

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

BETWEEN

THE COMMISSIONER OF POLICE OF THE METROPOLIS

and

PC Maizey BALKWILL

PANEL FINAL DECISION

Introductions:

1. This is the written final decision in respect of the misconduct hearing of PC Maizey Balkwill (the Officer). The outline of the Panel's decision was provided to the Officer during the hearing.
2. The misconduct hearing was held in public from 13 to 16 July 2026 at Patrick Dunne House, Sutton with part of the hearing being held remotely. A notice of hearing was published in accordance with the Police (Conduct) Regulations 2020 ('the 2020 Regulations').
1. The Panel was chaired by Commander Peter Stevens, with independent panel members Ms Rachel O'Connell and Mr Pradeep Agrawal. The Legally Qualified Adviser(LQA) to the Panel was Ms Salma Yousef.
2. The Appropriate Authority (AA) was represented by Mr Peter Laverack (AA's representative) and the Officer was represented by Ms Rina Hill (Officer's representative). The Officer was also supported by Federation Representative PS Dan Pipes and a Welfare Officer.

3. At the outset of its determinations, and throughout the hearing, the Panel remained mindful of the overarching purpose of police misconduct proceedings, namely:
 - i. To maintain public confidence in, and the reputation of, the police service;
 - ii. To uphold high standards of professional conduct and deter misconduct;
 - iii. To protect the public.
4. The panel also reminded itself of its core responsibilities, namely:

To assess the facts of the case and make findings in relation to each allegation;

To determine whether those findings amount to a breach of the relevant Standards of Professional Behaviour;

To decide whether the conduct found proven constitutes misconduct or gross misconduct or neither.

5. The panel considered all the evidence presented in the misconduct hearing for PC Balkwill and listened carefully to the submissions by both by the AA and counsel for the Officer and reviewed the bundle provided in advance. It considered the totality of the evidence and submissions.
6. The Panel remained mindful that the burden of proof rests with the Appropriate Authority throughout the proceedings. The applicable standard is the balance of probabilities—that is, whether the alleged conduct is more likely than not to have occurred.

Preliminary matters

Anonymity

7. At the pre-hearing on 28 April 2026, it was determined that the misconduct hearing concerning PC Balkwill would proceed in public. However, Officer B was granted anonymity throughout the proceedings due to the sensitive nature of the material relied upon.

8. Officer X subsequently applied for both anonymity and for the hearing to be conducted in private. Counsel on behalf of PC Balkwill also submitted that consideration should be given to anonymising PC Balkwill, at least until the Panel had reached its findings of fact, on the basis that there remained a risk of "jigsaw identification" of Officer B if the identities of the officers became known.

9. The Chair considered the written legal advice provided by the LQA together with the submissions made by both parties. Whilst recognising the fundamental importance of the principle of open justice in police misconduct proceedings, the Chair also recognised the need to balance that principle against any engaged Convention rights, particularly the Article 8 rights of Officer B.

10. The Chair concluded that, at the commencement of the hearing, it was difficult to assess the extent of the risk that Officer B could be identified if PC Balkwill and the witnesses were not anonymised. As that risk might become clearer as the evidence unfolded, the Chair determined that all live witnesses, including PC Balkwill, should be anonymised until the conclusion of the fact-finding stage. The issue of anonymity would thereafter be reconsidered in light of the Panel's findings.

Further Witness – Matt Smith

11. Following discussions at the pre-hearing, the Appropriate Authority obtained a further witness statement from Matt Smith, together with a report arising from his forensic examination of PC Balkwill's mobile telephone. Those documents were served on 29 June 2026.

12. The issue addressed by Mr Smith concerned the storage and retrieval of the images forming part of the allegations, specifically whether the material had been accessed from the device's camera roll or from a separate photo vault application. As this remained a disputed issue, the Chair considered that the Panel would benefit from Mr Smith's specialist expertise regarding the

download and analysis of the telephone data and, on 1 July 2026, the Chair directed that his evidence should be admitted and that he should attend to give oral evidence.

13. However, on 9 July 2026, shortly before the hearing commenced, the Panel was informed that Mr Smith was unavailable because he was abroad on annual leave. The parties agreed a statement of fact dealing with the substance of his evidence could be drafted, thereby avoiding the need for his attendance.

Application for Adjournment

14. On 9 July 2026 the Panel was informed that, owing to unexpected air-conditioning failures at the hearing venue, the first day of the hearing would have to proceed remotely.

15. At the commencement of proceedings, Counsel on behalf of PC Balkwill applied pursuant to Regulation 41(3) of the Police (Conduct) Regulations for the hearing to be adjourned.

16. The application was advanced on three principal grounds. First, it was submitted that, given the seriousness of the allegations and the potential consequences of the proceedings, PC Balkwill wished the hearing to take place in person as originally intended.

17. Secondly, because of the late change to remote proceedings, the defence had been unable to secure a suitable site from which both PC Balkwill and her Federation representative could participate throughout the hearing in an appropriate and comfortable environment.

18. Thirdly, it was submitted that an adjournment would permit Mr Smith to attend and give oral evidence, enabling the Panel to benefit from his expertise on the disputed issue concerning the location from which the relevant images and videos had been accessed on PC Balkwill's mobile telephone.

19. Having considered those submissions, the Chair refused the application. In reaching that decision, the Chair balanced the interests of procedural fairness and PC Balkwill's right to present her case fully against the overriding objective of dealing with the proceedings fairly and expeditiously. The Chair noted that the allegations related to events which had occurred approximately two years prior, that the hearing would resume in person from the second day, and that Mr Smith's evidence could adequately be addressed through agreed admissions. The Chair concluded that it was important, both for the parties and for maintaining public confidence in the misconduct process, that the proceedings continued without further delay.

Special Measures

20. On 10 July 2026, Officer Z applied for special measures when giving evidence. He requested that screens be used so that he would not be required to see PC Balkwill whilst giving evidence. In support of the application, he explained that he felt anxious at the prospect of giving evidence in the presence of the subject PC Balkwill. Officer Z believed that screening would significantly reduce his anxiety and emotional distress, enabling him to concentrate on the questions asked and provide his best and most accurate evidence. He further expressed concern that, without such measures, his ability to give clear and coherent evidence would be adversely affected.

21. Officer Z also requested permission for his Victim Support Officer, PC Black, to remain with him whilst he gave evidence, describing PC Black as a familiar and supportive presence who would provide reassurance throughout the process.

22. The defence submitted that Officer Z did not appear to be a vulnerable witness and that the circumstances of the case were not of such sensitivity as to justify special measures. It was further argued that a serving police officer should ordinarily be capable of giving evidence without such protections,

particularly where anonymity had already been granted. The Appropriate Authority observed that, because the hearing was proceeding remotely (on the relevant day), the request for screens had effectively become academic.

23. Having considered the competing submissions, the Chair concluded that Officer Z's concerns were sufficiently addressed by the fact that the hearing was being conducted remotely. In those circumstances, the Chair found that there were no proper grounds for ordering further special measures. The application had also been made at a late stage of the proceedings. Accordingly, the request for screens and other additional measures was refused.

Allegations

- 1) **Allegation 1(a):** after finishing a nightshift on 1 July 2024, while in the backyard of [REDACTED] Police Station, PC Balkwill showed PC X a video of her engaging in intimate activity with Officer B ...
- 2) **Allegation 1(b):** immediately afterwards, PC Balkwill showed Officer X an explicit image.
- 3) **Allegation 2:** during a shift in 2024, PC Balkwill asked Officer Y whether he would like to see an image on Snapchat which was explicit in nature". Officer Y declined. PC Balkwill showed Officer Y the image of the penis.
- 4) **Allegation 3:** on an unknown date, PC Balkwill showed Officer Z an image of male genitalia.

24. As a result of the conduct alleged it is alleged that PC Balkwill breached the following standards of professional behaviour: Authority, Respect & Courtesy, Honesty & Integrity, and Discreditable Conduct. It is alleged that the breaches amount to gross misconduct only.

Regulation 30 Notice

25. On the morning of the first day of the hearing the Regulation 30 Notice, as summarised above, was read out. The Panel took note that the Officer made certain admissions however did not accept that the allegations amounted to a breach of the Standards. The Officer's response is set out in her Regulation 31 response.

Facts

26. PC Maizey Balkwill joined the MPS on 6 February 2023.

27. It was alleged that in July 2024, she had shown a colleague an intimate video depicting her with a male and a photo of an explicit nature.

28. In the same month it is alleged she showed two other colleagues explicit images whilst on duty.

29. This was discussed amongst colleagues who raised concerns about the appropriateness of PC Balkwill's actions and the matter was reported.

The Officer's response

- 1) **Allegation 1(a):** she accepted that she showed Officer X a video of her and Officer B having sex after Officer X had noticed the video on PC Balkwill's camera roll, and after Officer X affirmed to PC Balkwill that she would like to see the video.
- 2) **Allegation 1(b):** she accepted that she showed Officer X an explicit image and it was Officer B's genitalia.
- 3) **Allegation 2:** she accepted that she showed Officer Y a photograph of an explicit image on her phone towards the end of June 2024, which she says was a spontaneous reaction to the photograph being received by her on Snapchat.

4) **Allegation 3:** she accepted that she showed Officer Z an image at the end of June, which she says was in response to Officer Z showing her a video of an explicit nature on his phone of a prisoner officer having sex with a prisoner.

30. She denied that her conduct breached any of the alleged standards of professional behaviour.

Evidence

Officer X

31. Officer X adopted her witness statement as her evidence in chief. She described herself and PC Balkwill as close friends, both professionally and socially, having worked together for approximately nine months. They regularly confided in one another, and Officer X was aware that PC Balkwill was in a relationship with Officer B.

32. Officer X's evidence was that, following a night shift, the two officers were waiting outside [REDACTED] Police Station whilst PC Balkwill showed her photographs from a recent holiday in Ibiza. During the course of scrolling through the photographs, Officer X was unexpectedly shown an explicit video depicting PC Balkwill and Officer B engaged in intimate activity. She stated that she had not anticipated seeing such material and was shocked by it. She recalled that the incident lasted only a matter of seconds before the conversation moved on to another subject. She further believed that PC Balkwill told her not to tell anyone about what she had seen.

33. Although Officer X could not recall the precise words exchanged immediately before the video was shown, she remained clear that she had neither requested nor consented to view the recording. She explained that her reaction arose not only from the explicit nature of the material but also because it involved two serving police officers and was shown in the workplace.

34. Officer X further recalled that an intimate photograph was shown during the same interaction. Whilst she could not identify the individual depicted, she was clear that it was displayed shortly after the video.

35. In relation to subsequent events, Officer X explained that discussions later arose amongst colleagues concerning the video. She stated she was initially reluctant to become involved, but she eventually confirmed that she had seen it after other officers indicated that they had also been shown explicit material. Following instructions from a supervising officer, she informed PC Balkwill that the video was being discussed within the team. She described PC Balkwill as becoming visibly distressed and questioning how others had become aware of the incident, stating that she believed only Officer X had been shown the material.

36. Throughout her evidence, Officer X accepted that her recollection of the precise dialogue had diminished over time. However, she remained consistent on the central issues, namely that she had not expected to view sexually explicit material, had not consented to doing so, and had been shocked by the incident.

Officer Y

37. Officer Y also adopted his witness statement as his evidence.

38. He gave evidence regarding incident in which PC Balkwill displayed an explicit photograph that she had purportedly received via Snapchat. He recalled that, whilst on duty, PC Balkwill turned her phone towards him without warning, causing him to briefly view the image.

39. Although the viewing lasted no more than a second, he immediately appreciated its nature and described himself as surprised and taken aback by what he had seen.

40. Officer Y recalled remarking, "It's too early for this," although he accepted that he could not remember every aspect of the exchange. He further recalled that PC Balkwill may have jokingly offered to show another image, although he did not view any further material.

41. Officer Y stated that he and PC Balkwill were friends at the time and that the incident did not adversely affect either their friendship or their professional relationship. Nevertheless, he maintained that he had not expected or wished to see the explicit image.

Officer Z

42. Officer Z adopted his witness statement.

43. He described a friendly professional relationship with PC Balkwill and accepted that they occasionally discussed aspects of their personal lives whilst working together. His evidence concerned an incident in which PC Balkwill offered to show him an explicit image that she had received on Snapchat.

44. Officer Z stated that he declined the invitation because he did not wish to view the image. Despite this, he briefly saw part of the image when PC Balkwill held her telephone towards him. He regarded the conduct as inappropriate and explained that it left him feeling uncomfortable and confused.

45. Officer Z expressly denied PC Balkwill's suggestion that he had first shown her an explicit video involving a Prison Guard which has been on social media. He maintained that no such exchange had taken place. He further accepted that he had not reported the incident.

PC Balkwill

46. PC Balkwill relied upon both her witness statement and her Regulation 31 response.

47. She accepted that she had shown Officer X the intimate video depicting herself and Officer B. Her evidence was that she had been showing holiday photographs from Ibiza when the video appeared within her camera roll. She maintained that she had not deliberately sought to show the video and described the incident as a spontaneous mistake occurring whilst scrolling through photographs. She accepted that she may have remarked that Officer X should not tell anyone what she had seen.

48. PC Balkwill accepted that, with hindsight, showing the video was wholly inappropriate. She stated that she had failed to appreciate the professional implications of her actions at the time and described her conduct as an impulsive error of judgment. She expressed genuine remorse, acknowledging the impact that such conduct could have upon public confidence and upon those involved as well as taking accountability for her actions.

49. In relation to Officer Y, PC Balkwill accepted showing him an unsolicited intimate image that she had received via Snapchat. She explained that she had recently connected with an individual through a dating application and had unexpectedly received an explicit photograph. Her evidence was that, being shocked by the image, she instinctively showed it to the colleague standing beside her. She maintained that this was an immature and spontaneous reaction rather than a deliberate attempt to share explicit material.

50. As regards Officer Z, PC Balkwill disputed his account. She asserted that he had previously shown her an explicit video involving a prison officer which had been in the news, which she said formed the context for her subsequent actions. During cross-examination, however, she accepted that aspects of her oral evidence differed from both her witness statement and her Regulation 31 response. She further accepted that, irrespective of any

previous interactions, showing explicit material within the workplace was inappropriate.

51. Throughout her evidence, PC Balkwill emphasised that she was a newly appointed officer who had acted foolishly rather than maliciously. She described herself as brand new in the policing role and had not understood the importance of finding that line between personal and professional at the relevant time; she accepted that her actions represented poor judgment, and maintained that she had reflected extensively since the incidents. She told the panel that she now fully understood the importance of maintaining appropriate professional boundaries and stated that such conduct would never be repeated.

Findings of fact

52. The Panel found Officer X to be a credible witness. It was satisfied that the explicit video had been shown to Officer X, as accepted by PC Balkwill in her Reg 31 response and that an intimate photograph had also been displayed during the same interaction.

53. Whilst it was unable to determine whether the video had been intentionally selected or identified by either Officer, or inadvertently encountered whilst scrolling through photographs, the Panel accepted Officer X's evidence that she had not willingly viewed material of such a graphic nature and had been genuinely shocked by it.

54. It also found that an additional intimate photograph had been shown during the same conversation. After this, the panel found that Officer X extended some advice regarding relationships and the conversation moved on. Although the precise sequence of events remained unclear, and the panel accepted that her memory could be affected by the passage of time, the panel preferred Officer X's evidence where it conflicted with that of PC Balkwill.

55. The Panel further found that PC Balkwill had shown Officer Y the explicit Snapchat image. This finding was based on the evidence of Officer Y and PC Balkwill's own admission in her Regulation 31 response.

56. The panel was unable to establish whether anything was said prior to the image being shown and accepted that the display may have been spontaneous. It concluded that Officer Y had not expected or consented to seeing it and had been an unwilling recipient.

57. The panel was satisfied that in response Officer Y said, "It's too early for this", based on his first account which he confirmed in evidence is something he would say.

58. The Panel also found that PC Balkwill had asked whether Officer Y wished to see another image, although accepted that this may have been intended humorously.

59. In relation to the incident involving Officer Z, the Panel accepted that this took place in the office. It rejected the suggestion that Officer Z had first shown PC Balkwill an explicit video. The Panel found that he had declined to view the Snapchat image, but he was shown it regardless.

60. Where the evidence of PC Balkwill and Officer Z conflicted, the Panel preferred the evidence of Officer Z for two reasons; he was found to be a credible witness and because PC Balkwill's Reg 31 response differed in relation to the evidence given in relation to this allegation. It noted that PC Balkwill had stated in her prepared statement that she had shared explicit material on only one occasion, a position which was inconsistent with the Panel's findings.

61. The Panel found clear parallels between what happened with Officers X, Y and Z and concluded that PC Balkwill's explicit reaction was to share material, often not taking account of its appropriateness.

62. It concluded that each of the three officers had been unwilling recipients of sexually explicit material shown by PC Balkwill in the workplace.

Findings in Relation to Officer B

63. The Panel considered the position of Officer B, notwithstanding that he was not identified as a complainant or named victim within the Regulation 30 Notice.

64. The Panel recognised that no separate allegation was advanced in relation to Officer B and, accordingly, it could make no formal finding concerning any breach of the Standards of Professional Behaviour in respect of him. Nevertheless, the circumstances surrounding the sharing of the intimate video formed part of the factual matrix relevant to Allegation 1 and were properly taken into account when assessing the seriousness of the Officer's conduct.

65. The Panel distinguished between consent to the creation or possession of intimate material and consent to its subsequent disclosure. Even if Officer B had consented to the recording itself, that did not amount to consent for the video to be shown to colleagues or other persons encountered in a professional policing environment. Consent to one form of use cannot properly be interpreted as consent to unrestricted dissemination.

66. The Panel further noted that Officer B's witness statement, in which he indicated that he did not object to the material having been shown, was made after the relevant events and in the context of the related criminal proceedings. The Panel did not regard that evidence as demonstrating that Officer B had given prior informed consent for the material to be shared more generally. This conclusion was reinforced by the WhatsApp exchanges

between Officer B and PC Balkwill, which demonstrated that both regarded their relationship and the associated intimate material as private.

67. Whilst the Panel therefore made no separate finding in relation to Officer B, it concluded that the sharing of intimate material depicting a fellow officer, without clear evidence of consent to its wider disclosure, demonstrated poor professional judgement and was relevant to its assessment of the seriousness of the proven misconduct.

Standards of Professional Behaviour

Standards of Professional Behaviour

68. The Panel next considered whether the proven facts amounted to breaches of the Standards of Professional Behaviour.

Integrity

69. The Panel concluded that the standard of Integrity was not engaged.

70. In reaching that conclusion, the Panel applied the ordinary meaning of integrity, informed by the relevant authorities and the College of Policing Guidance on Outcomes. Integrity concerns adherence to the ethical standards expected of a police officer and is principally directed towards conduct involving dishonesty, abuse of position, improper purpose or a deliberate departure from the ethical obligations of policing.

71. Although the Panel found that PC Balkwill's conduct was immature, unprofessional and represented a serious error of judgement, it was not satisfied that it involved dishonesty, an abuse of police powers, personal gain, bad faith or any other feature ordinarily associated with a lack of integrity. To conclude otherwise would risk extending the concept of integrity to encompass any conduct which falls below professional standards.

Authority, Respect and Courtesy

72. The Panel found that PC Balkwill failed to exercise appropriate self-control by deliberately showing explicit images and videos to colleagues who did not wish to view them.

73. The Panel considered that police officers are entitled to work in an environment in which they are treated with dignity and respect. By exposing colleagues to explicit material without their consent, PC Balkwill failed to treat them with the respect and courtesy required by the Standards of Professional Behaviour.

74. The Panel therefore found the breach of Authority, Respect and Courtesy proved.

Discreditable Conduct

75. The Panel found that the officers concerned had not agreed to view the explicit material. Despite this, PC Balkwill deliberately showed the material to them.

76. The Panel considered how such conduct would be viewed by a reasonable member of the public. Members of the public are entitled to expect police officers to behave professionally towards colleagues and to exercise sound judgement, particularly in the workplace.

77. The Panel concluded that the conduct would be likely to undermine public confidence in the police service and therefore amounted to Discreditable Conduct.

Misconduct

78. Having found breaches of the Standards of Professional Behaviour proved, the Panel considered whether those breaches amounted to misconduct, gross misconduct, or neither.

79. The Panel reminded itself of the definitions contained within the Police (Conduct) Regulations. Misconduct is a breach of the Standards of Professional Behaviour so serious as to justify disciplinary action. Gross misconduct is a breach so serious as to justify dismissal.

80. The Panel also reminded itself of the need to maintain public confidence in, and the reputation of, the police service, the need to uphold high professional standards, and the need to protect the public, officers and staff from similar misconduct.

Seriousness

81. The Panel had regard to Regulation 41(16) of the Conduct Regulations and to the College of Policing Guidance on Outcomes.

82. In assessing seriousness, the Panel considered:

- i. the Officer's culpability;
- ii. the harm caused;
- iii. aggravating factors; and
- iv. mitigating factors.

Culpability

83. The Appropriate Authority submitted that PC Balkwill's culpability was high. It was argued that, in relation to Officers X and Z, the conduct was deliberate, whereas the incident involving Officer Y, although accepted to have been spontaneous, nevertheless demonstrated a willingness to show sexually explicit material to colleagues. The Appropriate Authority emphasised that the nature of the images and video was such that they should never have been shown in the workplace and submitted that the conduct fell within the category

of sexual impropriety. It was further argued that PC Balkwill had blurred the boundary between her personal and professional life, thereby demonstrating a concerning lack of appreciation for the need to treat intimate material appropriately within a policing environment.

84. The defence accepted that the material had been shown intentionally but submitted that the conduct was not planned or premeditated. It was argued that PC Balkwill had not deliberately searched for the images with the intention of showing them to colleagues, but that the incidents arose spontaneously and were the product of poor judgment rather than any deliberate decision to commit misconduct. Counsel submitted that there was no malign intent, no intention to cause distress, and no evidence that PC Balkwill sought sexual gratification or deliberately sought to shock her colleagues. It was further submitted that her actions were naïve, impulsive and ill-judged, occurring whilst she was a relatively inexperienced probationary officer.

85. The Panel concluded that, whilst the conduct was intentional in the sense that the images were shown deliberately on each occasion, it was not planned or targeted. The Panel accepted that there was no evidence of malign intent and did not consider that the conduct fell properly within the category of sexual impropriety as envisaged by the Guidance. It found that the incidents were largely spontaneous and reflected poor judgment rather than calculated misconduct.

86. Overall, the Panel assessed culpability as falling within the **low to medium range**.

Harm

87. The Panel accepted that the conduct occurred between colleagues during informal workplace interactions and involved a relatively inexperienced officer. Nevertheless, the recipients were unwilling recipients of sexually

explicit material shown within a professional policing environment.

88. In relation to personal harm, the Panel accepted that Officers X, Y and Z experienced surprise, discomfort and embarrassment. However, there was no evidence of any lasting psychological impact or damage to any working relationships. The Panel therefore assessed the personal harm as low.

89. The Panel considered the reputational harm to be more significant. Members of the public are entitled to expect police officers to maintain appropriate professional boundaries and to treat colleagues with dignity and respect. Deliberately exposing colleagues to explicit sexual material without their consent would be liable to undermine public confidence in the professionalism of the police service.

90. Although the conduct did not involve abuse of police powers, predatory behaviour or criminality, it nevertheless demonstrated poor professional judgement capable of diminishing public confidence. The Panel therefore assessed the reputational harm as being within the **medium** range.

Aggravating Factors

91. The Appropriate Authority relied upon a number of aggravating features identified within the College of Policing Guidance. These included the repeated nature of the conduct across three separate incidents, the fact that multiple allegations had been proved, the breach of more than one Standard of Professional Behaviour, and the submission that the conduct involved either sexual gratification or, alternatively, an intention to shock colleagues with sexual material. It was also argued that PC Balkwill lacked remorse and insight, relying upon the inconsistency between her expressions of remorse at the hearing and her earlier Regulation 31 response, in which she denied having breached the Standards of Professional Behaviour.

92. The defence submitted that there were no significant aggravating features. It was argued that the conduct was not sustained or persistent, that it ceased immediately following each incident, and that there was no evidence that PC Balkwill continued the behaviour after appreciating that it was wrong. Counsel further submitted that there was no evidence of national concern or wider public impact sufficient to justify treating that factor as aggravating.

93. The Panel accepted that the repeated nature of the conduct and the existence of multiple proven allegations were aggravating features. It also considered the fact that two Standards of Professional Behaviour had been breached. However, it rejected the suggestion that the conduct was motivated by sexual gratification or other malign intent, and did not consider the factor of national concern to be applicable. In relation to remorse, the Panel considered that the issue was more accurately characterised as one of limited insight rather than an absence of remorse, noting the tension between PC Balkwill's admissions and expressions of regret at the hearing and her earlier denial that any Standards had been breached.

Mitigation

94. In mitigation, the defence relied upon the spontaneous and brief nature of each incident, the absence of planning, the absence of any intention to cause harm, PC Balkwill's relative inexperience as a probationary constable, her previous good character, her admissions to the underlying conduct, and the remorse expressed during the hearing. It was submitted that she had demonstrated significant reflection since the events and now recognised that her actions had been immature, naïve and professionally inappropriate.

95. The Panel accepted a number of these matters in mitigation. It recognised that the incidents were of short duration, arose spontaneously, were not motivated by malice, and reflected poor judgment rather than deliberate abuse of authority. The Panel also accepted that PC Balkwill had admitted much of the underlying conduct and had expressed remorse during the proceedings, albeit that it regarded her insight into the professional standards breached as having developed only at a relatively late stage.

Overall Assessment of Seriousness

96. Drawing together its assessment of culpability, harm, aggravating and mitigating factors, the Panel concluded that the proven conduct represented a serious departure from the Standards of Professional Behaviour.

97. The misconduct involved the repeated and deliberate showing of sexually explicit material to colleagues who neither expected nor wished to view it. Whilst the conduct was spontaneous, immature and not motivated by malice or sexual gratification, the Officer nevertheless made a conscious decision on each occasion to expose colleagues to material which was plainly inappropriate within the workplace.

98. The conduct undermined the dignity of fellow officers and was capable of diminishing public confidence in the professionalism of the police service. However, when considered alongside the Officer's relatively low culpability, the limited personal harm caused, her genuine remorse and the absence of any predatory or exploitative behaviour.

99. The cumulative effect of those factors justified disciplinary action and required a formal sanction. However, when the Panel balanced culpability, harm and the public interest in maintaining confidence in policing against the substantial mitigating features present, it was satisfied that the conduct fell below the threshold at which dismissal would be justified.

100. The Panel therefore concluded that the proven conduct amounted to misconduct, but not gross misconduct.

Decision on Sanction

101. Having determined that the conduct amounted to misconduct rather than gross misconduct, the Panel considered the appropriate sanction in

accordance with Regulation 42 and the College of Policing Guidance on Outcomes. The Panel recognised that the Guidance informed, but did not fetter, its discretion and that the appropriate outcome had to be proportionate to the seriousness of the misconduct.

102. The Panel first considered whether a Written Warning would adequately mark the misconduct. In doing so, it had regard to the purpose of the police misconduct regime, namely maintaining public confidence in policing, upholding high standards of professional behaviour and deterring future misconduct.
103. The Panel regarded the misconduct as serious. It involved three separate incidents in which PC Balkwill showed, or caused to be shown, sexually explicit material to different colleagues in the workplace who had not expected or consented to view it. The Panel considered the repeated nature of the conduct, the fact that multiple allegations had been proved and the breaches of two Standards of Professional Behaviour, namely Authority, Respect and Courtesy and Discreditable Conduct. The conduct represented a serious departure from the standards expected of a police officer and was capable of undermining public confidence in the professionalism of the police service.
104. The Panel then considered the mitigation. It took into account PC Balkwill's relative inexperience and probationary status at the time, the spontaneous and immature nature of the conduct, the absence of planning or malign intent, the limited personal harm caused to the officers concerned, her previous good character and the character evidence provided on her behalf. It also noted the commendation received by PC Balkwill and the evidence of her positive contribution to policing.
105. The Panel further took into account that PC Balkwill had admitted much of the underlying conduct and had expressed remorse during the proceedings. It accepted that she had reflected upon her actions and had developed a greater understanding of the professional boundaries expected of her. However, the Panel remained mindful of its earlier finding that her

insight into the Standards of Professional Behaviour breached had developed only at a relatively late stage.

106. The Panel also had regard to the fact that there had been no repetition of similar behaviour during approximately three years of police service. It accepted that the misconduct was out of character and that PC Balkwill had demonstrated the capacity to learn from the proceedings. The Panel was satisfied that there was no evidence of predatory behaviour, sexual gratification, malice or an intention to cause harm.

107. Having balanced the seriousness of the misconduct against the mitigation, the Panel concluded that a Written Warning would not adequately mark the conduct or provide sufficient deterrence. The Panel considered that the repetition across three separate incidents and the involvement of three different colleagues required a more significant formal sanction.

108. The Panel therefore considered whether a Final Written Warning was necessary and proportionate. It concluded that it was. The Panel was satisfied that a Final Written Warning appropriately reflected the seriousness of the misconduct while giving proper weight to the substantial mitigation, including the Officer's relative inexperience, the spontaneous nature of the conduct, her previous good character, her remorse and the absence of any repetition.

109. The Panel therefore determined that a Final Written Warning for two years was the appropriate and proportionate sanction.

Anonymity

110. The Panel also revisited the issue of anonymity following its findings. It concluded that, consistent with the principle of open justice, there was no continuing justification for maintaining PC Balkwill's anonymity. However, the anonymity of the remaining officers would continue in order to protect their identities and minimise the risk of identifying Officer B.

Publication

111. The panel orders publication pursuant to regulation 43 (6) of The Police (Conduct) Regulations 2020.) Regulations

Right of Appeal

112. 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 she has a right to appeal to the Police Appeals Tribunal. ("PAT"). The PAT may increase or decrease any penalty or overturn this decision.

Commander Peter Stevens (Chair)