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Disciplinary probe claims former top cop was 'dishonest' over car crash row.

Misconduct probe upholds series of complaints against former area commander

Former high-ranking Merseyside chief superintendent Michael Cloherty

A [Merseyside Police HYPERLINK "http://www.liverpoolecho.co.uk/all-about/merseyside-police" HYPERLINK "http://www.liverpoolecho.co.uk/all-about/merseyside-police" HYPERLINK "http://www.liverpoolecho.co.uk/all-about/merseyside-police"](http://www.liverpoolecho.co.uk/all-about/merseyside-police)misconduct investigation has upheld complaints against a former senior police officer accused of lying.

Michael Cloherty - once Knowsley’s area commander - was accused of dishonesty after a row over a minor crash led to him arresting a member of the public.

He was cleared of misconduct, perjury and perverting the course of justice charges during a trial in Preston Crown Court.

But an **internal investigation** - where the burden of proof is lower - has ruled **it is likely** he was **repeatedly dishonest** in the actions that led to Jack Beecham’s prosecution.

The row between the pair dates back to a crash in May 2010 that was described in court as a “relatively modest in nature, minor road traffic collision”.(It was the car door of Jack Beecham blowing in the wind and marking the plastic panel on the private car of Mr Cloherty).

Mr Cloherty, then a superintendent in the Wirral, claimed Mr Beecham had refused to give his details then assaulted him.

The electrician was initially convicted of assaulting a constable - **but successfully overturned the decision on appeal in Liverpool Crown Court.**

That paved the way for an investigation into Mr Cloherty’s actions that found a series of discrepancies - leading to the accusations at the centre of the failed crown court prosecution of the 52-year-old.

Much of the case against Mr Cloherty was based on pocket book entries which it was claimed had been falsely made to cover problems with a statement he had given over Mr Beecham’s arrest.

Those entries began in a notebook where the first records started on May 19.

But police logs suggested Mr Cloherty was only issued with the book on May 27, the day of the crash, raising questions over how it contained entries starting eight days earlier.

The investigation was hampered by the “loss” of the previous notebook - meaning the dates as to when he needed his new book could not be corroborated.

Jack Beecham the complainant in this.

The disciplinary probe upheld complaints that Mr Cloherty:

**- Lied about the date he replaced the pocket notebook in which he recorded the incident with Mr Beecham in**

**- A series of pocket book entries dated before May 27 were dishonest**

**- The recording of a false start date for the notepad (May 19) was dishonest**

**- He made a “misleading” and “dishonest” witness statement when questioned over his notebook**

**- He was dishonest over the use of his notebook during court testimony**

**- The ‘loss’ of his pocket notebook was dishonest**

A**spokesman for Merseyside Police** said: “A complaint was made by Mr Beecham regarding ex-Chief Superintendent Cloherty, which was already being dealt with at criminal court.

“The complaint items remained sub-judice until the criminal trial of Mr Cloherty was complete, and he was subsequently found not guilty at Preston Crown Court in October 2016.

“At the conclusion of the trial, the investigation into the formal complaint was completed by the force’s Police Professional Standards Department (PSD).

“This investigation concluded that there was a case to test, and some of the allegations within the complaint were SIX upheld and ONE partially upheld.

“The complainant in this case now has the course to appeal to the Independent Office of Police Conduct (IOPC), Preston Crown Court and/or the Crown Prosecution Service (CPS).”

**Mr Cloherty declined to comment to the Liverpool Echo.**