

Accountability Review Update

Rapid Review

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Rapid Review - Background

- Commissioned in October 2024 by the Home Secretary and Lord Chancellor.
- Conducted by Timothy Godwin OBE QPM and Sir Adrian Fulford between Nov 2024 – May 2025.
- Published 23 October 2025
- One of 8 measures to improve Police Accountability. A number have already been announced

Purpose

The review examined whether changes were needed to:

- 1. Legal test for use of force in police misconduct cases.**
- 2. Threshold for short-form conclusions of unlawful killing at inquests**



Key Findings

Confusion Around Legal Standards

Officers involved in serious incidents often face **multiple overlapping processes**—criminal investigations, misconduct hearings, civil claims, and inquests.

Each process applies **different standards of proof**:

- Criminal: *beyond reasonable doubt*.
- Misconduct: *balance of probabilities*.
- Inquests: *civil standard for unlawful killing*.

This inconsistency creates **uncertainty and stress**, especially for firearms officers making split-second decisions.

Impact on Officer Confidence and Morale

The review found a “**chilling effect**” on operational decision-making:

- Some officers were reluctant to volunteer for high-risk roles (e.g., armed policing).
- Fear of retrospective judgment under a lower civil standard discouraged decisive action.

This was seen as a **risk to public safety**, as it could undermine the ability to respond effectively to threats



Accountability vs. Fairness

While robust accountability is essential, the review concluded that the current system tilts too far toward hindsight judgment.

Officers were being assessed on what they *should have known* rather than what they honestly believed at the time, which is inconsistent with criminal law principles.

Delays and Complexity

Multiple investigations and hearings often run in parallel or sequentially, causing:

Long delays before resolution.

Increased legal costs and emotional strain for officers and families.

The review highlighted the need for streamlined processes and clearer thresholds

Public Confidence

The review acknowledged that public trust depends on accountability but argued that raising the misconduct test to the criminal standard would not weaken accountability. Instead, it would align standards, reduce confusion, and maintain fairness.



Recommendations

1. Raise the legal test for use of force in misconduct cases to the criminal standard

Amend Police (Conduct) Regulations 2020 so officers are judged on what they honestly believed at the time, not hindsight.

Intended to restore confidence without reducing accountability.

Consultation is out in relation to these changes currently

2. Public consultation on unlawful killing inquests

Before deciding whether to revert the standard of proof from civil to criminal for short-form conclusions.

