

IN THE MATTER OF THE POLICE (CONDUCT) REGULATIONS 2020
CONCERNING

FORMER SPECIAL CONSTABLE 6554 JACK TEMPEST

CHAIR DECISION ON FACTS AND OUTCOME

Preliminary Matters

1. On Friday 24th July 2026 I conducted an accelerated misconduct hearing (AMH) at Cumbria Police Headquarters. This full written decision follows an outline of my conclusion and reasons delivered orally on 24th July 2026.
2. The hearing was convened to hear allegations relating to Former Special Constable Jack Tempest.
3. The Appropriate Authority (AA) was represented by Detective Inspector Duncan Brooker.
4. Cumbria Constabulary Police Federation Chairman, Inspector Ed Russell attended to represent the Former Special Constable (FSC).
5. The FSC did not attend.
6. All parties confirmed that the date and time of the hearing had been notified and received by the FSC. The police regulations stipulate that the officer must attend the hearing. An application was made by the AA to proceed in the officer's absence on the basis that the FSC had deliberately absented himself from the proceedings. No representations were made by Inspector Russell. In line with Reg 57(3)(b) Police Conduct Regulations 2020, I exceeded to this request and the hearing proceeded in the absence of the officer.

The Allegations

7. It was alleged that on the 3rd August 2025 FSC Jack Tempest played footage from his body worn video on his mobile phone in full view of his then partner (referred to as witness A). This amounts to disclosure of police information without a policing purpose.
8. In doing so, the AA alleged that FSC Tempest breached the following Standards of Professional Behaviour:

- I. Confidentiality – Police Officers treat information with respect, and access or disclose it only in the proper course of their duties
- II. Orders and Instructions - Police Officers give and carry out lawful orders only, and will abide by Police Regulations
- III. Discreditable Conduct – Police Officers behave in a manner which does not discredit the police service or undermine public confidence

Burden of Proof

9. I have borne in mind that throughout these proceedings, the burden of proof is on the Appropriate Authority. The standard that the Appropriate Authority must meet to successfully discharge that burden is that which applies to civil proceedings, namely the balance of probabilities. I have applied the burden and standard of proof throughout. I recognise that when allegations made against an officer are serious, such as they are here, the evidence upon which I make findings must be cogent.
10. Regulation 61(16) of the Police (Conduct) Regulations 2020 provides that a finding of misconduct or gross misconduct must not be made unless the Chair is satisfied on the balance of probabilities that this is the case, or the officer concerned admits it.

The case for the Appropriate Authority

11. On Sunday 3rd August 2025, Former Special Constable (FSC) Tempest was off duty, at his home address, and was in bed with his now ex-partner witness A. Witness A alleges FSC Tempest asked her to watch a recording of police footage which the FSC was viewing on a mobile device.
12. The footage of the event in question related to a report of a burglary that FSC Tempest had attended the day before (2nd August 2025). During the incident, FSC Tempest attempted to detain a male for burglary, but the suspect managed to break free and flee. The suspect was detained a short time later.
13. Witness A provided a detailed description of the footage, which enabled staff within the professional standards department to locate the related police incident log.
14. Witness A stated it made her uncomfortable and she was under the impression that this was also improper.

15. Later that same day, witness A was socialising with friends, including witness B when she mentioned FSC Tempest making her watch the footage earlier that same day. Witness B did not think that was right and messaged his friend, Special Constable X, to question the propriety of FSC Tempest's conduct.
16. Special Constable X reported the matter to her Special Sergeant who in turn reported the matter to the professional standards department.

The Former Special Constable

17. The FSC resigned from the Constabulary on 23rd April 2026.
18. Given the FSC failed to attend the hearing, I have relied on his accounts contained within documentary evidence in the bundle.
19. In his police interview, FSC Tempest stated that he was in a relationship with witness A for a few months, and that they split up around the end of August 2025.
20. He also confirmed he had had an intimate relationship with Special Constable X, and this had not ended well.
21. In his Regulation 54 notice, FSC Tempest denied gross misconduct, but accepted misconduct on account of him reviewing BWV footage relating to the police incident whilst at home.
22. He accepted that he revealed details of the police incident to witness A but denied sharing specific detail sufficient to breach data protection legislation and also denied showing witness A any BWV footage.
23. FSC Tempest alleged that witness A lied in her statement. He asserted her motivation was because she discovered he had been unfaithful, which subsequently resulted in their split. He also reported a "post -relationship" souring of a relationship with Special Constable X, and that witness B (a mutual friend of all parties) turned on the FSC and sided with the witnesses. Put simply, FSC Tempest claimed all three witnesses were not truthful.
24. In his regulation 54 response, FSC Tempest stated *"I'm sorry to "[Witness B, Special Constable X and witness A]" for how I treated you, but these lies have ruined my life and I will remain by saying I haven't done what I am being accused of here today as I did not show [witness A] anything on my phone. I would suggest [witness A] motive for suggesting I showed her the BWV was at the time we had ended our relationship. While I did tell her what happened, I ensured when telling her no important information was given which*

would breach GDPR. This is why she knows what happened and not from her viewing the BWV".

Agreed Facts

25. FSC Tempest and witness A were in a relationship. It lasted for several months before ending at the end of August 2025 after witness B told witness A that FSC Tempest had cheated on her (with a party unrelated to these proceedings).
26. FSC Tempest was also engaged in a brief relationship with Special Constable X during the early part of the relationship with Witness A. Witness A was aware about this at the time.
27. On 3rd August 2025, whilst still in a relationship, FSC Tempest and Witness A were together in his bed at his residential address.
28. FSC Tempest viewed the BWV footage relating to the event in question, whilst witness A lay next to him. In doing so the officer accepts that he should not have watched the footage outside of a secure police environment, and in doing so he committed misconduct.
29. FSC Tempest reviewed the footage because he was disappointed with his actions at the police incident. He wanted to reflect and improve his performance in future situations.
30. FSC Tempest has received training in relation to data protection legislation, misuse of police systems, the risk of sharing of information, the ethical codes of practice (which covers confidentiality and data management) and the police standards of professional behaviour.

Incontrovertible Facts

The BWV Footage

31. The BWV footage in question was recorded on a camera assigned to FSC Tempest.
32. The relevant footage begins with FSC Tempest, who together with a female officer, attended a report of a burglary. They are seen walking in a residential street, before FSC Tempest moves off into the rear garden of the address reported. A male (the suspect) is located by the FSC in a wooden shed. The suspect is naked from the waist up and appears to be intoxicated. When asked, the male is clearly heard to provide his first and last name.
33. FSC Tempest can be seen to attempt to detain the suspect, but the suspect manages to break free and flee. Following a foot chase back into the street, the officers manage to catch the suspect up, pin him against wall, and with the assistance of additional officers

attending, the suspect is restrained with handcuffs and arrested. The suspect actively resists being detained. His voice is raised throughout and is verbally abusive to the officers present.

Access and streaming of the BWV footage

34. Audit records show that on 3rd August 2025, the relevant footage was accessed and then streamed (i.e., viewed) at 13:01, 13:02, 14:10, 14:53 and 22:55 hours via the FSC's police issued mobile phone. The audit shows that the streaming occurred at a location deemed to be the residential address of the officer.
35. Records show that the footage was also accessed and streamed on a further date, but this was not central to the material allegation.

Message exchange between Witness B and Special Constable X

36. At 12:33 hours on 4th August 2025 there is a message exchange between witness B and Special Constable X detailing the alleged showing of the BWV footage by the FSC to witness A.
37. It can be seen from the exchange that witness B appears to have posed a question to Special Constable X on the evening of the 3rd August 2025, as during this screen recording Special Constable X can be seen to ask witness B (inter alia)....."*why were you asking about bwv footage last night?*".
38. Witness B writes (inter alia) ..."*I've just had a debate on the right thing to do[witness A] said he showed her the footage of him tackling s1 and it was a female officer with him and had failed to put handcuffs on and looked like he made a fool of himself. She said the details were covered up but you could see his face... I'm saying because I believe in report culture and don't want to be a hypocrite. However, I don't want the specials to guck him over cause idk if he could take it, plus its minor, but still its gdpr and evidential breech*" [sic]
39. Special Constable X replies (inter alia) "*I had a feeling he had done something from your message tbh, and if you hadn't had told me I would've asked my sergeant for advice anyways. Ill obviously tell sarge tho as that's definitely something that shouldn't be happening, everyone has a right to a private life, and showing bwv footage to others is definitely a breech of that but I'm going to ask that my sarge doesn't say it was me*

"snitching" if its possible and to keep me out of it as much as possible because as much as this is stupid to do, I don't want it to be a massive thing throughout the station or specials" [sic].

40. The possible unstable nature of the relationship between the two was also referenced, with witness B stating (inter alia) "the [witness A] situ is basically over accept [sic] she would still say yes".

Disputed facts

41. Witness A states she woke up to see FSC Tempest viewing footage and that he went on to deliberately show her the BWV footage of the incident.
42. FSC Tempest denies showing the BWV footage to witness A. He stated at the time of streaming the footage he did so thinking witness A was asleep and thought he took sufficient measures to make sure she couldn't view it, such as turning the volume down and holding the handset close to his ear.
43. In his police interview on the 9th March 2026, he stated that he was sat upright in bed and she was lay down facing away from him so she could not have seen his screen.
44. FSC Tempest confirmed on this interview that at no point did he, knowingly or recklessly show witness A the BWV footage, and that the only reason she could relay details of the event was because he had told her in detail about the incident (save for identifiable features relating to the matter).

Witness Evidence

45. No witnesses gave evidence at the hearing, but their statements are summarised as follows:

Witness A

46. Witness A could not recall the specific date the footage was shown to her but knew it was between the dates of 28/07/2025 and 10/08/2025 because this is when she was staying with the FSC at his home address.
47. She was asleep in bed with FSC Tempest and woke up to him playing the footage. She knew he had been working as a Special Constable until the early hours of the morning, and the time of viewing the footage was roughly lunchtime. She states FSC said he her to watch the footage.

48. She describes the footage in question as *"a street and garden followed by a man who appeared to be hiding in a shed/wooden structure. That man then attempted to run away and was chased by Jack Tempest. The footage also showed another female police officer arresting the man in the footage. The location of the filming of the footage and the other people in the footage are unknown to me"*.
49. She stated that Jack remarked that he should have conducted himself better in the situation the footage was showing and that he was rewatching it to learn from his mistakes.
50. She only saw the footage once as she did not want to watch the footage and see Jack in those situations or hear raised voices".

Witness B

51. The witness states that on 3rd August 2025 he was at the pub with Witness A and another friend. He describes them as tipsy at most as it was the start of the evening. The three were talking about FSC Tempest. Witness A was frustrated by FPC Tempest's lack of commitment and the fact that he was working a lot when she had visited him for a few days.
52. Witness A told him that the FSC had woken her up or kept her awake one of the nights he had been working to show her a video on his phone of him arresting somebody. The video was described as FSC Tempest chasing down a man, the man ended up against a wall, and his colleague arrested the person. Witness A said it wasn't impressive, he failed to arrest the person, and it made her uncomfortable and was not sure why she was being made to watch it.

Special Constable X

53. The officer relays the contents of the above social media message exchange with witness B and that she reported the matter to her supervisor.

Analysis and Finding of Facts

54. There is no doubt that FSC Tempest and witness A had an exchange about the incident, the key question is whether the FSC showed the video footage without a policing purpose.
55. The officer has stated that he is innocent of the allegation, that all three witnesses are lying, and were motivated to do so after his relationship with them all ended badly.

56. I have read and carefully considered every item contained within the bundle of evidential material supplied ahead of the hearing. This consisted of:
- i. An electronic bundle of evidence consisting of 123 pages.
 - ii. CCTV footage of the police incident in question
 - iii. A screen recording of a message exchange between witness B and Special Constable X.
 - iv. Plus, FSC Tempest Regulation 54 notice
57. My first consideration was to review the claims of the officer, that witness A could only relay all the information about the incident because FSC Tempest gave her a detailed verbal briefing as opposed to him showing the footage.
58. It is of course, worthy of note that her description of the video is exactly in line with the events as shown on the footage, including the reference to raised voices.
59. Witness B and Special Constable X also provide additional detail about what witness A saw in the footage, which went beyond what Witness A said in her statement. For instance, witness B adds the detail about the detainee being "up against a wall", the officer "failed to put handcuffs on" and the FSC "being unimpressive". Special Constable X adds that witness A could see the man's face in the footage.
60. When considering the hearsay nature of these accounts. I referred myself to *Thorneycroft v NMC* [2014] EWHC 1565 (Admin) to properly review and test this evidence, particularly in this situation where the officer was not present at the AMH.
61. It is relevant that witness B and Special Constable X have not themselves seen the footage, and therefore, could only have relayed these details if told by witness A. When considered together, the three statements paint a full and detailed picture of what can be seen in the video.
62. However, when considering this from the officer's perspective, if he was telling the truth, the witness accounts alone do not entirely dispel the officers theory that witness A had received only a verbal update from the FSC and / or this was a malicious report by Witness A (either after discovering infidelity on the part of FSC Tempest or because he was not offering commitment in their relationship).
63. Therefore, I examined whether there was there was any additional evidence to support, or otherwise, the account of witness A, B and Special Constable X.

64. I did note that witness A stated she did not like watching the footage as she didn't want to see the FSC in that situation or listen to the raised voices. The former officer states that he had the volume turned down, and yet the witness could relay detail about the sound.
65. The date of the event is in line with the date range Witness A states she stayed with FSC Tempest; between 29th July and 10th August 2025. The audit shows that the streaming of the video is done repeatedly on the 3rd August 2025, and commences at 13:08 hours, which corroborates the witness account that she viewed it around lunchtime.
66. Witness A remains in the house of the FSC for seven days after allegedly being shown the BWV. This is more than likely than not to be true, as FSC Tempest confirmed in his police interview that his relationship with witness A only broke down at the end of August 2025.
67. This is relevant as witness A makes her first disclosure to witness B about viewing the footage on 3rd August 2025. Crucially, this is before the future break-up.
68. Witness B then relays the content of this conversation to Special Constable X via social media direct messaging.
69. I have considered *Onassis v. Vergottis* [1968] where Lord Pearce identified the utmost importance of contemporaneous material where witnesses' recollection could be said to be altered by unconscious bias, or where they are "emotional". In doing so I paid close attention to the screen recordings of the contemporaneous message exchange.
70. The message exchange is "time stamped" as 12:33 on the 4th August 2025, and therefore contemporaneously evidences the sequence of reporting of matters from witness A, to witness B and subsequently to Special Constable X.
71. The length of time between the alleged viewing of the BWV by witness A, the question (by witness B) regarding the propriety of Special Officers showing BWV and the stated intention of Special Constable X to report the FSC all take place in less than 24 hours.
72. When considering the broad canvass of evidence, it makes it more likely than not, that at the time of witness A relaying her account to witness B, there was no intent to commence an intended chain of events that ultimately resulted in misconduct proceedings against FSC Tempest, especially given they remained in a relationship for some weeks afterwards.
73. This completely undermines the assertions of FSC Tempest that this is a case of "post break up revenge". I have therefore, rejected the officers claim that witness A has lied about the matter **after** the relationship broke down, as it is a matter of fact that witness A made her disclosure prior to the breakup.

74. I have considered whether a “malicious report” could have been made because the relationship was on "rocky ground". I have also rejected this as there is an auditable record made on the 4th August 2025, from witness B (see para 40 above), who intimates witness A would not want the relationship to be over. Therefore, it follows that there would be little or no reason for witness A to have made the damning disclosure to witness B if it was not the truth, as it would have precipitated the immediate end of their relationship.
75. Reflecting on the now established lack of credibility surrounding the former officer's account, I reconsidered whether witness A was more likely than not, able to recall the details of the incident because she had in fact seen the footage. There is no doubt that the BWV was viewed on numerous occasions whilst she was lying in bed with him. She describes hearing loud voices even though the officer claims the volume was turned down.
76. The officer conveniently accepts the entirety of witness A's account, save for the incriminating part, and I have further reviewed this now it has been established that his claims lack credibility. Therefore, on the balance of probabilities, I concluded that the account of witness A was more credible than that of the FSC.
77. I have additionally considered whether Special Constable X had been malicious or revengeful by relaying the matter to her supervision. It is important to note that the officer is regulated by the professional standards of behaviour and would be duty bound to report any suspected misconduct, whether she wanted to or not. Even though it does appear she was unhappy with FSC Tempest, she simply had no choice but to report him.
78. I reviewed the detail within the message exchange between Special Constable X and witness B. The exchange gives the impression that neither party anticipated the matter proceeding to a misconduct hearing. One believed the matter was relatively minor and the other clearly stated she didn't want it to become a matter of debate between colleagues at work. This lends credence to the fact that the report to supervision was not undertaken as an intentional act to jeopardise the officer's career.
79. Furthermore, this debate between the two and the subsequent report to professional standards occurred without the involvement of witness A, who took no apparent part in the decision to report matters internally.

Determination of Facts - conclusion.

80. In considering all the above I find the allegation proven on the balance of probabilities.

Breaches of the Standards of Professional Behaviour.

81. The AA alleged that FSC Tempest's conduct breached the following Standards of Professional Behaviour:
82. Confidentiality – Police Officers treat information with respect, and access or disclose it only in the proper course of their duties.
83. FSC Tempest has been found to have intentionally shown, whilst off duty, BWV footage to a member of the public. The video shows a partially dressed member of the public who is intoxicated and therefore, somewhat vulnerable. The subject gives his name, and he is seen to be exposed to (lawful) use of force. There is simply no policing purpose that would necessitate that material being viewed in a non-secure environment, thereby potentially jeopardising the privacy of the subject.
84. There is a clear breach of data protection legislation and Cumbria Constabulary's policy regarding data handling.
85. Self-evidently, it follows that I find that FSC Tempest has breached the standard of professional behaviour relating to confidentiality.
86. Orders and Instructions - Police Officers give and carry out lawful orders only, and will abide by Police Regulations
87. FSC Tempest has received training in relation to data protection, understood the risks associated with breaching confidentiality and was aware of his responsibilities in relation to the specific standard of professional behaviour / police regulations.
88. Therefore, in breaching the data privacy rights of a member of the public, it follows that FSC Tempest has breached the standard of professional behaviour relating to Orders and Instructions.
89. Discreditable Conduct – Police Officers behave in a manner which does not discredit the police service or undermine public confidence.
90. In disclosing the highly confidential nature of this material, the officer has undermined the public expectation that the police service treats their information with the utmost care. In failing to do so, the officer has behaved in such a way that would discredit the police service, and I find that he has breached the standard of professional behaviour relating to discreditable conduct.

Seriousness / Level of Misconduct

91. I have considered the seriousness of FSC Tempest conduct and in doing so I have referred myself to the College of Policing guidelines on outcomes in misconduct proceedings.

Culpability

92. 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. This was an intentional and deliberate action by the officer. He is fully responsible for his actions.
93. The guidance refers to specific types of misconduct that should be considered as particularly serious, and one of those relates to data protection and misuse. It states that the misuse of confidential police information is a particular concern for the police service. Police computer and manual systems hold a significant amount of information about members of the public. Most of this is sensitive, and it is both a public expectation and a legal requirement that information obtained during policing duties should be treated in strictest confidence, properly protected and used only for legitimate policing purposes.
94. Factors that support a more serious outcome also include onward disclosure of information and breaches of personal privacy where the data is very sensitive, all of which is seen in this case.
95. I found the level of culpability in this case to be very high.

Harm

96. Whilst there has been the revelation of the matter to only a small number of witnesses in this case, had the matter been more widely reported, this conduct would be perceived poorly by the public, and there would undoubtedly be a loss of confidence in the police service.
97. I found the level of harm in this case to be high.

Aggravating features

98. An aggravating feature in this case is that the officer has tried to deflect blame for his behaviour by accusing three separate witnesses of lying.
99. This case also involves multiple proven breaches of the Standards of Professional Behaviour.

Mitigating Factors

100. I do not doubt the FSC assertion that he was re-watching the event to learn from his mistakes. Such action would be commendable, but care should have been taken when viewing the footage. Had this been legitimate reflection exercise, then this could have been done whilst alone, or whilst protecting from onlookers and wearing headphones. It is for this reason that limited, if any mitigation has been considered at this juncture.
101. I have noted an apology from the officer in his Regulation 54 notice, that he was young and inexperienced, but that was accompanied by the defection of blame to the witnesses, and therefore, carries little mitigating weight.

Seriousness – Conclusion

102. In the light of my findings above, it follows that this conduct amounts to gross misconduct.

Stage two – Outcome

103. I considered oral submissions from the AA and Federation.
104. I also considered the purpose within the misconduct regime which is:
- I.to maintain public confidence and the reputation of the police service
 - II.to uphold high standards in policing and deter misconduct
 - III.to protect the public.
105. In relation to the seriousness of the misconduct, I had already considered this and made no changes to that assessment.
106. I had sight of and considered FSC Tempest service record.
107. No character evidence was proffered.
108. I was alert to the fact that the purpose of misconduct proceedings is not to punish an officer. I reminded myself that any outcome may have a punitive effect upon the former officer and that the outcome should be no more than necessary to satisfy the purpose of the proceedings.
109. I also recognised that where an outcome is necessary to satisfy the purpose of the proceedings, I must impose that outcome even if, in doing so it may lead to significant consequences for the individual officer.
110. The AA stated that only a finding that the officer would have been dismissed had he still been in service would fulfil the purposes of this disciplinary process.

111. I firstly considered whether recording a finding of gross misconduct and taking no further action was appropriate.
112. Having regard to the purpose and all the matters set out above, I considered that taking no further action was not sufficient when considering the nature of the proven allegations, the purpose of the disciplinary regime and the protection of the public.
113. This matter concerned multiple breaches of the standards and would undoubtedly have an impact on public confidence in policing and the reputation of the police service.

Stage two – Conclusion on Outcome

114. I therefore concluded that the most appropriate outcome is a finding that the former special constable **would have been dismissed had they still been a member of the police force** and that this sanction does fulfil the purpose of the misconduct regime.
115. There is no evidence of any other conduct of this nature by the officer. I acknowledge the officer's positive voluntary service as a special constable prior to these matters, however this past record would not allow me to impose a lesser outcome, given the serious nature of my findings.

Barred List

116. The former special constable should be placed on the barred list.

Right of Appeal

117. In accordance with Police (Conduct) Regulations 2020 the officer has a right to appeal to a Police Appeals Tribunal against the findings and outcome of a misconduct hearing.
118. This ends the decision of the chair.

ACO Sarah Jackson

Chair

27th July 2206