

## Police (Conduct) Regulations 2020

### Regulation 43 Outcome of Police Misconduct Hearing

In the matter of :

**A/DS Lisa Jones**

(Metropolitan Police Service P238440)

**Panel:** Mr Jeremy Foot (chair), Mr David Scott, Ms Sophie Kane.

**Legally Qualified Adviser ("LQA"):** Ian Comfort

**Hearing:** Public hearing held on 24-26 February 2026

**Appropriate Authority ("AA"):** represented by Mr Julian Waters, Counsel

**Officer:** in attendance and represented by Mr Luke Ponte, Counsel

#### INTRODUCTION

1. This is the Panel's written determination following a public misconduct hearing concerning A/DS Lisa Jones ("the Officer"). The hearing was convened under the Police (Conduct) Regulations 2020 (the "Regulations") and proceeded on the basis of the allegations particularised in the Regulation 30 notice.
2. This determination sets out the legal advice provided to the Panel, the Panel's findings of fact, its assessment as to breaches of the Standards of Professional Behaviour, and the outcome determined under Regulation 43.

#### BACKGROUND

3. The Officer provided details of her upbringing and family life. She began her career as a teaching assistant supporting children and young people with special educational needs and, with support from her school, completed a degree in education at the University of East London .
4. After qualifying as a teacher and working in challenging schools, she met a police officer who was instrumental in her applying to join the Metropolitan Police Service (the "MPS").

5. She served in Ilford, then in the domestic violence unit, before moving to the indecent images team. After qualifying as a detective constable, she returned to the domestic violence unit.
6. In September 2022, she was given a temporary promotion to acting detective sergeant in the gangs unit. It was whilst acting in that role that complaints were made about her behaviour.
7. In summary, it was alleged that between July 2022 and March 2023 she sexually harassed three male officers and used homophobic language on two occasions. In her Regulation 31 response, the Officer denied the allegations but accepted using one phrase, which she stated had been said without any discriminatory context.

#### ALLEGATIONS

8. The allegations of fact and misconduct made against the Officer are set out in the Regulation 30 notice:
  - 1 *“As an acting sergeant, you were in a position of responsibility over more junior officers in your team.*
  - 2 *You used language or behaviour that amounted to sexual harassment in the workplace, including:*
    - a) *In or around October 2022, [OFFICER A] was in uniform when you wolf-whistled at him and said words to the effect of ‘get your fucking kit off’.*
    - b) *In or around November 2022, you were in a car driven by [OFFICER A]. You touched his thigh without reason or invitation.*
    - c) *Later on the same occasion, [OFFICER A’s] hand was on the gearshift. You placed your hand atop his and left it there without reason or invitation.*
    - d) *Sometime in late 2022 or early 2023, [OFFICER A] was in the office when you entered and sat on his lap without reason or invitation.*
    - e) *Sometime in late 2022 or early 2023, you were organised a surveillance job involving you and [OFFICER A] being posted in a vehicle. You said words to the effect of ‘Me and [OFFICER A] are*

*going at it', which was a reference to sexual activity. You then repeated 'we are going at it' two or more times.*

- f) *On a date during the relevant period, you were sat at a table with [OFFICER B] when you brushed your foot against his leg under the table to play 'footsie'.*
  - g) *On a date during the relevant period, you were in the office as [OFFICER A] and [OFFICER B] walked past. You said to [OFFICER A] words to the effect of 'get under the desk', which was a suggestion that he perform oral sex on you.*
  - h) *On a date during the relevant period, [OFFICER A] was sat at his desk when you reached over his shoulder and touched his nipple.*
  - i) *On a date during the relevant period, [OFFICER C] arrived at the station wearing motorcycle clothing when you commented on how sexy he looked in his motorcycle clothing.*
  - j) *On or around 9 January 2023 [OFFICER C] was wearing a thin grin [sic] t-shirt and putting on protective motorcycle trousers when you twisted both of his nipples.*
  - k) *On or around 15 March 2023 [OFFICER A] was in uniform when you again wolf-whistled at him and said words to the effect of 'look at you'.*
- 3 *Your conduct above towards [OFFICER A], [OFFICER B], and [OFFICER C] violated their dignity and/or created an intimidating, hostile, degrading, humiliating, or offensive environment for them in the workplace.*
- 4 *On at least two occasions during the relevant period, you used language discriminatory towards homosexual people, including:*
- a) *In or around Autumn 2022 in a conversation to/with then-PC Kashif Anjum, you told a person 'Don't be gay about that'.*
  - b) *In a conversation with DS James Rush during the relevant period, you described a person as 'acting like a poof'. The word 'poof' is here understood as a term for a gay person describing them as weak or thin-skinned.*

## STANDARDS OF PROFESSIONAL BEHAVIOUR BREACHED

*Your behaviour above breached the following Standards of Professional Behaviour:*

### *Authority, Respect and Courtesy*

*Police officers act with self-control and tolerance, treating members of the public and colleagues with respect and courtesy. Police officers do not abuse their powers or authority and respect the rights of all individuals.*

### Equality and Diversity

*Police officers act with fairness and impartiality. They do not discriminate unlawfully or unfairly.*

## ASSESSMENT OF BREACH

- 5 *Your actions described above, taken individually or cumulatively, are so serious as to justify dismissal. Accordingly, your breaches of the Standards of Professional Behaviour amount to gross misconduct.”*

## EVIDENCE

9. In preparation for the hearing the Panel was provided with: (i) an electronic bundle totalling approximately 120 pages; (ii) the Officer's Regulation 31 response; (iii) the AA's opening note; and (iv) an electronic bundle of testimonials. The Panel received oral evidence from OFFICER A, OFFICER B, OFFICER C, DS (now Insp) Rush, and Mr Kashif Anjum. Statements were agreed for several other police officers. The Officer gave evidence.

## LEGAL ADVICE TO THE PANEL

### Structured approach

10. At this stage, the Panel must adopt a three-stage approach: (1) make findings of fact on each allegation and sub-paragraph; (2) determine whether those facts constitute a breach of the relevant Standards of Professional Behaviour; and (3) determine whether any breach amounts to misconduct or gross misconduct.
11. If it finds any allegation of misconduct proved, it must then move on to consider the outcome, having heard further submissions from the parties.

### Regulations and Guidance

12. The Panel must have regard to:
- a) the Police (Conduct) Regulations 2020 and the Standards of Professional Behaviour (Schedule 2);

- b) the Statutory Guidance on Professional Standards, Performance and Integrity in Policing (2020);
- c) the College of Policing Code of Ethics (2014); and
- d) the College of Policing Guidance on Outcomes in Police Misconduct Proceedings.

The Panel must also be mindful of the need to maintain public confidence and the principle of proportionality when determining outcome.

#### Burden and Standard of Proof

- 13. The burden of proof rests on the AA; the Officer does not need to prove anything. The standard of proof is that applicable to civil proceedings, namely the balance of probabilities, that is to say whether it is more likely than not that the events occurred.

#### Sexual Harassment (Equality Act 2010, s.26)

- 14. Sexual harassment occurs where a person engages in unwanted conduct of a sexual nature and the conduct has the purpose or effect of (i) violating another's dignity, or (ii) creating an intimidating, hostile, degrading, humiliating, or offensive environment for that person.
- 15. In deciding whether conduct has the 'effect' described, the Panel must take into account: (a) the perception of the person concerned; (b) the other circumstances of the case; and (c) whether it is reasonable for the conduct to have that effect. This requires a combined subjective and objective assessment.

#### Evidence, Credibility and Reliability.

- 16. The Panel should avoid treating each piece of evidence in isolation and should consider the reliability of the evidence as a whole. Human memory is fallible; memories are fluid and can be influenced by external information received before statements are made or hearings take place. Demeanour is a poor guide to truthfulness.
- 17. The Panel should explain why it accepts or rejects key parts of any evidence and may accept some aspects of a witness's evidence while rejecting others (credibility can be divisible).

#### Delay and witness discussion

18. A complaint made late is not necessarily untrue; a complaint made immediately is not necessarily true. The Panel should consider explanations for delay such as shame, shock, confusion or fear of not being believed, and assess whether any delay impacts on reliability.
19. The Panel should be alert to the risk that discussion between witnesses before and after complaints are made may lead to 'cognitive contamination' whereby individual recollections become aligned with a shared narrative. Where there is evidence of such discussion, the Panel should proceed with caution and look for independent corroboration before relying on similarity of accounts. If the possibility of collusion or contamination creates a real doubt as to reliability, the AA will not have proved the allegation to the required standard.

#### Good Character -credibility and propensity

20. The Officer's good character is relevant in two ways: it may support her credibility (the 'credibility limb') and may make it less likely that she committed the alleged acts (the 'propensity limb'). The weight to be given is for the Panel, having regard to all the evidence.

#### Misconduct and Gross Misconduct — definitions and seriousness

21. 'Misconduct' is a breach of the Standards of Professional Behaviour that is so serious as to justify disciplinary action. 'Gross misconduct' is a breach so serious as to justify dismissal.
22. Finally, Although the Outcome Guidance deals with seriousness assessment at the outcome stage it is important that the Panel also assesses seriousness before determining whether a matter amounts to misconduct or gross misconduct. The Panel should assess seriousness by reference to culpability, harm (including to public confidence), aggravating and mitigating features, and the need to uphold professional standards.

#### FINDINGS OF FACT

23. The Panel listened carefully to all the oral evidence. It read and carefully considered every item of the documentary evidence before it. It considered the totality of the evidence and submissions made. In this determination it does not deal with each, and every aspect of the evidence or submissions made, but states its main conclusions

#### Allegation 1

24. The Panel noted that this was not an allegation but a statement of fact. It was accepted by all parties that, at the material time, the Officer was acting as a sergeant and therefore held a position of responsibility and supervisory authority over more junior officers within her team.

#### The Panel's Approach to Allegations 2 and 3 (Sexual Harassment)

25. Before determining each sub-allegation, the Panel sets out its approach to Allegations 2 and 3.
26. Allegation 2 concerns specific acts said to amount to sexual harassment. Allegation 3 concerns the statutory effect of that conduct under section 26 of the Equality Act 2010.
27. The Panel reminded itself that the burden of proof rests throughout on the Appropriate Authority ("AA"), and the standard is the balance of probabilities. The seriousness of the allegations does not alter that standard.
28. The Panel must first determine whether the underlying factual acts occurred. Only if a factual allegation is proved does the Panel move to consider whether it satisfies the statutory definition of sexual harassment, including the combined subjective and objective assessment required by section 26(4).
29. The statutory test applies to the individual subjected to the conduct. The Panel therefore assessed the evidence relating to OFFICER A, OFFICER B and OFFICER C separately. However, the Panel also considered the totality of the evidence and did not assess each allegation in artificial isolation. Where similar accounts were advanced, the Panel considered whether they were capable of lending support to one another, bearing in mind issues of independence and reliability.
30. The Panel recognises that allegations of this nature often concern interactions which occur in informal settings and without independent witnesses. A lack of contemporaneous documentation or third-party observation does not prevent an allegation from being proved. The Panel did not approach the evidence on the basis that corroboration was required as a matter of law.
31. The Panel notes that there is evidence before it that there was a widely circulated rumour regarding the Officer's inappropriate behaviour towards young male officers and that she had favourites amongst them.

32. The Panel recognises that colleagues may discuss workplace concerns with one another before or after making formal complaints. Such discussions are not improper and do not, without more, indicate collusion or bad faith.
33. However, where there is evidence that accounts were discussed in detail before formal statements were made, the Panel must consider whether that circumstance affects the independence or reliability of later recollections. Human memory is fallible and may be influenced, often unintentionally, by subsequent conversations. The Panel therefore assessed carefully whether similarities between accounts arose independently or may have been shaped by later discussion.
34. In each instance, the Panel assessed:
  - a) internal consistency within each witness's evidence;
  - b) consistency between witnesses;
  - c) contemporaneity of reporting;
  - d) the specificity and clarity of recollection;
  - e) alternative explanations consistent with the evidence; and
  - f) whether, taken as a whole, the AA had established that it was more likely than not that the conduct occurred as alleged.
35. The Officer denied each of the allegations under Allegation 2. The Panel bore in mind that a denial does not of itself create reasonable doubt; the question is whether, on all the evidence, the Panel is satisfied that the alleged conduct more likely than not occurred.
36. In several instances, the Panel noted that certain details were recorded for the first time in statements made many months after the events, following a period in which witnesses had discussed their experiences. The Panel does not treat the timing of a complaint as determinative. However, where later statements contained additional or more specific allegations not previously recorded, the Panel considered whether the passage of time and intervening discussions limited the weight that could safely be placed upon those later recollections

2(a) Wolf-whistling and 'get your fucking kit off' (October 2022)

The Panel finds this allegation **not proved**.

37. The allegation rests primarily on OFFICER A's account and is denied by the Officer. The only other material is a statement from Amanda Kelly made

months after the event and after discussions had taken place. She does not mention a wolf-whistle or the words alleged to have been said.

38. The Panel considered whether the account was sufficiently clear and reliable to establish that the incident occurred as alleged. In the absence of supporting evidence the Panel is not satisfied that it is more likely than not that this incident occurred in the terms alleged.

2(b) hand on thigh whilst driving (November 2022) and 2(c) Hand on the gearshift (November 2022)

The Panel finds these allegations **not proved**.

39. The only evidence in support of this allegation is a retrospective account given by OFFICER A many months after the event; the Officer denies that it occurred. There was no corroborating evidence to support this allegation. The Panel accepts that incidental physical contact can occur in the confined space of a moving vehicle, and in the absence of any contemporaneous note or independent supporting evidence, The evidence does not establish, on the balance of probabilities, that any contact was deliberate..
40. Given the timing of the statement, the potential impact of witness discussions, and the Officer's denial, the Panel is not satisfied, on the balance of probabilities, that the conduct occurred in the manner alleged.

2(d) Sitting on OFFICER A's lap (Late 2022/Early 2023)

The Panel finds this allegation **not proved**.

41. The Panel identified a material inconsistency between the accounts of OFFICER A and OFFICER B as to the physical nature of what occurred. One account described the Officer sitting directly on OFFICER A's lap; the other described her sitting on the arm of a chair after it turned.
42. Both accounts cannot simultaneously be accurate in their central description. The Panel considered whether either version could safely be preferred. In light of the inconsistency and the absence of contemporaneous reporting, the Panel is not satisfied on the balance of probabilities that the incident occurred as alleged.

2(e) Saying 'Me and [OFFICER A] are going at it' (Late 2022/Early 2023)

The Panel finds this allegation **not proved**.

43. The Panel assessed the contemporaneity, independence, and opportunities for misperception regarding this alleged remark. The Panel notes that this allegation was first recorded by OFFICER B , who recalled the Officer making the comment while organising a prolonged surveillance posting in a vehicle. OFFICER B stated he subjectively felt the comment was "*sexual in nature.*"
44. The words reported are inherently ambiguous and are capable of carrying different meanings depending on tone and context, including colloquial references to working intensively on a long or difficult task. There is no independent evidence confirming that the phrase was said with any inappropriate intent, and the Officer firmly denied the allegation.
45. Crucially, the Panel notes that OFFICER A only included this specific allegation in his later statement prepared in November 2024, approximately 18 months after the period in question. Because OFFICER A's corroboration emerged following unrecorded discussions with OFFICER B, the Panel was concerned that OFFICER B's interpretation of an ambiguous phrase was subsequently adopted by OFFICER A during their discussions. The Panel notes that the phrase is capable of innocent meanings and the evidence does not establish the alleged meaning
46. In the absence of untainted corroboration, and given the objective ambiguity of the phrase in context, the Panel is not satisfied, on the balance of probabilities, that the factual allegation is proved.

2(f) Playing 'footsie' with OFFICER B

47. The Panel finds this allegation **not proved**.
48. OFFICER B stated that on one occasion (undated) the Officer brushed his leg with her foot under the table in the office and that it felt deliberate to him. The Officer denied the allegation.
49. The Panel notes that this account relies on OFFICER B's personal impression of intention rather than on a clear recollection of a deliberate act. In a shared office environment, with closely arranged seating, incidental contact is a realistic alternative explanation. The Panel must assess intention objectively, and a subjective feeling that the act "felt deliberate" cannot, without more, establish that the conduct occurred as alleged.

50. There is no contemporaneous note of the incident, nor is there any independent corroboration from other officers present in the office. The Panel also notes that witnesses had discussed their concerns with one another before formal statements were made, which requires caution when assessing later interpretations.
51. In light of the absence of corroboration, the possibility of accidental contact, the reliance on subjective perception, and the Officer's denial, the Panel is not satisfied, on the balance of probabilities, that the conduct occurred in the manner alleged. The allegation is therefore not proved.

2(g) Saying 'get under the desk' to OFFICER A  
The Panel finds this allegation **not proved**.

52. The Panel carefully assessed the context, contemporaneity, and witness consistency regarding this alleged remark. The Officer denied making this comment.
53. The Panel notes that the specific interpretation of this phrase, that it was a suggestion to perform oral sex, originates from the account of OFFICER B, who recalled feeling uneasy and subjectively interpreting the tone of the conversation in that manner.
54. Furthermore, the Panel observes that this specific allegation did not appear in OFFICER A's accounts until his second statement in November 2024, approximately 18 months after the alleged incident. While the Panel recognises that OFFICER A's overall perception of his time in the unit formed the basis of his broader complaints, the delayed emergence of this highly specific remark triggers the caution required regarding later-aligned accounts.
55. Because this specific detail emerged only after unrecorded discussions had taken place between the key witnesses, there is a significant risk that OFFICER B's subjective interpretation of the conversation's tone influenced later recollections.
56. When weighing the reliance on a third party's subjective interpretation, the significant delay in the specific phrase being reported by OFFICER A, the risk of cognitive contamination, and the Officer's clear denial, the Panel is not satisfied on the balance of probabilities that this event occurred as alleged.

2(h) Touching OFFICER A's nipple

The Panel finds this allegation **not proved**.

57. The Panel notes that the only claimed eyewitness, OFFICER B, did not actually describe seeing the specific act alleged; rather, his evidence confirmed only that he saw the Officer's arm positioned over OFFICER A's shoulder. That is insufficient to establish the conduct described.
58. The Panel further notes that this allegation appeared only in a later statement from OFFICER A, produced nearly 18 months after the event and after extensive discussions among the complainants. As explained in the Panel's legal advice, such circumstances require caution given the risk of memory conformity. Later-aligned accounts cannot be treated as independent corroboration.
59. With no reliable corroboration and the Officer's unequivocal denial, the Panel is not satisfied, on the balance of probabilities, that this factual allegation is proved.

2(i) Commenting that OFFICER C looked 'sexy'

The Panel finds this allegation **not proved**.

60. The allegation rests on a single witness's account and is denied by the Officer. There is no independent corroboration. In these circumstances, the Panel cannot be satisfied that the comment was made as alleged.
61. The Panel notes its earlier caution about the effect of witness discussions on later recollections and the need for independent support before relying on similarity of accounts. In the absence of such support here, the Panel is not satisfied, on the balance of probabilities, that this factual allegation is proved.

2(j) Twisting OFFICER C's nipples (9 January 2023)

The Panel finds this allegation **not proved**.

62. The Panel considered the "daily work return" completed by OFFICER C on 9 January 2023. Although this note is contemporaneous, documentary evidence must be assessed in its full context. Because the AA did not provide surrounding entries from the same record, the Panel was unable to determine whether this was part of a routinely maintained diary or an isolated entry made on that particular day. The Panel does not question the genuineness of the

note; however, without surrounding context its evidential weight is limited. The absence of surrounding entries limited the Panel's ability to assess the context and routine nature of the document, which reduced the weight it could safely place upon it.

63. The Panel also exercised particular caution when assessing the witness evidence relied upon by the AA. The detailed corroboration offered by OFFICER A first appeared in a statement produced nearly 18 months after the alleged event, and after extensive unrecorded discussions had taken place between the complainants. As set out in the Panel's legal advice regarding the risks of memory conformity and cognitive contamination, later-aligned recollections must be approached with care before they can be treated as independent corroboration. In the circumstances, the Panel cannot safely treat OFFICER A's later account as independent support for the allegation.
64. Having weighed the limited contextual value of the work note; the timing and circumstances in which the corroborative account arose; ( the risk that recollections may have been unintentionally shaped through group discussion; and the Officer's unequivocal denial, the Panel is not satisfied, on the balance of probabilities, that this allegation is proved.

2(k) Wolf-whistling and saying 'look at you' (March 2023)

The Panel finds this allegation **not proved**.

65. The incident is said to have occurred in a busy office, yet no other officer reported hearing either a whistle or the comment, which is an important factor when assessing whether the event happened. The Officer gave a clear denial.
66. The Panel considered the words said to have been used. They can carry different meanings depending on tone and context. Although it is alleged they were accompanied by a whistle, there is no independent evidence confirming either the sound or the remark. As such, the evidence is insufficient to establish, on the balance of probabilities, the meaning alleged.
67. As the burden rests on the AA, and considering (i) the lack of corroboration in a populated workspace, (ii) the ambiguity of the wording, and (iii) the Officer's denial, the Panel is not satisfied, on the balance of probabilities, that the allegation is proved

## Conclusion

68. During the course of the hearing, the terms conspiracy and lying were used to describe the actions of various witnesses.
69. In response to these terms being put to her, the Officer stated in her evidence that she believed the witnesses were lying. The Panel has deliberated on this point and wishes to clarify that we do not interpret the Officer's use of the word "lying" as a separate, formal allegation of bad faith or a lack of integrity against her colleagues. Rather, we view it as a robust expression of her total denial of the events as described.
70. Furthermore, the Panel makes no determination that any witness engaged in a deliberate conspiracy or was intentionally lying. Our assessment does not rest on a finding of malice or a determination of the moral character of the witnesses. Instead, our focus remains strictly on the reliability and independence of the evidence.
71. The Panel accepts that witnesses may genuinely believe their recollections, even where the evidence does not allow the Panel to treat those recollections as reliable to the required standard. However, as established in the evidence, the witnesses engaged in extensive discussions regarding the allegations of sexual harassment both before and after formal complaints were lodged. It is the Panel's view that such contamination can lead to a "shared memory" or a collective narrative that feels truthful to the individuals involved, even if it is objectively inaccurate or has been retrospectively re-framed. This process of memory alignment is often unintentional and does not necessarily imply a malicious intent to deceive.
72. Consequently, rather than finding that the witnesses conspired to lie, the Panel concludes that the lack of independent, untainted testimony, combined with the inherent ambiguity of the alleged interactions, means the Appropriate Authority has failed to prove allegations (a) through (k) on the balance of probabilities.

## Allegation 3 – sexual harassment

The Panel finds this allegation **not proved**

73. As the Panel has found none of the underlying factual allegations in Allegation 2 proved, Allegation 3 cannot be established. The statutory test under s.26 Equality Act 2010 requires factually proven conduct. Even if one or more

incidents had been found proved, the Panel would still have been required to consider whether, applying the combined subjective and objective test in s.26(4), the conduct had the purpose or effect of violating dignity or creating an adverse environment. As no factual findings have been made, this stage does not arise.

#### Allegation 4 – Discriminatory Language

The Panel finds this allegation **proved**

74. The issues for the Panel to determine were:

- a) Did the Officer use the words alleged?
- b) If so, do those words amount to discriminatory language.

#### 4(a) “...don’t be gay about that”

75. The Officer denied using the word “gay” in this context or at all. The Panel has considered the clear and specific evidence of Mr Kashif Anjum, who recalled a conversation in which the Officer said, “don’t be gay about that.” His evidence has several features which the Panel considers relevant to its reliability:

- a) His account was an isolated, self-contained interaction, not the result of any group discussion or collective narrative.
- b) He described the Officer immediately recognising from his reaction that he was gay and clarifying that she did not intend the comment offensively.
- c) He accepted the clarification, believed her explanation, and stated that he maintained a good working relationship with the Officer thereafter.
- d) He had no apparent motive to exaggerate or misrepresent the conversation.
- e) He made clear that he had never heard her use the phrase again and had never experienced inappropriate conduct from her personally.

76. The Panel finds this evidence to be balanced, measured, and untainted by the contamination concerns affecting other witnesses. On the balance of probabilities, the Panel finds that the Officer did use the phrase “don’t be gay about that”.

#### 4(b) Use of the word “poof”

77. The Officer accepts that she used the word “poof” in an informal conversation but asserts it referred to a family member “farting about” or “being full of hot air” , and that she did not use it in a context connected to sexuality. She denied that this comment was made in the presence of DS Rush or that he challenged her as alleged. The Panel did not find that the question of DS Rush’s disputed presence was a significant factor in the determination of this allegation.
78. DS Rush’s evidence is that during a conversation between December 2022 and February 2023, he heard the Officer refer to a family member as “acting like a poof”. He states he challenged her choice of language, was surprised she used it given that he is openly gay, and that the Officer appeared regretful, embarrassed, and apologised.
79. The Panel notes that:
- a) This was another isolated conversation rather than an allegation arising from group discussion.
  - b) The Officer’s own admission that she used the word “poof”, albeit said to be in a different context, provides partial corroboration of DS Rush’s account.
  - c) The reported immediate apology and embarrassment is consistent with an instinctive recognition that the word was inappropriate.
  - d) There was no evidence suggesting that DS Rush’s recollection had been contaminated by any pre-statement discussion.
80. Accordingly, on the balance of probabilities, the Panel finds that the Officer did use the phrase “acting like a poof” as alleged.

#### Objective Meaning of the Words Used

81. In determining whether the language used was discriminatory, the Panel applied the objective standard required within the Equality and Diversity Standard and the College of Policing Code of Ethics. An ordinary and reasonable police officer, hearing the phrases used in a professional setting, would understand them as associating homosexuality with weakness or ridicule. The Officer’s intention is relevant but not determinative; the critical issue is the meaning and effect of the words when used by a supervisor in the

workplace. On that basis, the Panel finds that the language amounted to discriminatory conduct.

#### Conclusion

82. For the reasons above, the Panel finds on these two occasions the Officer used language discriminatory towards homosexual people.

#### MISCONDUCT

83. In light of the facts found, the Panel has determined that the Officer's conduct in relation to the proven discriminatory language constitutes a breach of the Standards of Professional Behaviour.

84. The Panel finds that the use of the phrases "don't be gay about that" and "acting like a poof" represents a failure to adhere to the following standards:

#### Equality and Diversity

85. Police officers are required to act with fairness and impartiality and must not discriminate unlawfully or unfairly. By using language that employs a protected characteristic as a pejorative and using a recognised derogatory term, the Officer failed to promote a fair and inclusive environment. This conduct is objectively discriminatory.

#### Authority, Respect and Courtesy

86. Police officers must act with self-control and tolerance, treating colleagues with respect and courtesy. The use of such language in the workplace is disrespectful to the LGBTQ+ community and falls short of the professional courtesy expected of a serving officer, regardless of whether the words were intended to cause personal offence.

#### Assessment of Seriousness: Misconduct vs. Gross Misconduct

87. The Panel considered whether these breaches amount to Misconduct (a breach so serious as to justify disciplinary action) or Gross Misconduct (a breach so serious as to justify dismissal). In doing so, the Panel has assessed the seriousness of the conduct by reference to culpability, harm, aggravating and mitigating features, and the need to uphold professional standards.

#### Culpability

88. The Officer's culpability is moderate to high. She was solely responsible for her choice of words. Furthermore, as an Acting Detective Sergeant, she was in a

supervisory position of responsibility and was expected to act as a role model and set the standard for acceptable workplace behaviour.

#### Harm

89. The Panel assesses the harm caused by this language. While Mr Anjum stated he maintained a good working relationship with the Officer and DS Rush challenged the language directly, the harm extends beyond the immediate recipients. The use of discriminatory language by a supervisor normalises derogatory terminology, risks undermining team cohesion, and causes reputational harm to the Metropolitan Police Service by damaging public confidence in its commitment to equality and diversity.

#### Aggravating Factors

90. The primary aggravating factor is the Officer's rank. Supervisors using discriminatory language inherently carry a greater risk of creating an exclusionary culture. Furthermore, this was not a single, isolated slip of the tongue; it occurred on two separate occasions.

#### Mitigating Factors

91. The Panel carefully considered several significant mitigating factors present in the evidence:
- a) The evidence indicates that the language was not used as a targeted, malicious attack on either colleague's sexuality. Mr. Anjum recognised she did not intend it offensively, and her use of the word "poof" was in reference to a family member rather than a colleague.
  - b) In both instances, the Officer demonstrated immediate recognition of her error. She clarified her intent to Mr Anjum immediately, and when challenged by DS Rush, she appeared regretful, embarrassed, and apologised.
    - i) the Officer is of previous good character and she has a history of public service in challenging environments prior to and during her police career.

#### Conclusion on Misconduct

92. The use of discriminatory language in the workplace is entirely unacceptable and amounts to a serious failure to meet the standards expected of a police officer.

93. However, when weighing the culpability and harm against the significant mitigation, the Panel concludes that the conduct falls short of the threshold justifying summary dismissal.
94. Accordingly, the Panel finds that the breaches of the Standards of Professional Behaviour in respect of Allegation 4 amount to Misconduct, rather than Gross Misconduct

#### OUTCOME

95. The Panel was provided with a copy of the Officer's service record.
96. The Panel has found that the Officer breached the Standards of Professional Behaviour relating to Authority, Respect and Courtesy, and Equality and Diversity , by using discriminatory language on two occasions. The use of such language by a supervisor is unacceptable and risks undermining trust within the team and the wider community.
97. However, the Panel must balance the seriousness of these breaches against the specific circumstances and the mitigation present in this case. The Panel has already noted that the Officer did not use this language with malicious intent to target or demean her colleagues' sexuality. Crucially, on both occasions, she demonstrated immediate recognition of her error, showed genuine embarrassment, and offered immediate apologies.
98. Furthermore, the Panel places significant weight on the Officer's prior good character. This demonstrates a long-standing commitment to public service that stands in contrast to these isolated lapses in professional judgment.
99. Taking all of these factors into consideration, the Panel determines that the misconduct is not so serious as to require a Final Written Warning. The Panel is satisfied that the Officer has shown genuine remorse, understands why her language was inappropriate, and is highly unlikely to repeat this behaviour.
100. Therefore, to mark the unacceptability of the language used and to uphold the Standards of Professional Behaviour, the Panel determines that the proportionate outcome under Regulation 43 is a Written Warning. The Panel is satisfied that a Written Warning is the least severe sanction necessary to mark the seriousness of the conduct and maintain public confidence.

Right of appeal.

101. In accordance with Regulation 43(2), the Appropriate Authority shall provide the officer with a copy of this report and a notice of the right of appeal. The officer is reminded that she has a right to appeal to the Police Appeals Tribunal. ("PAT"). The PAT may increase or decrease any penalty or overturn our decision.