offence indicated below but the case has not yet been concluded. (see note 2)
3. I have a relevant **misconduct outcome** recorded against me (see notes 3 and 4)
4. I have been given **written notice** to attend a **misconduct meeting/hearing** (see notes 5 and 6)
5. I have an **adverse judicial finding** against me (see note 7).

Date(s) where any of the circumstances 1 to 5 apply	Nature of criminal offence or misconduct. Give enough detail to allow CPS to decide relevance to current proceedings	Criminal Punishment / Misconduct Outcome

This information is true to the best of my knowledge and belief and I am aware that I have a continuing obligation to provide updated information should circumstances change.

Signature: Date:

Not Disclosable**EXPLANATORY NOTES**

The guidance in the Prosecution Disclosure Manual or the force Professional Standards Department should be consulted if a police officer or member of police staff is in any doubt about how to complete this form.

1. Please print details and give enough detail to allow CPS to make an informed decision about disclosure.
2. Police officers / police staff making a witness statement, whether the statement forms part of the prosecution case or not, should inform the prosecutor of the existence of any criminal convictions or cautions using this form. A copy of the Police National Computer (PNC) printout for that police officer / police staff member must be attached if the offence revealed is a recordable offence. This is for all offences recorded on the PNC whether spent or otherwise, as well as convictions and cautions in Scotland and other foreign countries. Bindovers should be recorded as cautions. Where a police officer / police staff member has been charged or summons (including postal requisitioned) for a criminal offence but the proceedings have not been completed, the prosecutor should be informed using this form.
3. A misconduct outcome is the outcome imposed following misconduct proceedings (such as a written warning or final written warning) and which is recorded on a police officer's/ police staff member's personal file. If a police officer/ police staff member is in any doubt as to whether a misconduct outcome is still 'live' then he or she should consult the force Professional Standards Department (PSD), HR Department or the prosecutor.
4. At the conclusion of misconduct proceedings against them, officers will be advised by PSDs on whether they must in future proceedings where they make statements reveal to CPS by way of this form MG6B certain information relating to those misconduct proceedings (i.e. that the outcome is "relevant"). PSDs will also advise officers on the wording of the MG6B and may also advise on the relevance of the finding to certain types of future proceedings.
5. If misconduct proceedings have commenced (namely that the matter has been referred to a misconduct meeting/hearing), the fact should be reported on this form.
6. Information about officers suspended, but who have not been charged with a criminal offence or had the matter referred to misconduct proceedings, should be revealed to the prosecutor by the Head of Professional Standards Department. This applies to both criminal and misconduct matters.

Where an officer has been notified of allegations made against him/her but is not suspended from duties, he/she is not required to reveal to the CPS the details of the allegations. However, the Head of the Professional Standards Department should consider, in liaison with the CPS unit head whether the interests of justice require the revelation of that information and provide the prosecutor with the information if required.
7. An adverse judicial finding is a finding by a court that a police witness, whether on oath or otherwise, has knowingly misled the court. This may be stated expressly by a court, or may be inferred from the particular circumstances of a court's proceedings. This will include civil as well as criminal hearings. If the police officer / police staff member is subject to an adverse judicial finding, the relevant Professional Standards Department (PSD) should be contacted in order that it can provide guidance on the completion of this form.
8. The prosecutor must be notified immediately of any change in circumstances.
9. The duties to reveal and disclose must be observed scrupulously. Failure to do so may result in wrongful conviction, undeserved acquittal or misconduct proceedings against the prosecutor or police officers. Police officers/police staff members must become familiar with and follow the guidance in chapter 18 of the Disclosure Manual, particularly paragraphs 52 to 66. The ultimate duty and responsibility for revealing criminal convictions, cautions and relevant misconduct findings rests with the individual officer or police staff member.