

IN THE MATTER OF THE MISCONDUCT PROCEEDINGS UNDER THE POLICE
(CONDUCT) REGULATIONS 2020 (AS AMENDED BY THE POLICE (CONDUCT)
(AMENDMENT) REGULATIONS 2024)

B E T W E E N:

THE COMMISSIONER OF POLICE OF THE METROPOLIS

Appropriate Authority

and

POLICE CONSTABLE GIOVANNI MASCIA

Officer Concerned

1. The hearing was held on the 14-16 April 2025 at Palestra House, London, in public. The panel consisted of Commander Katie Lilburn, Chair and Mr Dave Scott and Ms Joy Julien, Independent Panel Members. Ms Dale Simon was the Legally Qualified Advisor to the panel.
2. The Appropriate Authority (the AA) was represented by Ms Tori Adams, PC Mascia was represented by Ms Campaspe Lloyd-Jacobs
3. The allegations facing PC Mascia are set out in the Regulation 30 Notice served upon him under the Police (Conduct) Regulations 2020. These are:

Allegation 1

1. *You and Ms. Megan Thomas commenced a relationship in 2020. You bought a house together in April 2022 and were cohabiting from then until around 7 August 2023.*
2. *Whilst in a relationship, and cohabiting, with Ms. Thomas you behaved in a way which was in breach of the Standards of Professional Behaviour, namely Discreditable Conduct, in that you assaulted Ms. Thomas on two occasions, the details being that:*
 - a. *In or around October 2022, during an argument with Ms. Thomas, you threw Ms. Thomas to the floor and repeatedly punched her arms as a result of which she had dark bruising up and down both of her arms. You told Ms. Thomas that nobody would believe her if she told them this had happened because you were a police officer.*
 - b. *In or around November 2022, following an argument in which you referred to Ms. Thomas*

as 'lazy' and said she was not pulling her weight with housework, you lunged towards Ms. Thomas, grabbed her round the throat and pushed her into the wall behind her. As a result, Ms. Thomas hit her head on the wall. She then hit you in self-defence in order to push you away from her.

Allegation 2

3. *In or around October 2022 you behaved in a way which was in breach of the Standards of Professional Behaviour, namely Discreditable Conduct, in that you walked into the living room, where Ms. Thomas was sat, picked up a pillow from the sofa and told Ms. Thomas you had the intense urge to hold the pillow over her face until she stopped breathing.*

Allegation 3

4. *On 6 August 2023, you behaved in a way which was in breach of the Standards of Professional Behaviour, namely Discreditable Conduct, in that during an argument you:*
 - a. *Threw Ms. Thomas' books at the window causing them damage, namely bending the pages.*

Allegation 4

5. *Following the incident set out at paragraph 4, you behaved in a way which was in breach of the Standards of Professional Behaviour, namely Discreditable Conduct, in that you:*
 - a. *Removed Ms. Thomas' toy stuffed elephant from her hands and took it into the kitchen. You then held a knife to the toy and threatened to cut it open if you did not speak with her and try to resolve your relationship. Ms. Thomas walked away saying she did not want to continue the relationship and went to bed.*
6. *It is contended, with reference to the above, that your behaviour does not meet the standards required by the Standards of Professional Behaviour set out in Schedule 2 of the Police (Conduct) Regulations 2020, specifically in respect of the standard of Discreditable Conduct.*
7. *Your conduct as set out above, both individually and taken together, amounts to gross misconduct.*

4. The purpose of professional disciplinary proceedings is to protect the public and to maintain the high standards and good reputation of the profession. It is the role of the Panel to:
 - a. First, ascertain the facts.
 - b. Second, to determine on the basis of those facts, whether PC Mascia has breached the Standards of Professional Behaviour as alleged.
 - c. Third, to determine whether the admitted or otherwise identified breaches amount to misconduct, gross misconduct or neither.
 - d. Fourth, to decide on the outcome, if appropriate to do so, having regard to the guidance on outcomes.

CASE SUMMARY

5. In June 2020 PC Mascia and Ms. Thomas commenced a relationship, shortly after meeting Ms Thomas went to live with PC Mascia in his family home. They bought a

house together in April 2022 and were cohabiting from then until around 7 August 2023, when Ms Thomas ended the relationship. On 15 October 2023 Ms Thomas made a complaint to Essex Police about PC Mascia's behaviour towards her during their relationship as detailed in the allegations above. On 27 October 2023 PC Mascia was arrested and interviewed, he denied the allegations. The conduct investigation commenced in October 2023 and concluded in April 2024. PC Mascia's Regulation 31 response states that he was in a relationship with Ms Thomas from October 2020 to August 2023. He denies the allegations and that his behaviour amounts to misconduct or gross misconduct.

FINDINGS OF FACTS

6. In advance of this hearing the panel was supplied with the documents in accordance with the Police (Conduct) Regulations 2020 which included a copy of the papers served on PC Mascia in accordance with Regulation 30 and PC Mascia's response to the AA under Regulation 31. In determining the facts in this case, the panel had regard to:
 - All documents and materials in the bundle, Regulation 30 notice, Regulation 31 response whether they were explicitly referred to or not during the hearing.
 - The live evidence from Ms Megan Thomas, Ms Le-Ann Thomas, Mrs Breda Mascia and PC Mascia.
 - The bundle of WhatsApp messages between Ms Thomas and her mother and between Ms Thomas and Mrs Mascia
 - The 11 positive character references submitted to the panel on behalf of PC Mascia.
 - The submissions made on behalf of the AA and PC Mascia
 - The legal advice provided by Ms Simon.

7. In considering the facts the Panel was aware that the burden of proof is on the AA and the standard of proof is the balance of probabilities. This means that the panel must be satisfied that it is more likely than not that a fact is true before they can find it to be true. In line with the principle derived from *Byrne v General Medical Council* [2021] EWHC 2237 (*Admin*), the Panel recognised that there is only one standard of proof in civil and regulatory cases, namely whether the facts in issue more probably occurred than not. The seriousness of an allegation does not of itself require more cogent evidence. The inherent probability of the relevant conduct is a matter which can be taken into account when weighing the probabilities and in

deciding whether the event/conduct occurred; this goes to the quality of evidence.

8. The Panel was also mindful not to assess a witness's credibility exclusively on their demeanour when giving evidence, but that their veracity should be tested by reference to objective facts proved independently in their evidence, by reference to the documents in the case. It has reminded itself that it should make a rounded assessment of a witness's reliability, rather than approaching their reliability in respect of each charge in isolation from the others: *R (on the application of Dutta) v GMC [2020] EWHC 1974 (Admin)*.
9. As to individual pieces of evidence, the Panel was mindful that it is entitled to draw proper inferences, and that it is to come to common sense conclusions based upon the evidence which it accepts as reliable; but it must not speculate. Similarly, it must not speculate about what other evidence there might have been.
10. The AA relies on the following evidence to support the allegations against PC Mascia:
 - 1) The written and oral evidence of Megan Thomas
 - 2) WhatsApp messages from PC Mascia to Ms. Thomas including messages in which PC Mascia apologises; stating that he is seeking therapy and talked about the root of his "anger", as well as saying he will change and has accepted that he is the problem.
 - 3) The oral and written evidence of Ms Lee-Ann Thomas
11. The Panel considered each allegation in turn.

Allegation 1

1. *You and Ms. Megan Thomas commenced a relationship in 2020. You bought a house together in April 2022 and were cohabiting from then until around 7 August 2023.*
2. *Whilst in a relationship, and cohabiting, with Ms. Thomas you behaved in a way which was in breach of the Standards of Professional Behaviour, namely Discreditable Conduct, in that you assaulted Ms. Thomas on two occasions, the details being that:*
 - a. *In or around October 2022, during an argument with Ms. Thomas, you threw Ms. Thomas to the floor and repeatedly punched her arms as a result of which she had dark bruising up and down both of her arms. You told Ms. Thomas that nobody would believe her if she told them this had happened because you were a police officer.*
 - b. *In or around November 2022, following an argument in which you referred to Ms. Thomas as 'lazy' and said she was not pulling her weight with housework, you lunged towards Ms. Thomas, grabbed her round the throat and pushed her into the wall behind her. As a result,*

Ms. Thomas hit her head on the wall. She then hit you in self-defence in order to push you away from her.

12. There is no dispute between PC Mascia and Ms Thomas, that they commenced a relationship in June 2020, that they bought a house together in April 2022 and that they were cohabiting in their house from then until around 7 August 2023. Therefore, the Panel found Allegation 1(1) proved. Having found that PC Mascia and Ms Thomas were in a relationship between June 2020 and August 2023 the issue for the Panel to determine was whether, PC Mascia assaulted Ms Thomas on two occasions, namely on or around October 2022 and on or around November 2022.

13. On the 15 October 2023 Ms Thomas made a statement in which she states:

“GIO and I began our relationship in JUNE 2020. It started out well as any relationship does. GIO was caring and we got on well. During the early stages of our relationship, he did give me a few ultimatums which I thought were odd such as saying that if I didn’t move into his parent’s home with him during lockdown, he would dump me. Our relationship slowly started to become more toxic...

Over the past 18 months it became far worse. We bought a house together in the area of WALTHAM ABBEY, ESSEX which we moved into in APRIL 2022. It was once we moved there that things took a turn for the absolute worse and GIO became violent with me.

As the abuse I experienced occurred over an 18-month span, I cannot remember every specific date on which certain incidents happened as It all blurs into each other. GIO became very paranoid over this time for reasons unknown to me.

During this same month [October 2022] GIO and I had been arguing again, at some point during this argument GIO threw me to the floor and began repeatedly punching my arms which caused dark bruising all up and down both. I don’t know what came over him that day other than the fact that he was so angry. I didn’t take any photographs of my injuries as he said that if I did, he would just say that I did it to myself and that no one would believe me over him as he is a serving MET Police Officer.

...in NOVEMBER 2022. GIO and I had been arguing again as he was calling me lazy and telling me that I wasn’t pulling my weight when it came to housework. GIO lost his temper as he frequently does and lunged towards me grabbing me around the throat and pushing me into the wall behind me. This caused me to hit my head on the wall which stunned me but did not injure me. I did not lose consciousness and did not struggle to breathe because as quickly as it happened, I fought him off hitting him back in self-defence as I thought that if I didn’t, he would have tried to kill or seriously hurt me.

14. On the 4 November 2023 Ms Thomas made a further statement in which she produced a number of screenshots of her WhatsApp messages with PC Mascia, received after their relationship ended which included the following statements:

“I am sorry and I love you. This situation will never happen again. I have pushed you away when you were trying to help. I am going to change and deal with my stress..

I am going to book a doctor’s appointment ...

Moving forward I am willing to get a punching bag, which can go in the garage, so whenever I feel stress, I can go there to relief [sic] my stress”

“I accept i am wrong, i accept that i took my frustration out on you. I should not have done it and I will change.. It will never happen again. I have accepted i am the problem and willing to work on it”.

“I spoke to therapist about the anger and getting to the root of it and i am working on it”.

“I am very emotional at the moment. I drove home today, thinking what Connie or my grandma would have to say about what i did, and it made me ashamed [Sic]”

15. In her oral evidence Ms Thomas stated that her relationship with PC Mascia deteriorated very quickly and became very argumentative and stressful. PC Mascia would argue about everything. The arguments made her feel like she could never do anything right. He was very aggressive and very loud “*always shouting*”. She stated that she would shout too, but she only used physical force against PC Mascia in self-defence to fight him off. In relation to the incident in October 2022 (Allegation 1 (2)(a)). Ms Thomas stated that she could not recall what the argument was about. It was late at night; they were in their pyjamas and PC Mascia was shouting in her face. He pushed her to the ground and punched her arm repeatedly. The incident didn’t last long, and afterwards he walked upstairs. In relation to the incident in November 2022 (Allegation 1(2)(b)). Ms Thomas stated that they were standing on the stairs on the landing, PC Mascia was arguing because she hadn’t done his ironing. He was threatening to jump off the balcony (which she referenced in cross examination as being a threat to kill himself) and she told him to “*do it*”. PC Mascia then ran at her and she thought that he was going to push her down the stairs. PC Mascia grabbed her around the throat and pushed her into the wall hitting her head. After the incident he went to the bedroom and cried, telling her that she was “the horrible one” and that it was all her fault.
16. Ms Thomas stated that she didn’t tell anyone that she had been assaulted, because PC Mascia had told her that he knew the system and because he was a police officer he would turn it around and no one would believe her. She stated that she had only ever defended herself against PC Mascia and that her actions did not cause a scratch to his face as far as she was aware.
17. In response to cross-examination Ms Thomas accepted that her mother was cross with her when she moved into PC Mascia’s family home and that they didn’t speak for a while (less than 2 weeks). She accepted that she was close to her mother and that she would go dog walking and to dinner at her parents’ house on her own. Ms Thomas did not accept that she hadn’t told her mother about PC Mascia being violent because it didn’t happen. She stated that the reason for not disclosing anything was feeling ashamed that it had gone that far. She also did not accept that she had ever assaulted PC Mascia causing him injury. Ms Thomas stated that she couldn’t punch PC Mascia when he pushed her to the ground in October 2022 because he had his foot

on her shoulder, and she was pinned down to the ground. She stated that she had not taken any pictures of her injuries because she wasn't allowed to. She described her regret and not telling anyone about these incidents.

18. The Panel found that Ms Thomas' oral and written evidence were largely consistent, that she answered questions and provided plausible explanations and as such the Panel concluded that she was a credible witness.
19. The Panel heard oral evidence from Mrs Thomas, her evidence was consistent with her written evidence, and in the opinion the Panel, she responded to questions fully and clearly. The Panel, therefore found her to be a highly credible witness. Mrs Thomas stated that she sensed a change in Ms Thomas after she moved into her house, she was normally an outgoing person, she stopped socialising and stopped inviting anyone to her home. She noticed Ms Thomas coming to visit on her own on weekends when PC Mascia was off duty as though she was trying to avoid him. When she asked PC Mascia and Ms Thomas about whether there was any truth to an anonymous report of Domestic Abuse, both denied that there was a problem and suggested that the report was by malicious neighbours. She found this explanation a bit strange as she had met their neighbours and thought they were nice people. After this discussion she saw a lot less of PC Mascia. She continued to notice a change in her daughter but thought initially that this was due to the stress of renovating their home. When Ms Thomas eventually told her about the physical assaults by PC Mascia she advised her to report the matter to the Police because of the risk to other women.
20. In his written response to caution PC Mascia stated:

"I first met Megan Thomas in June 2020 on the dating app Hinge. We started speaking and seemed to get on very well. In fact, we became exclusive with one another after just a few dates. The relationship continued to develop quite quickly, particularly with us moving into my parents' house,... together in October 2020.

Regrettably, we moved in together at the time because of COVID-19 restrictions and her parents being high risk. We both wanted to continue the relationship, but that obviously would have been difficult if we could not see each other. Accordingly, Megan decided to leave home and move in with me. The decision to move out caused some tensions within her family, particularly with her mother, who felt that Megan was disobeying them and choosing me over them. It eventually ended in Megan's mother refusing to speak to Megan.

Invariably, the rift between Megan and her family became an issue in our relationship and I felt as though she resented me for it.

I also suspect she felt isolated from those closest to her and acted as though I was the cause of it, despite the fact she moved in with me on her own volition. She nonetheless vented her frustrations towards me. Gradually, in the beginning of 2021, I saw Megan's behaviour change and she started to become more aggressive. She started shouting a lot more frequently and would often insult me using various swear words. On one occasion, at my parents' house, Megan screamed at me calling me a "cunt" and my mother came in and said something like "we have neighbours

next door”.

Over time, we started arguing more about all sorts of things. Some arguments would be relatively childish and over nothing, and some were more important.

For clarity, the arguments did not become physical on my part. I did not assault Megan over the last eighteen months by pushing her to the floor or punching her. I can recall one occasion when Megan was shouting at me, and I was trying to get away from her. As I walked past her to leave, she scratched my neck and started punching my chest. I then pushed her in self-defence. I did not use much force, although Megan did stumble and, as she was falling to the floor, grabbed my shirt and pulled me to the floor with her. While we were on the floor, she continued attacking me and was attempting to punch me, although I was trying to block her by guarding my face with my hands. I was also consistently calling out, asking her to stop. At one point, I struck Megan twice in the arm, again in self-defence, to get her to stop, which she did.

After the incident, I broke down in tears. I was devastated that, despite acting in self-defence and using proportionate and lawful force throughout, I was forced to act in such a way. Megan came over to comfort me and apologised for what she had done, and we hugged and moved on. This is the only incident I can recall which resulted in me having to physically defend myself in such a way. I deny assaulting Megan in the way she describes. Although she used to bruise easily, I do not believe she sustained any bruises from the incident in which she attacked me. I did not report what Megan had done at the time because I did not want to get her in trouble. I equally did not report Megan because I did not think anyone would believe that a serving male police officer could be physically abused by his girlfriend. At no point during our relationship did I use my role as a police officer to threaten or manipulate Megan....

Equally, I deny placing my hands around Megan’s neck and pushing her against the wall which caused her to hit her head. The only occasion I recall ever having to push Megan was when she attacked me, as described above. Again, arguments did not become physical on my part, and I would normally attempt to leave the room and go somewhere to decompress and cool down.”

21. PC Mascia’s Regulation 31 response to these allegations is consistent with his statement.
22. In his oral evidence PC Mascia stated in respect of the alleged assault in October 2022, that he was attempting to leave but Ms Thomas kept blocking his way, so he pushed her gently causing her to fall, she grabbed him as she fell, and they both ended up on the floor. Ms Thomas then got on top of him and started to hit him, to defend himself he hit her on her arms. After the incident they promised each other that no matter how bad things got they should not resort to violence. PC Mascia denied pushing Ms Thomas in November 2022 and denied threatening to kill himself. In response to cross-examination he stated that he would never call Ms Thomas or a woman fat (referencing that would be “too much”), but he accepted that he had called Ms Thomas lazy later on in their relationship.
23. The Panel also heard oral evidence from PC Mascia’s mother, Ms Breda Mascia (Mrs Mascia). Mrs Mascia had made a statement dated 28 October 2023 about PC Mascia and Ms Thomas’s relationship. It states that initially Ms Thomas was good to PC Mascia, however, as time went on their relationship became toxic and that Ms Thomas would argue with PC Mascia “about

anything” after he came home from work. In oral evidence Mrs Mascia stated Ms Thomas would shout at PC Mascia, and he would answer her back, she stated that she would hear Ms Thomas scream at PC Mascia and call him a “*cunt*” all the time and that she would have to apologise to her neighbours for Ms Thomas’s behaviour. She did not observe any physical violence, but Ms Thomas would always slam doors.

24. Mrs Mascia accepted that she had sent a number of WhatsApp messages to Ms Thomas including the following exchanges:

1) Undated starting at 14.12

Ms Thomas: “*Yeah, I understand it’s frustrating, but he just needs to be patient that’s all. Rome wasn’t built in a day*”

Mrs Mascia: “*Exactly he needs to reflect to the way he treats you megan. Big time*”

Ms Thomas: “*Hopefully it does, it can’t be healthy to be that angry all the time. It’s just sad because I know how much of an amazing person he can be*”

Mrs Mascia: “*I think he is depressed*”

Ms Thomas: “*Same. He needs better help than what the nhs is currently providing*”

Mrs Mascia: “*How things? Has he been ok to you*”

2) Undated starting 10.34

Ms Thomas: “*..It’s honestly made me feel disgusting. He needs proper help, professional help, because no one should speak to anyone that way, it’s just not okay..*”

Mrs Mascia: “*I agree megan totally*”

Ms Thomas: “*Did he tell you that he broke up with me a couple of days before my birthday leaving me in tears? Or the time he broke up with me just before Christmas?*”

Mrs Mascia: “*No*”

Ms Thomas “*All because I’m an awful person and he couldn’t stand me*”

Mrs Mascia: “*He’s the awful person*”

Ms Thomas: “*This is what I’m saying his behaviour isn’t new*”

3) Undated starting 20.34

Ms Thomas: “*Apparently your son is going to leave me penniless with nothing to my name and I’m not allowed to sleep in the main bedroom tonight. All because I said if I can’t use his stuff then he can’t use mine. Breda I’m at my wits end*”

Mrs Mascia: “*Come here he is an idiot. Do you want to talk to him*”.

Ms Thomas: “*..Right now there’s no talking to him. You can call him if you want but just don’t mention I told you because he’ll lose his shit again..*”

Mrs Mascia: “*Y is he begin so nasty*”...

Ms Thomas: *“Apparently because I’m being stupid and spiteful and wrecking this relationship”*

Mrs Mascia: *“Looks like he is doing [sic] it all by himself”*

Ms Thomas: *“He’s just pulled the bed apart. Apparently, I’m leaving. Call him now please. Pretend you are checking up on him. Breda. Please. Did you tell him I called?”*

Mrs Mascia: *“No”*

Ms Thomas: *“He’s going off on one”*

Mrs Mascia *“He was snapping on the phone to me. He said you pissed him off. Are you ok?”*

Ms Thomas: *“Sorry trying to get him to calm down. Sorry to involve you I just didn’t know who to turn to.”*

4) Undated starting 17:15

Ms Thomas: *“I know he’s lashing out but he’s really hurting my feelings when he’s essentially saying I need to just allow him to be like that towards me”*

Mrs Mascia: *“Megan I know this sounds awful but I don’t want him back here with me. He is tudeeley [sic] to me there where nights I would go to be [sic] crying as he was nasty to me”*

Ms Thomas: *“He needs to realise he can’t do that to people. Especially ones he apparently loves”.*

Mrs Mascia *“You can come back here and stay here if you want till he calms down. I know its not the solution. But he needs to learn”*

25. The Panel found that Mrs Mascia’s responses to questions on behalf of the AA were defensive, and her explanation for describing PC Mascia as *“nasty”* when what she meant was that he can be *“sarcastic”* lacked plausibility in the opinion of the Panel. The reference that Mrs Mascia made to not wanting her son to return to her family home in the WhatsApp messages inferred strongly that the reason was because of the emotional effect he had on her. However this was in contrast to her oral evidence where she said the reason was due to wanting to downsize her home and retire. The Panel concluded that the content of the WhatsApp exchanges between Ms Thomas and Mrs Mascia undermined Mrs Mascia’s written and oral evidence. The Panel recognised that this may have been due to misplaced loyalty for her son. As such the Panel determined that Mrs Mascia was not a credible witness.
26. The panel noted that these allegations rely on Ms Thomas’s word against that of PC Mascia, and as such looked for evidence that might support the likelihood of one account over the other. The Panel noted that Ms Thomas had not previously mentioned PC Mascia using his foot to pin her to the ground during the alleged assault in October 2022; but in the opinion of the Panel this minor omission did not detract from Ms Thomas’s overall credibility as a witness. The Panel preferred the evidence of Ms Thomas over the evidence of PC Mascia and therefore found the entirety of Allegation 1 proved on the balance of probabilities for the following reasons:-

27. Firstly, there were significant inconsistencies between PC Mascia's oral evidence and his written evidence in relation to the incident in October 2022. In oral evidence PC Mascia made no reference to Ms Thomas scratching his neck or punching him to the chest before he pushed her to the ground. In the opinion of the Panel, PC Mascia's assertion in his Regulation 31 response and statement under caution that he was forced to push Ms Thomas, for the first time ever, because of her physical attack on him was seriously undermined by his failure to recall being attacked. In the opinion of the Panel it was highly unlikely that PC Mascia would forget such an important detail if it had happened.
28. Furthermore in relation to the alleged assault in November 2022, PC Mascia denied in his oral evidence that he ever threatened to kill himself. In addition, in his Regulation 31 response he denied that he said to Mrs Thomas that he planned to hang himself by the loft at the property. Ms Lee Ann Thomas (Mrs Thomas) recounts in her statement dated 8 November 2023 that during her discussion with PC Mascia on the 8 August:
- “Giovanni also told me that he had planned on hanging himself in the loft of his and Megan's house if he ever lost her. I was appalled by this and told him how unfair that would be. I told Giovanni that I would support Megan in whatever decision she made about their future and he left”.*
29. The Panel also noted that during the WhatsApp exchange between Mrs Thomas and Ms Thomas on 6 August 2023 Ms Thomas states *“I'll be okay. As much as I want out, I wouldn't willingly let him hurt himself”* to which Mrs Thomas replies *“It's your safety I'm concerned about. He won't kill himself. He's a drama Queen and too selfish. Tell him you'll call his parents if he's threatening suicide”*. For the reasons detailed below, the Panel found Mrs Thomas to be a highly credible witness, therefore it determined that Mrs Thomas's evidence coupled with the WhatsApp exchange was supportive of Ms Thomas's account of PC Mascia's behaviour during the alleged assault in November 2022.
30. In the opinion of the Panel, the WhatsApp messages between Ms Thomas and Mrs Mascia strongly support Ms Thomas's description of PC Mascia's aggressive, verbally and emotionally abusive behaviour towards her. Of particular relevance was Mrs Mascia's message stating that she did not want PC Mascia, to come back home because *“there were nights I would go to be [sic] crying as he was so nasty to me”*. In contrast to this statement about her son Mrs Mascia offers Ms Thomas refuge with the option to *“come back here and stay if you want till he calms down”*.
31. In the opinion of the panel the WhatsApp messages between PC Mascia and Ms Thomas

following the end of their relationship, tend to support Ms Thomas's evidence. In the messages PC Mascia accepts responsibility for the breakdown of the relationship, offers to undertake therapy to deal with his anger and states that he will get a punching bag to deal with his stress in future. The panel also concluded that the messages tended to undermine PC Mascia's evidence that Ms Thomas was equally responsible for the shouting and their arguments.

32. The Panel noted the submission made on behalf of PC Mascia, that Ms Thomas had made a malicious complaint against him in response to a letter sent to Ms Thomas in October 2023 advising her that Mr Mascia's father would be instigating legal proceedings against Ms Thomas for the recovery of his financial gift. In the opinion, of the Panel there was no credible evidence before it to support a finding that the complaint was malicious or fabricated. The dispute in respect of the status of the gifted deposit is referenced in the WhatsApp exchanges between Ms Thomas and her mother on the 6 August 2023 many months before Ms Thomas made her complaint to Essex Police.

Allegation 2

3. *In or around October 2022 you behaved in a way which was in breach of the Standards of Professional Behaviour, namely Discreditable Conduct, in that you walked into the living room, where Ms. Thomas was sat, picked up a pillow from the sofa and told Ms. Thomas you had the intense urge to hold the pillow over her face until she stopped breathing.*

33. In her statement dated 15 October 2023 Ms Thomas states:

"In OCTOBER 2022, we began arguing over something that I couldn't remember. I do remember however, GIO came downstairs to the living room where I was sat in such a calm manner it was scary. He picked up a pillow from the sofa and told me that he had the intense urge to hold the pillow over my face until I stopped breathing. This absolutely terrified me because he was acting so calm, I believe that he could have easily tried to kill me that day."

34. In her oral evidence Ms Thomas stated that she and PC Mascia were arguing about the chores in the house, she walked downstairs to get away from him. He came downstairs and sat next to her and said that he had an urge to put a pillow over her face, and he could picture it. She stated that she felt numb and didn't know what to do after he made the comment.

35. PC Mascia denies this allegation in his Regulation 31 response and his statement under caution states:

Despite having heated arguments, I have never threatened to kill Megan, nor did I suggest in October 2022, or at any time during or after our relationship, that it would be easy to smother her with a pillow. That is an incredibly disturbing and graphic thing to say and is not something I would ever do.

36. For the reasons detailed above the Panel preferred the evidence of Ms Thomas over that of PC Mascia and found Allegation 2 proved on the balance of probabilities.

Allegation 3

4. On 6 August 2023, you behaved in a way which was in breach of the Standards of Professional Behaviour, namely Discreditable Conduct, in that during an argument you:
 - a. Threw Ms. Thomas' books at the window causing them damage, namely bending the pages.

37. In Ms Thomas's statement dated 15 October 2023 she states:

"... on 6th AUGUST 2023. Another argument occurred between GIO and I over finances to do with the renovations to our home. GIO began swearing and shouting at me. I finally had enough and told him that I didn't want to be in relationship with him anymore. He stormed off downstairs. While he was down there, I began deleting things about us on social media. At around 10pm that evening, GIO kicked the door open and began throwing things around which included my books at the window which has not caused any damage to them except some slightly bent pages. He began punching the headboard where I was laying on the bed, lingering over me so I couldn't get up. I told him to calm down as he was scaring me. He told me that he was calm as he "WAS NOT BATTERING ME" referring to him beating me up."

38. In oral evidence Ms Thomas stated that PC Mascia, threw one book, "He ripped it out of my hands and threw it"; and her WhatsApp message to Mrs Thomas on the 6 August 2022 she states:

"He came in and started shouting, he threw my book of the bed and was really angry, apparently he didn't know we were broken up? He's now asking if I actually mean it...He's begging and sobbing".

39. Ms Lee- Ann Thomas' (Mrs Thomas) statement dated 8 November 2023 says:

"Megan told me what had happened the previous night. She said that she had been arguing with Giovanni in the bedroom, he was calling her names. Giovanni grabbed a book out of Megan's hand and threw it across the room, hitting the window. She told me that Giovanni was also punching the headboard repeatedly right next to her head whilst she was sitting up in bed.

40. PC Mascia's Regulation 31 response states:

"The officer denies kicking the door open and damaging her books at the time. He did not throw them at the window or anywhere else and he did not punch the headboard over her head or try to scare her."

41. In oral evidence PC Mascia stated that the book was on the bed, he picked it up and placed it on the floor. He had intended to sit on the bed and speak to Ms Thomas about their relationship, but he realised that this wasn't the best angle, so he sat on the chest of drawers directly in front of Ms Thomas.

42. In oral evidence, Ms Thomas provided an explanation around the discrepancy between her statement account (which referenced plural “books” and “things being thrown around”) in contrast to her oral testimony and the WhatsApp message which solely referenced a singular book. She said that the error was in the provision of her statement due to her being anxious and stressed when she gave the statement (which was provided virtually rather than in person).
43. The panel accepted her reason for the discrepancy and her account in oral evidence, but noted that her evidence now does not support the wording of allegation 3 as charged. **The panel therefore found this allegation, as worded, not proved.**

Allegation 4

5. *Following the incident set out at paragraph 4, you behaved in a way which was in breach of the Standards of Professional Behaviour, namely Discreditable Conduct, in that you:*

Removed Ms. Thomas’ toy stuffed elephant from her hands and took it into the kitchen. You then held a knife to the toy and threatened to cut it open if you did not speak with her and try to resolve your relationship. Ms. Thomas walked away saying she did not want to continue the relationship and went to bed.

44. Ms Thomas’s statement dated 15 October 2023 states that immediately after the book throwing incident on 6 August 2023:

“He told me that he was calm as he “WAS NOT BATTERING ME” referring to him beating me up. He then snatched my toy stuffed elephant out of my hands and ran downstairs with it to which I followed. He went into the kitchen and picked up a knife and held it to the toy making threats to cut it open if I didn’t speak with him and try and resolve the relationship. I walked away from him telling him that I didn’t want to continue the relationship and went to bed. GIO came back upstairs while I was in bed telling me that he didn’t want to sleep alone. He got in the bed while I was trying to sleep and began stroking my which I told him I didn’t want however he continued anyway”.

45. Ms Thomas’s oral evidence was consistent with the account in her statement. She stated that the elephant was her “comfort toy”. The panel noted Ms Thomas made a cradling gesture to demonstrate how she would hold this toy.

46. Mrs Thomas in her statement dated 8 November 2023 states:

“The following day Megan went to work, and I was at home. Giovanni turned up at the house unannounced. He had chocolates and flowers for Megan and asked if he could speak to me. I was quite interested to hear what he had to say so I allowed him in and sat with him in the lounge. Giovanni asked me “What has Megan told you?”. I think he was fishing to see what I knew. I told him that Megan had told me about him calling her names, punching the headboard and threatening to cut her toy. Giovanni said “Yes, that’s all true, I want to apologise, I’ve treated

Megan appallingly for eighteen months". He said, "I take full responsibility".

47. In oral evidence, Mrs Thomas was consistent in her account that PC Mascia agreed and took full responsibility for the acts that she listed aloud to him that her daughter had said occurred on the 6 August (which included taking a knife to the toy and threatening to cut it open).

48. PC Mascia states in his statement under caution that:

"Eventually, Megan ended our relationship on the 6th of August 2023. I remember coming home and having an argument. She indicated that we were arguing too much, often about the same things, and that she had had enough. Obviously, I loved her and wanted to try to salvage the relationship. I tried to speak to Megan about things, but she wasn't interested. At no point during our conversation did I hold a knife up to her toy elephant. Nor did I threaten to cut the toy open."

"Similarly, I have never used violence in order to frighten Megan. During arguments, I attempt to isolate myself so that things cool down. I would sometimes leave the room during an argument with Megan, go to another room, and punch the wall out of frustration. This was never directed towards her and was never a "threat" or anything like that. It was just the way I expressed myself at the time."

49. PC Mascia's Regulation 31 response states:

"He did not hold a knife to her toy elephant or made any threat to damage it."

50. PC Mascia maintained his denial of the allegation in his oral evidence. He accepted the content of the WhatsApp messages sent to Ms Thomas after the breakdown of their relationship (referenced above) but stated that he was apologising and saying what he thought he needed to say to get Ms Thomas back. When he said in the messages Connie and his Grandma would have been ashamed of "what I did" and "I accept i am wrong, i accept that i took my frustration out on you. I should not have done it and I will change.. It will never happen again". He maintained he was not talking about what he did on the 6 August, but he was referring to his behaviour generally during his relationship with Ms Thomas. In response to cross examination, PC Mascia stated that Mrs Thomas was lying when she said that he admitted that he had threatened to damage the toy elephant during his visit on the 8 August 2023.

51. In the opinion of the Panel, the apologies and the acceptance of wrongdoing contained in the WhatsApp messages that PC Mascia sent to Ms Thomas in the days following the breakdown of their relationship appeared on balance to relate to a single incident. The Panel accepted the evidence of Mrs Thomas and concluded on the balance of probabilities that PC Mascia had admitted to threatening to cut the toy elephant and that Ms Thomas's account was true. The Panel therefore found Allegation 4 proved.

BREACH OF STANDARDS

52. Having found all allegations proven (*apart from allegation 3 due to the wording*) against PC Mascia, the Panel went on to consider whether, by reason of the facts found proved, the Officer had acted in breach of the Standards of Professional Behaviour (“SPB”).
53. The AA alleges breaches of the standard of Discreditable Conduct. The panel considered the facts relied upon within the Regulation 30 Notice, the facts found by the Panel as set out above, the submissions made on behalf of the AA and PC Mascia and the legal advice provided by Ms Simon when determining whether the conduct of PC Mascia amounted to a breach of this standard.
54. The narrative for the Standards of Professional Behaviour in Schedule 2 states:

Discreditable Conduct : police officers behave in a manner which does not discredit the police service or undermine public confidence in it, whether on or off duty.

55. The Panel had found that PC Mascia had engaged in a course of aggressive and coercive behaviour towards his then partner Ms Thomas which ranged from emotional abuse, to direct threats of harm to physical assault. In the opinion of the Panel such behaviour clearly breached the standard of discreditable conduct.

MISCONDUCT/GROSS MISCONDUCT

56. Having found the breach of the standards as set out above, the Panel carefully considered whether on the balance of probabilities the breaches amounted to gross misconduct, misconduct or neither. Gross misconduct is defined in the Regulations as meaning a breach of the standards of professional conduct so serious that dismissal would be justified. Misconduct is defined as a breach of the standards of professional behaviour that is so serious as to justify disciplinary action.
57. When deliberating on this issue the Panel had reminded itself of the need to protect public confidence in and the reputation of the Police Service, the need to maintain high professional standards and the need to protect the public and officers and staff by preventing similar misconduct in the future.

58. In assessing the seriousness of the misconduct, the Panel had regard to the College of Policing “Guidance on Outcomes in Police Misconduct Proceedings” (“the guidance”) which provides that “ Misconduct involving violence, intimidation or sexual impropriety is serious and can significantly undermine public trust in the profession” and that “Violence against women and girls perpetrated by a police officer, whether on-duty or off-duty, will always have a high degree of culpability, with the likely outcome being severe.” Having found that PC Mascia had physically and emotionally abused Ms Thomas over a period of time the Panel determined that PC Mascia’s conduct was so serious that dismissal could be justified.

59. The Panel therefore concluded that PC Mascia’s conduct amounted to Gross Misconduct.

OUTCOME

60. In determining the appropriate and proportionate sanction the Panel have had regard to PC Mascia’s service record, the facts found proved, the submissions made on behalf the AA and PC Mascia and the legal advice received from Ms Simon. The panel applied the three-stage procedure set out in the guidance. The Panel assessed the seriousness of the misconduct, keeping in mind the purpose of imposing sanctions and chose the sanction which most appropriately fulfils that purpose for the seriousness of the conduct in question.

Seriousness of the misconduct

61. In assessing the seriousness of the misconduct, the Panel have considered:

- i. The officer’s culpability for the misconduct.
- ii. The harm caused by the misconduct.
- iii. The existence of any aggravating factors.
- iv. The existence of any mitigating factors.

62. Culpability is defined as the blameworthiness or responsibility of the officer for their actions. The panel determined that PC Mascia was entirely culpable for his behaviour towards Ms Thomas, his actions were deliberate, sustained and criminal in nature. This is an allegation that falls within the category of violence against women and girls (VAWG) PC Mascia’s behaviour was violent and intimidating, and as such the degree of his culpability is high.

63. Harm can be caused in several ways, the guidance emphasises how the public might perceive such behaviour if it were to become known is a relevant factor to take account when making a determination of harm. Ms Thomas suffered physical harm in the form of bruising and emotional distress, she described feeling terrified and suffering a loss of confidence. Mrs Thomas also described the effect that PC Mascia's conduct on her daughter stating that she had become isolated withdrawn and subdued. VAWG is a matter of local and national concern and it has a significant impact and detriment on the standing and reputation of the profession as whole.
64. Turning to aggravating factors, the panel considered the actions of PC Mascia to constitute domestic abuse. The MPS and all police forces throughout the country have been criticised for not responding properly or sufficiently to matters of domestic abuse. This matter directly relates to violence against a woman and this is a specific aggravating factor within the guidance at para 4.76.
65. PC Mascia was clearly trying to be emotionally manipulative to Ms Thomas, as demonstrated in his threats of suicide if she left him and by threatening to cut her comfort toy.
66. The aggravating features in the guidance (4.76) is not an exhaustive list, however the panel noted that PC Mascia did not appear to show insight into the gravity of his misconduct that the panel found proved.
67. The Panel were cognisant of the guidance at 4.79 around mitigating factors, being careful not to conflate mitigation to conduct and personal mitigation (at para 6). In respect of PC Mascia's xxxxxxxxxx the panel accept he was suffering from significant physical impairment which would have exacerbated other stresses in his life, such as the renovation project at his property, his role as a police officer and financial concerns. This could potentially have had an impact on his temperament. However, the panel does not feel that xxxxxxxx diminishes the seriousness of his conduct.
68. In personal mitigation, the panel noted the number of positive character references and it appears that this behaviour may have been out of character. In addition, PC Mascia expressed some remorse in the form of apologies in his WhatsApp messages to Ms Thomas.

Purpose of the Sanction

69. The Panel kept in mind at all times the threefold purpose of imposing sanctions, namely: (a) maintenance of public confidence in and the reputation of the police service; (b) upholding high standards in policing and deterring misconduct; (c) protection of the public. Of these, the maintenance of public confidence in and the reputation of the police service is paramount.

Choosing the most appropriate sanction

70. The Panel has considered the purpose of the misconduct regime, and having had due regard to all of the circumstances, including, the risk of undermining public confidence in the police service, the panel considers this to be a highly serious breach of professional standards.

71. The Panel had careful regard to the purpose of outcomes and that they are not intended primarily to be punitive. The Panel also had regard to the need for outcomes to be proportionate. The Panel concluded that PC Mascia's personal mitigation, cannot outweigh the need to set & maintain high standards in policing, maintain public confidence in and the reputation of the police service.

72. In line with the guidance at 7.4, the panel considered the least severe outcome first. The panel determined that a final written warning would be neither proportionate nor appropriate to address the seriousness of this case and to retain confidence in policing.

73. There is no place in the police service for officers who abuse their partners, this type of behaviour is totally inconsistent with the values of the MPS. In the circumstances, the only appropriate sanction in this case is dismissal without notice.

Commander Katie Lilburn

Dave Scott

Joy Julien

17th April 2025