

Accelerated Misconduct Hearing Finding and Outcome

Officer Name: PC Fernando Santos dos Santos

Warrant No: P252236

Date of Hearing: 24 June 2026

Alleged Standards Breached: Discreditable Conduct

Findings

I have had the benefit of the papers in advance of today and read them carefully before the hearing started, along with viewing both the edited and unedited digital material. I am satisfied that the required notices under the Police (Conduct) Regulations 2020 have been served. These are matters which have not, in any case, been disputed before me.

The hearing was held in **Public**.

PC Santos Dos Santos has attended the hearing and provided a Regulation 54 response.

PC Santos Dos Santos was represented by Counsel, Ms Calla Randall and his federation representative, PS Elisha Hill. The AA was represented by Counsel, Mr James Berry KC and Case Manager, Mr Shane Hanna. Also present were the IOPC, represented by Mr Andrei Udvar.

I am satisfied PC Santos Dos Santos has been properly served with the papers and Regulations 51 to 53 of the Police (Conduct) Regulations 2020 have been complied with.

Recusal Application

As a preliminary issue I was asked to recuse myself as Chair of this AMH on the basis of apparent bias due to the public and possibly private statements of the Director General and the Commissioner.

I dismiss the application for me to recuse myself for the following reasons:

My appointment as Chair of this AMH is under powers delegated within the Police (Conduct) Regulations 2020. Furthermore, I am bound by own professional code of conduct. I also must observe the relevant law which includes the principles of natural justice.

I confirm that I am not nor have ever been part of the strategic group set up to oversee the MPS Response to the Panorama programme broadcast on 1st October 2025 nor have I attended any leadership meetings since the Panorama programme broadcast.

I am an experienced Chair who has dealt with many MPS disciplinary hearings including AMHs and am scrupulous in considering each case on its individual facts and exercising independent judgement in all cases brought before me.

I have the assistance of an independent legal adviser.

I am capable of setting aside and disregarding comments made by the MPS Senior leadership and on the Panorama programme more specifically.

I confirm that I have come under no pressure from any senior officer within the MPS and not discussed these proceedings with senior managers at any time.

Applying the test within *Porter v Magill* [2001] UKHL 67 I am of the view that a fair minded and informed observer, considering the facts, would not conclude that there was a real possibility that the tribunal, in this case the Chair, was biased.

Application to Amend Allegation

An application was made by the Appropriate Authority to amend Allegation 4, which referred to paragraph 23 as containing the derogatory comment alleged to have been made by the officer concerned. However, this was a clerical error. The comments in question are in fact recorded in paragraph 24. The application is not opposed by Ms Randall. Accordingly, I determined that I can allow the amendment of the allegation using my case management powers under Regulation 61(1) of the Police (Conduct) Regulations 2020. I do not find that there is any unfairness to PC Santos Dos Santos, who has provided a Regulation 54 response, addressing the comments as recorded in paragraph 24.

The Allegations

2 September 2024

On 2 September 2024 you were in the yard at Charing Cross Police Station speaking with police colleagues.

You were speaking about your attendance at the scene of an alleged rape.

You described how the suspect's girlfriend deliberately showed you her lack of underwear when she was sitting on a step in a dress, and how you changed position three times to avoid seeing up her dress.

A police colleague remarked "you pulled without trying".

You responded "ah mate you don't wanna pull that, trust me"

You also described the suspect's girlfriend as "a bit fucking dumb".

Allegation 1: Your comments referred to at paragraphs 6 and 7 above were derogatory comments about a member of the public and breached the Standards of Professional Behaviour of **Authority, Respect and Courtesy** and **Discreditable Conduct**.

3 November 2024

On 3 November 2024 you were in the yard at Charing Cross Police Station speaking with police colleagues.

You said that if it continued to be "shit" you would become a civilian and work in the front office.

A colleague recommended against this, describing the front office as "grief".

You replied "it's not grief, you get to tell people to fuck off".

A colleague recommended that you become a "civvie" at Marlowe House instead.

You responded "yeah, but then I can't really let my anger out, if I do DDO or front office, at least I can shout, or you know maybe I can you know do a little bit [you mimed a headbutt] once in a while. Front office I'll get to shout at people".

In the same conversation, a colleague commented that use of force had to be reasonable and justified.

You replied "you can always justify it".

You told colleagues about use of force by a Custody Sergeant that you had witnessed.

You said "I can't remember who the Custody Sergeant was, but it was fucking beautiful mate, it was the best spartan kick I've ever seen in my life".

You described being on a constant watch and how a Sergeant came to speak to the detainee, who got up walked towards the Sergeant, shouting and swearing.

You said, "and the Sergeant just went, fucking get back [you mimed kicking], just kicked him in the chest".

You described the use of force as "just fucking beautiful".

You said that you "just wanted to laugh" but had to hold it in.

In the same conversation, you spoke about how the MPS is always under criticism compared to county forces.

You said "...most of their fucking jumpers are from the counties, they come to jump here because they're seeking attention...because we give it to them...there, they don't like 'you're going to jump? 'yeah we've been to you before, you're not going to fucking do shit, see you later".

Allegation 2: Your comments referred to at paragraphs 12 and 14 glorified members of police staff shouting / swearing at members of the public and breached the Standard of Professional Behaviour of **Discreditable Conduct**.

Allegation 3: Your comments referred to at paragraphs 14, 18, 21 and 22 glorified members of police staff / a police officer using force on members of the public and breached the Standard of Professional Behaviour of **Discreditable Conduct**.

Allegation 4: Your comments referred to as paragraph 24 were derogatory comments about members of the public in mental health crisis and breached the Standards of Professional Behaviour of **Authority, Respect and Courtesy** and **Discreditable Conduct**.

Your said conduct, individually and/or cumulatively, amounts to gross misconduct.

The Hearing

I have listened to the case presented on behalf of the Appropriate Authority by Mr Berry KC and the representations made on behalf of PC Santos Dos Santos by Ms Randall.

Facts

The main issues of fact which I have to decide is whether the Appropriate Authority has on the balance of probabilities proved the allegations against PC Santos Dos Santos.

In 2024 and 2025 an undercover reporter working on the BBC's Panorama programme obtained employment as a DDO working at Charing Cross Police Station. Using a covert camera, he recorded interactions with officers and staff at Charing Cross Police Station and elsewhere. One of the officers identified was PC Santos Dos Santos.

Footage from the 2nd September 2024, shows PC Santos Dos Santos engaged in a conversation with colleagues where he discussed the scene of an attempted rape he had attended.

During the conversation, PC Santos Dos Santos referred to the suspect's girlfriend, stating "ah mate you don't wanna pull that, trust me" and went on to describe her as "a bit fucking dumb".

Further, on the 3rd November 2024, during another conversation with colleagues, PC Santos Dos Santos commented if it continues to be "shit", he will become a civilian member of staff and join the front office. When his colleague recommended against that. PC Santos Dos Santos replied, "it's not grief, you get to tell people to fuck off". As to becoming a civilian officer, he responded "yeah but then I can't really let my anger out, if I do DDO or front office, at least I can shout, or you know maybe I can you know do a little bit [mimes action that looks like headbutt] once in a while. Front office I'll get to shout at people."

During the same conversation, when discussing use of force, a colleague commentated that force had to be reasonable and justified. PC Santos Dos Santos responded with "you can always justify it."

Thereafter, PC Santos Dos Santos is heard taking about alleged (proper) use of force by a custody sergeant, exclaiming, "it was fucking beautiful mate", "it was the best spartan kick I've ever seen in my life." PC Santos Dos Santos explained "and the sergeant just wen, fucking get back [mimed kicking], just kicked him in the chest." PC Santos Dos Santos expressed he "just wanted to laugh" but had to hold it in.

Further, within the same conversation PC Santos Dos Santos talked about how the Metropolitan Police Service is always under criticism compared to county forces. He went on to say "... most of their fucking jumpers are from the counties, they come to jump here because they're seeking attention... because we give it to them... there, they don't like 'you're going to jump? 'yeah we've been to you before, you're not going to fucking do shit, see you later".

If these allegations are proven, then I must decide whether it amounts to breach of the following standards of 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.

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.

Officer's position

PC Santos Dos Santos accepts making the comments alleged but denies that they amount to gross misconduct.

PC Santos Dos Santos avers that his comments have been misinterpreted and need to be contextualised.

As to “you don’t want to pull that, trust me”, PC Santos Dos Santos explains that he was intending to communicate in a jovial way that the suspect’s girlfriend was not his type. It was not his intention to insult her appearance. It was a comment as to his own preferences. In submission, Ms Randall contends that the comment was a flippant or thoughtless comment made in the spur of the moment.

As to describing the suspect’s girlfriend as “a bit fucking dumb”, PC Santos Dos Santos explain that he intended to express his bemusement about the fact that the suspect’s girlfriend had not understood who had made the allegation of rape against her partner. The officer accepts his comment was not particularly kind but denies it was grossly offensive or insulting. It is suggested that the word ‘dumb’ should be given its ordinary meaning and is defined as ‘stupid or foolish’.

Ms Randall draws attention to the initial severity assessment by the IOPC, that the comment was not deemed to amount to misconduct or gross misconduct. It did not warrant any disciplinary action at the time.

In relation to the 3 November 2024, PC Santos Dos Santos contends that the comments were made when he was feeling somewhat frustrated with the job and was going through a stressful period in his personal life. The comments were intended to be humorous remarks, releasing frustrations, in the context of an informal conversation with colleagues. Ms Randall submits that the officer has been in the service for 7 years and there is no evidence it was his intention to change jobs.

PC Santos Dos Santos accepts the comments were ill-judged. He denies that the comments reflect the way he conducts himself in the job.

As to the comments referring to a sergeant's use of force the officer avers his comments were misunderstood. There is no evidence that the force used was anything other than justified. He goes on to distinguish "appreciating an effective use of force where that force is justified", "an expected element of any skilled job" from "applauding an assault by a police officer on a member of the public". Ms Randall submits the footage shows the officer being jovial, it is a light-hearted conversation.

PC Santos Dos Santos denies that he was glorifying any use of force. He explains it "demonstrates his passion for the job", it does not represent a wider enjoyment or glorification of violence.

Ms Randall submits there is no suggestion that there was unjustified use of force by the sergeant, PC Santos Dos Santos commenting on effective, lawful use of force cannot be said to amount to glorification. The public will not be concerned about effective, lawful use of force. It is excessive use of force that the public would be concerned with.

Ms Randall refers to PC Santos Dos Santos' comment: "it's not grief, you get to tell people to fuck off" and submits it is clearly light-hearted, the officer smiles and is joking.

As to "you can always justify it", Ms Randall submits the comment immediately follows a comment made by a colleague, PC Santos Dos Santos can be seen to laugh, and it is light-hearted exchange. Ms Randall avers that the officer obviously does not believe that the use of force can always be justified and does not reflect the approach the officer takes to his job.

His comment as to just wanting "to laugh" was a natural reaction to a stressful situation. He accepts the comments could have been phrased more carefully.

In relation to PC Santos Dos Santos comments describing suicidal members of the public as "fucking jumpers", the officer accepts that this is not a particularly sensitive term to use but says that it is "the common lingo that is used within the police". He intended no disrespect by using this terminology.

Ms Randall drew a distinction between the officer's tone in the clip and earlier comments. The officer is venting frustration at how the county forces deal with vulnerable people and the extra burden it places on him and his colleagues at the MPS.

By stating 'they're seeking attention', PC Santos Dos Santos explains it was not meant as an insult but merely reflects the reality of dealing with suicidal members of the public, as he had experienced it on the job.

In line with Regulation 61(7) and Regulation 61(8), I have carefully considered submissions from the Appropriate Authority and from those representing PC Santos Dos Santos on the substance of each allegation.

I have also heard submissions on behalf of the IOPC as to the revision of the severity assessment in relation to what now constitutes Allegation 1.

I have also been addressed by Ms Randall on PC Santos Dos Santos' good character and have been provided with character statements, which I have given due weight when assessing credibility and propensity.

Decision on Finding

I have applied Regulation 61(15) and carefully listened to the case presented by the Appropriate Authority and carefully considered the documentary evidence provided to me, including the representations on behalf of PC Santos Dos Santos.

Overall, I have found the facts proven as outlined by the Appropriate Authority.

Breach of Professional Standards

In line with Regulation 61(16), I bear in mind that the burden of proving the Breach of Standards rests upon the Appropriate Authority and that it must satisfy me on the balance of probabilities.

I am satisfied that the Appropriate Authority has discharged that burden and the conduct did breach the standards of professional behaviour as to discreditable conduct, authority, respect and courtesy.

Gross Misconduct

I have reminded myself that gross misconduct is a breach of the *Standards of Professional Behaviour* so serious to justify dismissal. Applying that definition, I have carefully considered the allegations individually and cumulatively. I am satisfied that the breaches of professional standards do amount to gross misconduct.

Assessment of Seriousness

I go on to make an assessment of seriousness by reference to Culpability and Harm, mitigating and aggravating factors.

I have carefully considered the submissions by the Appropriate Authority, and I have considered the submissions on behalf of PC Santos Dos Santos.

The Appropriate Authority submit that PC Santos Dos Santos alone was responsible of the words he used. He chose to make the comments he did, his actions were deliberate and there was no legitimate reason for him to do so. PC Santos Dos Santos' conduct was wholly unacceptable and his comments as to use of force and people who are actively suicidal / in mental health crisis undermines public confidence in policing.

On PC Santos Dos Santos' behalf, it is submitted that the comments are not planned. Whilst there are multiple comments, they are brief. The comments are not a reflection of the manner in which PC Santos Dos Santos carries out his professional duties.

Culpability is high – PC Santos Dos Santos alone was responsible for the words he chose and used.

Describing a female member of the public as “that” is a clear reference to her appearance and saying “you don’t want to pull that” is plainly derogatory. Saying that she is “a bit fucking dumb” is clearly designed to be an insult.

PC Santos Dos Santos deliberately used derogatory and insulting language for his own amusement and others.

PC Santos Dos Santos' comments as to the use of force clearly reference the possibility of using force on members of the public in a front office role and shows a lack of respect to members of the public attending the front office.

The officer's comments on a sergeant's use of force (even if the force was appropriate) are wholly unacceptable. The comments glorify the use of force on a member of the public, which is something PC Santos Dos Santos had to suppress his desire to laugh about.

PC Santos Dos Santos' reference to members of the public that suffer from suicidal ideation as ‘fucking jumpers’ is intentionally disrespectful and insulting. Saying “they’re seeking attention” is plainly derogatory.

Harm – is high –

PC Santos Dos Santos' comments relating to an alternative posting and using this alternative position to shout at members of the public, telling them to “fuck off”, without any proper policing purpose to ‘let his anger out’ would certainly undermine public confidence in policing.

The public would be rightly concerned by a police officer seeing the benefit of an alternative police posting so that he could use force on members of the public.

Also, finding the use of force by a colleague amusing, glorying and revelling in it, would undermine the public's confidence in policing and raise potential concerns as to PC Santos Dos Santos' decision-making.

PC Santos Dos Santos' comments on suicidal persons, a highly vulnerable section of the public, plainly undermine public confidence in the police. The language used would properly cause the public to be concerned that this officer and other officers will not treat them or their families with compassion or fairness were they to be in mental health crisis.

PC Santos Dos Santos is an officer of 7 years' service. His comments have the potential to encourage more junior officers to act in a manner that is unbecoming for the role of police constable. The language used by PC Santos Dos Santos has the potential to perpetuate a culture of ignorance.

Aggravating features – I have considered that there are no additional aggravating features as I am mindful not to double count or take to consideration any factors that have already featured in my determination of culpability and harm.

Mitigating features – I do accept PC Santos Dos Santos made early admissions as to the conduct and I accept that the comments were brief. However, they were made across two separate dates, which somewhat negates their brevity.

Following my assessment on seriousness, I went on to consider any personal mitigation on behalf of the officer. (*R (O'Connor) v Police Misconduct Panel Chair & Mason* [2025] EWCA Civ 27 at [52]; [62]-[65].

On behalf of PC Santos Dos Santos, it was submitted that he has dedicated himself to the service. He has an otherwise unblemished record. Further, it was submitted that the comments are not a reflection of his true character. I have been provided 11-character references. PC Santos Dos Santos is referred to as a kind, caring, professional and hard-working individual.

However, I am mindful of the limits to the weight I should attach to personal mitigation as identified in the College of Policing's Guidance on Outcomes in Police Misconduct Proceedings, and that the interests of the police service, and the protection of the public, are more important than those of the individual officer.

Outcome Decision

In making my decision on outcome I bear in mind that the Police (Conduct, Performance and Complaints and Misconduct) (Amendment) Regulations 2025 ("The 2025 Regulations") came into effect on the 28th May 2025.

The 2025 Regulations amend Regulation 62 of the Police (Conduct) Regulations 2020 ("The PCR") so that, where gross misconduct is proven against a serving officer, the panel must dismiss the officer unless there are exceptional circumstances.

I have considered the officer's record of service.

This case is based upon what amounts to irrefutable evidence, particularly video evidence.

I have carefully assessed the seriousness of the conduct and carefully considered the personal mitigation, as set out above, and I do not find any exceptional circumstances.

Therefore, the only available sanction is dismissal without notice and I am satisfied that it is the only appropriate sanction in this case.

OUTCOME:

Having considered the matter fully and having regard to the nature and severity of the breach of the Standards of Professional Behaviour, the sanction I impose is **dismissal without notice** and the officer should be placed on the College of Policing's barred list.

Commander Andy Brittain

Metropolitan Police Service

24 June 2026