

Notice of Outcome of Police Misconduct Hearing
(Regulation 43 Police (Conduct) Regulations 2020)
as amended by the Police (Conduct) (Amendment) Regulations 2024

Officer concerned: PS Matthew Taylor: P217452

Chair: Former Commander Katie Lilburn

Independent Panel Members: Claire Bonnet, Clive Manning

Legally Qualified Advisor: Julian Weinberg

Location: Palestra House, 197 Blackfriars Road, London SE1 8NJ

Date: 10-17 July 2026

Allegation: Authority Respect & Courtesy and Discreditable Conduct

Outcome: Gross misconduct

Sanction:

1. The Appropriate Authority ("AA") was represented by Dr Russell Wilcox. The Officer was represented by Ms Amina Graham.

BACKGROUND

2. In summary, the Officer faces allegations that between 2017 and 2018, he sexually harassed and pestered a female colleague, Person A, both in and out of work, made inappropriate sexualised comments to her, persisted in attempts to get her to go out for dinner with him, and contrived a reason to stay at her house, culminating in an occasion at a restaurant when he physically touched her and made her feel uncomfortable.
3. Secondly, in late 2020, it was alleged that the Officer engineered and continued a sexual relationship with Person B, a probationary officer under his line management, against her wishes, using his seniority to obtain sexual gratification from a junior officer who was otherwise unwilling, ignoring her requests not to attend her address. It was alleged that on one occasion in December 2020 when in drink, he forced himself upon her, despite being told not to.
4. It was alleged that the Officer's conduct in relation to both women was predatory and oppressive, and that the conduct, both individually or cumulatively, was so serious as

to justify dismissal and constitutes gross misconduct as set out in the Regulation 30 Notice that appears at the end of this determination.

5. The Officer in his Regulation 31 response denied the factual allegations and denied breaching the Standards in relation to Authority Respect & Courtesy and Discreditable Conduct.
6. The AA relied on a bundle of evidence presented by it which includes, but was not limited to, the following documentary evidence:
 - The Investigating Officer's Report;
 - The Regulation 30 Notice including the allegations;
 - Notes of video recorded interview with Person B;
 - Prepared statement of the Officer;
 - The Officer's Regulation 31 response;
 - MG11 of Person B;
 - MG11 of PC [REDACTED];
 - MG11 of PC [REDACTED];
 - MG11 of PC [REDACTED];
 - MG11 of DC [REDACTED];
 - MG11s of Person A;
 - MG11 of Inspector [REDACTED];
 - MG11 of PC [REDACTED];
 - MG11 of PC [REDACTED];
 - Record of the Officer's PACE interview;
 - Screenshots of WhatsApp messages between the Officer and Person B;
 - College of Policing's Guidance document: "Appropriate personal relationships and behaviours in the workplace";
 - A number of positive references/testimonials from colleagues in support of the Officer.
7. At the outset of the hearing, the Officer denied all the factual allegations and therefore denied that his conduct amounted to either misconduct or gross misconduct.
8. The following witnesses gave live evidence:
 - Person A;

- Person B;
- DI [REDACTED] and
- PC [REDACTED]

9. The Panel also heard live evidence from the Officer.

PRELIMINARY MATTERS

Application to admit hearsay evidence

10. At the outset of the hearing, Dr Wilcox made an application for the evidence of PC [REDACTED] to be admitted by way of hearsay evidence.

11. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

12. He invited the Panel to consider the reasons for PC [REDACTED] not being available to give evidence and be cross examined. It was also requested to consider any injustice that may be caused to the Officer if the statement was admitted and whether any prejudice could be addressed. In that regard, he submitted that the evidence of Ms [REDACTED] was not the sole and decisive evidence in relation to Person B's complaint, and that it was therefore not unfair to admit it.

13. He submitted that the Panel could attach such weight to the statement as it considered appropriate if the statement was admitted.

14. Ms Graham on behalf of the Officer objected to the admission of PC [REDACTED] statement. She stated that it was unfair to admit the statement as any prejudice in being unable to cross examine her could not be adequately remedied.

15. She submitted that PC [REDACTED] [REDACTED]
[REDACTED]

16. Ms Graham reminded the Panel of the principles set out in the case of *Thorneycroft v Nursing and Midwifery Council* [2014] EWHC 1565 (Admin). This set out various factors that the Panel is entitled to take into account when considering whether or not

to admit hearsay evidence. These include whether or not the evidence is the sole or decisive evidence in relation to any allegation.

17. Ms Graham stated that the Officer was facing serious allegations and that it was her intention to cross-examine PC [REDACTED] on several aspects of her evidence, particularly in relation to the contents of a number of WhatsApp messages which contradicted PC [REDACTED] perception of Person B's relationship with the Officer. By allowing her statement to be admitted by way of hearsay, she had been deprived of the opportunity to cross-examine an important witness.
18. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
19. In conclusion, she submitted that the admission of PC [REDACTED] statement by way of hearsay evidence was prejudicial and unfair.

Decision on Hearsay application

20. The Panel has taken account of the submissions made by Dr Wilcox and Ms Graham and has accepted the advice of the Legally Qualified Advisor ("LQA").
21. The Panel considered that PC [REDACTED] statement was relevant to the allegation in relation to Person B. The Panel noted that PC [REDACTED] was unable to attend [REDACTED]. It also had regard to the fact that her statement was not the sole or decisive evidence in the case in relation to the allegation regarding Person B, but was corroborative of Person B.
22. Whilst she did give some direct evidence, for example relating to the Officer visiting Person B's address when he had been specifically told not to, the Panel was mindful that the evidence of PC [REDACTED] principally addressed her perception of Person B's relationship with the Officer which Ms Graham submitted was undermined by a number of the WhatsApp messages, which, she submitted, was demonstrative of a consensual relationship. The Panel accepted that, if admitted, Ms Graham would be unable to cross-examine PC [REDACTED]. However, to the extent that she gave relevant direct evidence, it concluded that any potential prejudice to the Officer can be mitigated by making submissions, for example, about questions that could have been

put to-PC [REDACTED] that might assist the Panel in assessing the weight to be attached to her evidence.

23. In the circumstances, the Panel concluded that it was appropriate for the statement of PC [REDACTED] to be admitted in evidence and that it would not cause undue prejudice to the Officer to admit it as hearsay evidence.
24. Having determined that the statement of PC [REDACTED] is admissible as hearsay evidence, the Panel will consider what weight to attach to it when making its findings of fact.

FINDINGS OF FACT

The Panel's approach

25. Having considered all the evidence before it, the Panel makes the following findings of facts. In doing so, it has had regard to the fact that the burden of proof in this case is on the AA and that the civil standard applies, namely proof on the balance of probabilities. It had regard to the Home Office Guidance ("HOG") which states:

"9.10 In deciding matters of fact, the persons conducting the misconduct meeting or hearing must apply the standard of proof required in civil cases, that is, the balance of probabilities. Conduct will be proved on the balance of probabilities if the persons conducting the meeting or hearing are satisfied by the evidence that it is more likely than not that the conduct occurred. The balance of probabilities is a single unvarying standard (i.e. there is no sliding scale). The seriousness of the allegation of misconduct and/or the seriousness of the consequences for the Officer do not require a different standard of proof, merely appropriately careful consideration by the Panel before it is satisfied of the matter which has to be established. The inherent probability or improbability of the conduct occurring is itself a matter to be taken into account when deciding whether, on the balance of probabilities, the conduct occurred."

26. It was also mindful of the extent to which the passage of time may have affected a witness's memory and that memories can fade with the passage of time. Recollections may change or may become confused as to what did or did not happen at a particular time. It has borne in mind that an honest witness can be mistaken, and a mistaken witness is not necessarily wrong about every fact.
27. The Panel is also mindful not to assess a witness's credibility exclusively on their

demeanour when giving evidence, but that their veracity should be tested by reference to objective facts proved independently in their evidence, in particular by reference to the documents in the case, which included a significant number of WhatsApp message screenshots.

28. The Panel has taken into account the Officer's good character in considering the reliability of his evidence and his propensity to act as alleged. It was mindful, in any event that how an Officer has acted in the past is not necessary an indicator of how he acted on the occasions in question. However, the Panel is entitled to take his character into consideration when assessing whether or not he acted as alleged.
29. The Panel has also borne in mind that whilst evidence of good character is relevant to credibility and propensity, the significance of such evidence ought not to be overstated and should not detract from the primary focus on the evidence directly relevant to the alleged wrongdoing: *Martin v Solicitors Regulation Authority [2020] EWHC 3525 (Admin)*.
30. As to individual pieces of evidence, the Panel was mindful that it is entitled to draw proper inferences, that is to come to common sense conclusions based upon the evidence which it accepts as reliable; but it must not speculate. Similarly, it must not speculate about what other evidence there might have been.
31. The Panel has been mindful of the need to avoid the risk of making stereotypical assumptions and assumptions about sexual behaviour and reactions to non-consensual sexual conduct in line with the advice from the LQA.
32. The Panel in its deliberations, has also taken account of its obligation, so far as it may be relevant to the facts of this case, to consider the applicability of Section 15 Equality Act 2010. The Panel noted that no such issues have been identified by the parties or by the Panel. No evidence has been adduced to the Panel that any health issues directly impacted on the Officer's alleged behaviour.
33. Whether any conduct that may be found proved amounts to either misconduct or gross misconduct is a matter for the Panel's independent judgment.

Panel Analysis

Allegation 1

34. Person A gave live evidence. She stated that the sexual harassment perpetrated by the Officer took place when she was working on the Safer Neighborhood Team when she shared an office with the Officer at [REDACTED] Police Station. She said that the Officer had a desk near to her in the office.
35. She stated that shortly after they started working together, the Officer began sexually harassing her and it continued on an almost daily basis. She said it was constant every time they were working together and that she was subject to a constant onslaught of unwanted and unnecessary comments and advances, including comments about the size of her breasts, that she was 'fit' and that it made her feel awkward and embarrassed. She stated that the Officer repeatedly made comments such as 'you're so interesting', that she was fascinating, that her hair looked nice and that she looked pretty. She said it was constant, feeling almost daily and she would have considered the Officer "off sorts if he wasn't being smarmy". She felt that he was 'creepy' and 'letchy'. She also said that he made a number of sexual innuendos albeit now she could not give specific examples.
36. She stated that the Officer persistently asked her to go out for coffee or a meal or a drink on an almost daily basis. She said that she didn't want to upset the dynamics in the office and never said to him firmly to stop, a decision she now regrets. Instead she described constantly brushing the comments off with polite rebuttals and changes of subject. She said that she was clear that she was not attracted to him. She said his advances occurred almost every day and continued for about four or five months. She felt she was "worn down". She said that eventually she agreed to go out for dinner with him but made it clear that she was not interested in him sexually and she emphasised that it would be on a 'friends only' basis.
37. A few weeks later she made arrangements to meet him at the restaurant near her and that he tried to manipulate her into offering him to stay in the spare room at her house. She said she made it clear that they were only friends and the Officer accepted that position.
38. She said that when they went out for dinner, he kept trying to hold her hand on the table. He also tried to rub his leg against her leg under the table and that she pulled her legs back. She said he did this on two or three occasions over dinner. She said that the Officer did not take no for an answer.

39. She said that after dinner finished, they took a taxi back to her address. They initially sat in the garden as she said that she felt more comfortable outside in the Officer's company rather than sitting indoors on a sofa. She showed the Officer the spare room. Person A stated that nothing sexual happened that evening at her home address. However, she stated that she felt fearful about him coming into her bedroom and because of that she "didn't sleep a wink". After that night she realised that he had not got the message that she was not interested in him. So subsequently, she tried to avoid the Officer as much as possible at work which disrupted her ability to work to the best of her potential and she was anxious about having to be in his company in a working environment.
40. Some time later, Person A told Inspector [REDACTED] about the behaviour of the Officer towards her. She explained in oral testimony that the only reason she ultimately mentioned anything to Inspector [REDACTED] was in response to a comment he made which inferred she did not get on with the other sergeants; this provoked her into making a disclosure to him, revealing that her only issue was with the Officer specifically due to his behaviour. Person A said that she very clearly recalled his response of "oh no, not again".
41. Person A explained she was adamant with Inspector [REDACTED] that she did not want any formal action taken. She explained there were several factors as to why she did not want to formally report then, which included that the culture at the time would have been that nothing would have been done about it – except one or other of them being moved. She articulated that the likelihood was that any reporting at the time (2017/2018) would have resulted in her being labelled the 'troublemaker'. She already felt that she had to prove something to fit in, as a part time [REDACTED] working in this office. She said she did not want additional stresses, especially as she could detect a friendliness between Inspector [REDACTED] and the Officer, which was not the same for her.
42. She accepted that, other than the touching in the restaurant, the Officer never touched her in a sexualised way.
43. Person A stated that she repeatedly told the Officer that she was not interested in a romantic relationship with him and that she joked it off. She was adamant that she did not instigate any sort of personal relationship with the Officer.

44. Person A said that she made it clear that the comments were unwelcome and unwanted by polite but continual rebuttals, such as 'thanks but no thanks'. She said that she struggled to get him to understand that. She said that, over time, she became very blunt but that he simply 'would not take no for an answer'. She stated that she accepted that in hindsight, she should have been more bold, but that she did not want to 'rock the boat'. She said it would have made her look difficult, and she just hoped that the Officer would 'get the message' and stop his unwanted behaviour.
45. She accepted that she did go out to a restaurant for dinner with the Officer on one occasion. She conceded that she might have made an error about the date that it took place and accepted in response to being shown the bank statements of the officer, that the likely date of the restaurant meal was 31 May 2017. She accepted that she had agreed that the Officer could stay overnight at her house (staying in the spare room) but made it clear that it was on a 'friends only' basis. She said that she had only agreed to go out for dinner with him to 'shut him up'. She was adamant that they only met him on one occasion, and that she did not see the Officer two days previously on 29 May 2017 (which he asserted they did).
46. On the night of the restaurant meal after he had touched her, she said that she became uncomfortable about him staying, but was aware that he would have been drinking and that he had some of his 'stuff' at her place, as the arrangement had been made for him to stay. Whilst nothing inappropriate took place back at the house, she stated that she felt very unhappy and fearful that the Officer might try and enter her bedroom although she readily accepted that did not happen.
47. In terms of the timing of her complaint, she accepted the culture has now changed. She stated that she now worked in Professional Standards, encouraging others to come forward when they have been the victims of inappropriate behaviour, and by not doing so herself, she felt like a hypocrite. She said that she now felt empowered to come forward, but felt guilty for not having done so sooner, but she felt that nothing would have happened at the time.
48. Person A's account was corroborated by Inspector [REDACTED] an independent witness to whom Person A made contemporaneous disclosures as a friend. She stated that Person A told her that the Officer "*had been texting her constantly*", "*asking her out on dates and telling her that she was pretty*", and that she "*was not into him and just wanted him to leave her alone*".

49. PC [REDACTED] also gave evidence, and he stated that, on a couple of occasions, the Officer would leave the office whenever Person A left, and that, in hindsight, she appeared uncomfortable in his presence. However, he accepted that he was unaware of the context in which the Officer and Person A left the office, and he never saw or heard the Officer acting inappropriately towards Person A. As such, the Panel attached little weight to his evidence given the lack of probative value.
50. The Officer gave live evidence. He denied that he ever made inappropriate sexualised comments towards Person A. He also denied the circumstances that led to the restaurant dinner. His account was that the arrangement to go for dinner had been made two days previously. The Officer stated in his oral evidence that Person A had texted him on 30 May 2017 reiterating the meal was to be on a 'friends only' basis. He said he thought of it as nothing else. He said he had gone to her house to assist her with assembling a piece of IKEA furniture and then they went out for dinner, returning later to her house by taxi. He denied touching her hand or her leg at the restaurant. He stated that he stayed overnight at Person A's address in her spare room and that no inappropriate conduct took place.
51. He denied persistently messaging Person A or attempting to foster a sexual relationship with her and further denied physically touching her at the restaurant as alleged or at all.
52. As such he denied breaching the Standards of Authority, Respect and Courtesy or the Standard of Discreditable Conduct.
53. The Panel concluded that the evidence of Person A was credible and reliable and was to be preferred to the evidence of the Officer for the following reasons:
- Person A's oral evidence was consistent with her initial statement in relation to the nature of the relationship with the Officer;
 - Her account was consistent with the evidence of Inspector [REDACTED]
 - Person A stated, and it was accepted by the Officer, that when she agreed to have dinner at a restaurant on 31 May 2017, and in agreeing to allow the Officer to stay at her home address for the night, that it was to be on a 'friends only' basis. The Panel concluded that it was a proper inference to draw that Person A would only have mentioned that if she believed that the Officer wanted something more than a platonic professional relationship. Such a belief, the Panel concluded, was wholly consistent with Person A's evidence that the Officer persistently made

complimentary and flattering comments about her figure, looks and personality;

- There was no evidence to suggest that her account was embellished or fabricated or motivated by malice or bad faith. The Panel rejected the Officer's position that Person A had falsified and / or embellished her account because she disliked his management style (which Person A accepted), and because no action had been taken against the Officer following a previous investigation into overtime payments. The Officer had not raised such an assertion in his Regulation 31 response and the suggestion was not put to Person A when she initially gave evidence as a motive for falsifying her account, albeit that he mentioned these issues in his investigation interview. His position was only raised late in the day when questioned by the Panel, resulting in Person A being recalled. This, the Panel concluded, undermined the credibility of his position;
- Furthermore, Person A had accepted, for example, that she had been mistaken about the date of the restaurant visit and had no recollection of an earlier visit by the Officer to her house to build IKEA furniture or the burning of cardboard in her chimenea at her home. The Panel concluded that Person A's recollection of events in this regard or her inability to recall the exact date of the restaurant visit related to peripheral issues, rather than the core concerns of her complaint, (which she recalled with significant clarity), and as such, did not undermine the veracity of her evidence generally. Similarly, the Panel concluded that accepting that the Officer's unwanted behaviour occurred 'almost daily' rather than 'daily' as initially stated, reflected a more accurate reflection of how often the Officer's unwanted contact occurred, rather than being demonstrative of evidence of a witness whose account could not be relied on;
- Furthermore, Person A spoke of the Officer's comments, some of which she considered to be 'low level' while others left her feeling '*sexualised and very self-conscious*'. This occurred on a 'drip drip' basis. She had not sought to suggest that the Officer had touched her in a sexualised way or tried to engage in overtly sexual behaviour while staying at her house which would have been open to her had her account been fabricated or embellished. On the contrary, it considered her evidence to be balanced and measured. By way of example, the Panel noted that Person A had stated that whilst the Officer regularly phoned and messaged her, she recalled only one inappropriate call from the Officer. This was when he called her when drunk in the early hours of a morning, causing her to feel uncomfortable and uneasy, as to why he thought of calling her when he was in a state of drunkenness. She was concerned that this showed that he was thinking

about her at such an hour;

- The Panel concluded that Person A's rationale for failing to report her concerns, or discuss them with colleagues at the time, to be credible. The Panel also noted that Person A did not bring her concerns to the attention of the Professional Standards Unit, but instead her concerns had come to their attention as a result of an anonymous intelligence report. Her reluctance to instigate an investigation into the Officer's behaviour, the Panel concluded undermined the Officer's position that her account of events had been fabricated or embellished.
54. In relation to the issue of cross admissibility of evidence, the Panel carefully considered the submissions of both Dr Wilcox and Ms Graham in line with the principles derived from the case of *PSA v GMC & Garrard [2025] EWHC 318 (Admin)*, confining itself to the sole limb advanced by Dr Wilcox in relation to rebutting coincidence.
 55. It first considered whether the evidence relied upon, was capable of being cross admitted by evaluating whether there was a sufficient connection between the allegations in relation to Person A and Person B. Having done so, it concluded there was such a connection in that the allegations against the Officer related to a sustained course of, sexually inappropriate, harassing and oppressive conduct towards two female colleagues in pursuit of a sexual relationship that neither Person A nor Person B wanted. Both Person A and Person B stated that the Officer would not take 'no for an answer'.
 56. The Panel then considered whether there was evidence of collusion or contamination which might explain the similarities in the complaints of Persons A and B to assess whether it was likely that their complaints were a result of coincidence. Having done so, it concluded that there was no basis for concluding either that there had been collusion between Persons A and B, or that their evidence had been contaminated, noting that Persons A and B did not know each other.
 57. The Panel concluded that, in the absence of any credible evidence of collusion or contamination, it was unlikely that the similarities of the evidence of Persons A and B were the result of an innocent coincidence. As a result, the Panel attached significant weight to the credibility and reliability of their respective accounts when determining whether the factual allegations were proved.
 58. In all the circumstances, the Panel found the facts of Allegation 1 proved.

Allegation 2

59. Person B also gave live evidence. She stated that the Officer harassed and behaved oppressively towards her over a period of time. She said that at the material time, she had just over 1 year police service and was in her probation period. She was 24 years of age and had had one previous job as a sports coach at a school since graduating University with a law degree.
60. She stated that an intimate association with the Officer began on or around October 2020, after team drinks at a pub, when the Officer stayed at Person B's address having missed his train. She said she woke the following morning, with the Officer in her bed. She says that due to intoxication, she has no memory of what happened between them the night before. She said that she felt the Officer took advantage of her vulnerability. Person B said that up until this occasion she had a strictly professional relationship with the Officer. She described feeling quite shocked and alarmed when the Officer was in her bed the next morning and he kissed her. She said that the next day, he asked her to go for a curry or dinner with him. She said that she told him that she thought that would be "a bad plan" and made it clear that she did not want to. She said that the next day, when working from home on a Teams conference as part of her probationer training, the Officer arrived at her house unannounced. She had to finish the online conference and it caused her awkwardness and embarrassment in him being at her home, making himself comfortable whilst she was still trying to work.
61. She said that following this first unplanned visit the Officer frequently insisted on attending her home for "wine and chats", often citing that he "needed a glass of wine", and would ignore her requests not to come over.
62. Person B stated that she felt pressured and compelled into the relationship from the outset, given the Officer's persistence and the power imbalance in rank, age and experience. She said she disclosed to PC [REDACTED] that the Officer "*would constantly ask to come to my house and constantly ask why I didn't want a relationship*", that he turned up unannounced when told not to on approximately 7 to 10 occasions. She described him as "*incredibly persistent*".
63. She said that the Officer told her that he "didn't take no for an answer very well", and, when she resisted, said words to the effect that "*I can ruin your reputation but I am not going to*". She said that the Officer would call and message her excessively, on

one occasion calling 17-18 times, causing colleagues to notice her phone constantly ringing, until she blocked his number.

64. She stated that on one occasion on the night of 12/13 December 2020, the Officer, having insisted on going to her drunk. She said the Officer was insistent in coming over to chat. She said she reluctantly agreed. She said he seemed drunk and upset about his family or his ex-wife and she thought he was emotionally unstable. She stated that she again said she did not want any relationship with him and no sexual relationship with him, but she would be there to support him. He stayed longer and drank wine. When he said he missed his last train, he ended up staying but she said she was annoyed because she had explained that she did not want anything sexual to happen.
65. She said that they got into bed and he started kissing her and pulling himself in to kiss her. She said that she kept saying she did not want the sexual relationship to continue but he kept kissing her neck and kept trying to pull her in so she got out of bed and said she would sleep in her housemate's room. She said he started being aggressive (the Officer having found a used condom in her bedside bin) and felt sufficiently frightened that she had to physically hold the door closed because it did not lock.
66. Person B referred to the WhatsApp messages which she stated demonstrated the Officer's persistence and refusal to accept rejection. Person B stated that she repeatedly told the Officer they should not keep seeing each other outside work and that he needed *"to learn to take no for an answer"*, to which he replied *"Not good at that"* followed by *"Is that a yes then?"*. She stated that on 13 May 2021 the Officer pleaded to be let in "no less than 20 times", which she declined, telling him *"I am trying so hard not to hurt you by allowing this to continue"*.
67. Person B stated that the first time she had any form of sexual contact with the Officer was when she was heavily intoxicated. Although she had drunk alcohol voluntarily, she stated that she was undoubtedly vulnerable due to intoxication. She said that she believed the Officer took advantage of her vulnerability to make physical advances. Up until this point she had a strictly professional relationship with the Officer. She said that she felt quite shocked and alarmed when she saw the Officer at her house in her bed the following morning.
68. She said that from that point onwards, the Officer pursued a sexual relationship with her even though she made it clear she did not want this at that time. She said he

repeatedly made advances which she felt she could not decline. She said that when she made excuses, he made out that she was being unfair and unkind not letting him come to her home when she did not want him there.

69. Person B stated that she explained to the Officer that she did not want a relationship with him because he was her Line Manager, he was 20 years older than her and she did not want her reputation at work to be affected. She said that she was working in her probationary period, and had only known the Officer as her Line Manager. She recalled the Officer commenting that he *“didn’t take no for an answer very well”*.
70. This, she stated, was to become the context for the remaining relationship. Person B stated that even if she did say no, or decline advances, this would only lead to more pressure until she gave in, or it would ‘fall on deaf ears’. She said she felt trapped and could not say “no”. She said there was constant pressure for the relationship to be more intense than she felt comfortable with. She said that her actions and decisions in the relationship were governed by the pressure and coercion of the Officer, and the fact that he, self-admittedly, would not take no for an answer. She stated that the Officer’s behaviour was a deliberate attempt to take advantage of his position of seniority over a younger, more vulnerable probationary colleague.
71. Person B spoke of the lasting impact the Officer’s behaviour had had on her. She stated that the Officer put constant pressure on her to have a relationship with him. She referred to her Victim Personal Statement, in which she explained that the relationship *“was borne out of inappropriate pressure and coercion”*, that the Officer *“used his position of power and responsibility to diminish my ability to decline his advances”*, and that the experience contributed to her resigning from the Police Service after only four years.
72. The Officer denied the allegations therefore denied that he breached either the standard of discreditable conduct or authority respect and courtesy. It was his position that he and Person B were in a consensual sexual relationship which was separate and distinct from their roles as Police Officers and this was reflected in their ongoing communications and messaging as evidenced by the substantial number of WhatsApp messages passing between them.
73. Whilst the Officer recognised the difference between himself and Person B at the time, he denied that the power imbalance was exploited or that he abused his position. It was his case that Person B was an experienced adult, capable of making informed

decisions. He stated that the relationship between them was a private matter between two consenting adults and that the relationship did not impact on his professional duties or the integrity of the Police Service. He stated that there was no prohibition on relationships between colleagues, irrespective of rank, provided they are consenting and that there is no abuse of position. He stated in his Regulation 31 response that he had no line management responsibility over Person B after March 2021 and that the two of them remained in a consensual sexual relationship.

74. However, in response to questions put to him during the course of his evidence, the Officer accepted that, as Person B's Line Manager, he had responsibilities for her which included authorising her overtime, writing up and endorsing applications and projects linked to career progression and for conducting appraisal reviews, ultimately necessary for signing off her probationary period.
75. In support of his position that his relationship with Person B was consensual, he relied upon a number of WhatsApp messages which suggested that she has happy to encourage her relationship with the Officer. By way of a non-exhaustive example, he relied on the following messages:

14 December 2020: the day after the incident on 13 December 2021 referred to above:

"Sorry x"

"I feel really shit that I've upset you, I really didn't mean to." Later that afternoon she added:

"You're also literally the best line manager ever."

23 April 2021:

"Come for a drink lol." Later that evening she asked him:

"Don't leave before me."

The following day she continued the exchange by stating:

"Should have stayed" before adding:

"You know where I am if you want a drink x." and later:

"Do like spending time with you even not hungover."

"[REDACTED] is away all weekend if you're free."

16 June 2021

Person B: *"Don't know if this is some weird kind of power trip for you but you know*

this kind of thing makes me anxious and you're deliberately making that worse I am SO fed up with you only thinking about how things effect you. Please don't contact me anymore."

The Officer continued to contact Person B next responding seven minutes later.

76. The Panel considered the evidence of Person B to be credible and reliable and to be preferred over that of the Officer for the following reasons:
77. The Panel preferred the account of Person B in relation to the events of 12/13 December 2020, specifically around her reasons for moving into PC [REDACTED] bedroom. Her explanation, which the Panel considered to be more credible, was that she moved bedrooms because the Officer had tried to kiss her after she explicitly said that she did not want a sexual relationship with him. His explanation for her moving rooms was that he may have been too close to her in bed. This, the Panel concluded, would have been an unlikely reason for her moving rooms if Person B had wanted a sexual relationship with the Officer that night as he asserts.
78. Person B accepted that a number of her messages may have given the impression that she was acquiescing to a physical relationship with the Officer. However, she stated that the messages needed to be seen in context. In her video recorded interview, she stated that *"I tried to decline politely at the start of the relationship; being uncontroversial in my responses. I tried not to damage the line manager relationship. I was worried about the ramifications. I then tried to make excuses of having friends over or time with my housemate, but Officer MT tried to undermine those too. I acquiesced with the relationship in messages, to be seemingly normal."* The Panel concluded that her explanation was credible and rational.
79. In his written response to caution form, the Officer stated: *"At no point has [Person B] ever told me to stop contacting her. I did not know, or ought to know, that any previous contact was unwanted"*, a position he confirmed as being true and accurate in his evidence. This, the Panel concluded, was wholly inconsistent with a significant number of WhatsApp messages Person B sent the Officer, which supported her position regarding her willingness to engage in an intimate relationship with the Officer and his persistence to seek one. Examples include, but are not limited to the following messages:

25 October 2020

The Officer: *"I did say i was persistent"*; Person B: *"haha yeah I've noticed I was*

genuinely being serious though, I don't want to sound like a bitch but I'm just not into anything happening with anyone from work"

26 October 2020

Person B: *"you are good fun, but I still don't trust you haha";*
"haha listened but just refused to accept it then?"

9 November 2020

Person B: *"You need to learn to take no for an answer";* The Officer: *"Not good at that"*
/ "Is that a yes then?";

Person B: *"How the fuck did you get yes out of what I said"; "I don't like that you make me feel like a bitch saying you can't come over".*

11 November 2020

The Officer persistently messaged despite being told to stop: *"You got the hump with me"; "Dont thinks Deserve total silence";*

Person B: *"I've had a bad day and I just don't really want to talk to anyone right now"*
"I don't want to talk today and I don't want to have to justify why".

The Officer: *"Would you be mad if I just turned up?"*

Person B: *"Haha yes"*

The Officer: *"May do it then".*

18 November 2020

Person B: *"I've already said I find it stressful seeing you outside work"; "I literally always want a glass of wine But I genuinely don't think we should keep seeing each other outside work"; "Do you ignore what everyone says or just me..?"*

3 December 2020

Person B: *"Are you going to let me say no?"*

26 March 2021

Person B: *"Or just not taking no";*

The Officer: *"Is that a no";* Person B: *"You know it's a no";* The Officer: *"U did not mind last Friday"*

4 May 2021

Person B: *"Like I said, not angry just not doing this again"; "I'm sure you'll get over it".*

5 May 2021

The Officer: *"Let me come back now", "I will just cuddle please", "Just a cuddle".*

Person B: *"I'm sorry, I seriously can't"; "I can't" / "Both need to move on". "I'm not changing on this"*

7 May 2021

Person B repeatedly declining to meet (*"genuinely just keen to have drinks with new team"; "think it's best to do another time"*);

The Officer: *"disappointed"*.

9-10 May 2021

Person B: *"Need to not see you". "I'm just not comfortable being someone who sits around wanting to text you or see you when you're with someone else... I can't be that person"; "Don't want a relationship"*.

12 May 2021

Person B: *"I've explained perfectly reasonably why I don't want to keep chatting and keep seeing you in this situation" / "It's not my fault if you don't listen to that";*

13 May 2021

The Officer pleads to be let in / to come back repeatedly across multiple messages.

Person B: *"Can't say it any more times", "you drive me insane", "Honestly just trying to help you move on";*

The Officer: *"Love u... Will ask u once... Do you want me back"*.

16 June 2021

The Officer: *"Why have I been asked if I have been with you??"*;

Person B: *"Please don't contact me anymore."*

80. The Panel concluded that these messages were wholly inconsistent with the Officer's position as set out above and fundamentally undermined his evidence generally.
81. Person B's account in relation to unwanted contact and his persistence in coming round to her house was corroborated by her housemate, PC [REDACTED] who's statement was admitted as hearsay evidence. Given the consistency of her account and Person B, the Panel attached significant weight to her statement. PC [REDACTED] recalled the Officer telephoning Person B, and that she heard Person B *"explicitly telling him she did not want to see him"*, only for the Officer to arrive at the flat with two bottles of

wine around half an hour later. She stated that it would have been clear to any reasonable person that he was not welcome at the flat that evening, yet despite that, he just turned up with two bottles of wine.

82. The Panel also noted the Officer's reluctance to recognise the apparent power imbalance between himself and Person B. The Panel preferred Person B's evidence in that, in not wishing to develop a personal relationship with the Officer, she recognised that such a relationship would blur the boundaries. She stated that, on occasions, the Officer's treatment of her would be dependent on whether they were getting on well at any particular time, stating that at times, she was treated more favorably than other colleagues. The Panel noted from the contents of the WhatsApp messages that the Officer sorted and supported attachments to other units and was responsible for writing up the approval of her Police Now application and probationary PDRs (Personal Development Reviews).
83. Person B stated that at the relevant time, she was a young inexperienced Probationer. She stated that when in the morning she found the Officer in bed with her in October 2020 for the first time, she was shocked. However, the Officer in evidence, did not appear to identify any power imbalance to initiate, control or maintain the relationship, or to identify any potential conflict issues, merely stating, when asked how he felt, that he found Person B attractive.
84. In the circumstances, the Panel did not consider the Officer's position credible in that he felt he had complied with the College of Policing's guidance document: *"Appropriate personal relationships and behaviours in the workplace"* which states as follows:

6 Appropriate workplace relationships

In determining whether or not a relationship creates any negative impact on the legitimate aims of policing, the following factors could be considered:

- *a power imbalance is not used to initiate, control or maintain the personal relationship*
- *physical and intimate relations do not take place on duty, or off duty on police premises including police vehicles*
- *the relationship does not have an adverse impact on the workplace eg, by creating division and/or friction between those in the relationship or amongst work colleagues*
- *there is no fear, fraud or workplace benefit driving the relationship*

- *the relationship has no influence on workplace decisions or activities and is not being used to gain or provide some workplace advantage*
- *lines of reporting are not abused or compromised.*

8 Responsibilities of line managers

When an individual seeks guidance from his / her line manager or another manager, that manager must ensure that they sensitively and confidentially address the possible conflict.

They should consider:

- *the nature of the relationship*
- *any evidence that it may cause a conflict of interest*
- *any reasonably foreseeable negative impact on the ability of the service to deliver its legitimate aims, ie, service delivery, efficiency and effectiveness*
- *any reasonably foreseeable damage to public confidence / force reputation*
- *any reasonably foreseeable adverse impact in the workplace.*

85. The Panel did not identify any evidence to suggest that Person B's account was embellished or fabricated or motivated by malice or bad faith. Recognising that the burden of proof rests solely on the AA, the Officer did not identify any basis for concluding that Person B had fabricated her evidence.
86. The Panel was also mindful that initially, Person B was a reluctant witness. In October 2021, Person B was contacted by the North-East Professional Standards Unit (PSU). At that stage, she decided not to pursue a complaint concerning the Officer. In November 2022, Person B was contacted by the Directorate of Professional Standards (DPS). Following that contact, Person B informed the DPS that she wished to make a complaint concerning the Officer. The Panel concluded, given that chronology, that Person B's reluctance to make a complaint was not demonstrative of a witness who wished to fabricate or embellish her allegation against the Officer.
87. The Panel also concluded that Person B's version of events was consistent with the overall context of the WhatsApp messages provided. In any event, the Panel noted that as a result of the Officer's conduct, Person B had resigned from the Police Service, a career she had loved and felt competent at. The Panel concluded that it was not credible that that would have been a price worth paying to make a false allegation against the Officer.
88. The Panel has also considered the issue of cross admissibility of evidence in relation

to Allegation 2, and adopted paragraphs 53-56 above in support of its conclusion that the evidence of Person A is cross admissible in relation to Allegation 2 in the absence of evidence of collusion or contamination. Given the similar nature of the allegations, the Panel has attached significant weight to that evidence in reaching its finding of facts in relation to this Allegation.

89. In all the circumstances, the Panel found the facts of Allegation 2 proved.

Allegation 3

90. In light of the proven conduct of the Officer in both Allegations 1 and 2, the Panel considered whether his behaviour was predatory and oppressive in regard to both Person A and B. The Panel considered Person A to be vulnerable due to her prevailing circumstances at the material times. Although the same rank and of similar service to the Officer, her resilience was lowered due to having recently [REDACTED] [REDACTED] moving house [REDACTED] [REDACTED]
[REDACTED]
- [REDACTED] The Panel noted that the restaurant meal with the Officer and the unwanted sexual touching happened immediately after that period of sickness.

91. The Panel considered Person B to be in a vulnerable position compared to the Officer through her comparative age, probationary status and being a direct report of the Officer. The Panel concluded that the Officer intentionally exploited and manipulated this imbalance that was present to both women, finding it met the dictionary definition of 'predatory behaviour'. In addition, both Person A and Person B described the barrage of consistent behaviour and this frequency was in itself oppressive. The Panel therefore found the Officer's conduct to be predatory and oppressive and therefore the facts of Allegation 3 proved.

Breaches of the Standards of Professional behaviour

92. Having found the facts of allegations 1 and 2 proved, the Panel then went on to consider whether the Officer acted in breach of the Standards of Professional Behaviour (“SPB”).
93. The Standard of Professional Behaviour in relation to Discreditable Conduct states:
- “Police officers behave in a manner which does not discredit the police service or

undermine public confidence in it, whether on or off duty”.

94. The Code of Ethics 2014 states:

9.1

As a police officer, member of police staff or other person working for the police service, you must keep in mind at all times that the public expect you to maintain the highest standards of behaviour. You must, therefore, always think about how a member of the public may regard your behaviour, whether on or off duty.

9.2

You should ask yourself whether a particular decision, action or omission might result in members of the public losing trust and confidence in the policing profession.

9.3

It is recognised that the test of whether behaviour has brought discredit on policing is not solely about media coverage and public perception but has regard to all the circumstances.

95. The Standard of Professional Behaviour in relation to Authority Respect and Courtesy states:

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.

96. The Code of Ethics 2014 which was in force at the relevant time states:

“According to this standard you must:

*carry out your role and responsibilities in an efficient, diligent and professional manner
avoid any behaviour that might impair your effectiveness or damage either your own
reputation or that of policing*

*ensure your behaviour and language could not reasonably be perceived to be
abusive, oppressive, harassing, bullying, victimising or offensive by the public or your
policing colleagues.*

2.2

*The reasons for your actions may not always be understood by others, including the
public. You must, therefore, be prepared to explain them as fully as possible.*

2.3

ensure that any relationship at work does not create an actual or apparent conflict of

interest not engage in sexual conduct or other inappropriate behaviour when on duty not establish or pursue an improper sexual or emotional relationship with a person with whom you come into contact in the course of your work who may be vulnerable to an abuse of trust or power.”

97. Such conduct found proved, was predatory and oppressive for the reasons set out above and represented unwanted and persistent sexualised conduct to two female colleagues. The Panel concluded that such conduct amounted to serious and repeated breaches of the Standards of Professional Behaviour in relation to Authority Respect and Courtesy and Discreditable Conduct.

Findings of Misconduct / Gross Misconduct

98. Having found all the factual allegations proved, and that the Officer's conduct amounted to breaches of the Standards of Professional Behaviour as set out above, the Panel went on to consider whether the Officer's conduct amounted to misconduct or gross misconduct. Misconduct is defined in Regulation 2(1) as a breach of the Standards of Professional Behaviour that is so serious as to justify disciplinary action. Gross misconduct is defined as a breach of the Standards of Professional Behaviour that is so serious as to justify dismissal.
99. The Panel has had regard to Regulation 41(16) of the Conduct Regulations, which instructs panels that they must not find the conduct of the Officer concerned amounts to misconduct or gross misconduct unless:
- they are satisfied on the balance of probabilities that this is the case; or
 - the Officer admits it is the case.

Submissions on behalf of the Appropriate Authority

100. Dr Wilcox submitted that the charges and breaches of the Standards of Professional Behaviour clearly amount to gross misconduct in that they are so serious that immediate dismissal was justified. He submitted that the conduct to Person B was directed at a junior female colleague; it exploited the Officer's supervisory authority over a probationer. It was persistent, in that it was repeated across two complainants over a period of years; and it culminated in unwanted physical contact / sexual assault.
101. In relation to the standards breached, Dr Wilcox submitted that the Officer's

behaviour, both individually and cumulatively, was capable of undermining public confidence in, and bringing discredit upon, the Police Service.

102. He submitted that these matters individually and/or cumulatively amount to gross misconduct, namely a breach of the Standards of Professional Behaviour that, if proved, are so serious as to justify dismissal.

Submissions on behalf of the Officer

103. Ms Graham also provided written submissions. These principally addressed issues relating to findings of facts, rather than specific submissions relating to the issue of misconduct / gross misconduct.

The Panel's decision

104. In reaching its finding, the Panel has carefully considered all the evidence presented to it together with the submissions made by Dr Wilcox and those of Ms Graham.
105. The Panel, in finding the factual allegations proved, has identified serious breaches of the standards required of an Officer. The Panel is mindful that it does not follow that a finding of misconduct and/or gross misconduct must follow from an identified breach. The nature of the failings identified, related to to a sustained course of sexually inappropriate, harassing and oppressive conduct towards two female colleagues, one of whom was a probationer who he line-managed. He exploited a stark imbalance of rank, age and experience to pressure a probationer under his direct supervision, Person B, into a sexual relationship she did not want. In addition and separately, the Officer relentlessly pursued and made unwanted physical contact with Person A. Such conduct, and corresponding serious breaches of the applicable standards, the Panel concluded, both individually and collectively, fell significantly short of the standard expected of him.
106. When assessing the severity of the breaches it assisted the Panel to assess the seriousness of the conduct by reference to the harm caused by the breaches with reference to the College of Policing's guidance on outcomes in police misconduct proceedings which was expressly amended to make violence against women and girls ("VAWG") especially serious. Such harm encompasses both harm to an individual but also to the standing and reputation of the profession as a whole.

107. The Panel concluded that the level of the Officer's culpability was very high because:

- a) The conduct was intentional, deliberate and targeted: paragraph 4.10;
- b) The officer could reasonably have foreseen the risk of harm: paragraph 4.11;
- c) It is an especially serious type of misconduct: paragraph 4.14;
- d) It is misconduct involving sexual impropriety: paragraph 4.40-4.43;
- e) The Officer's conduct involved an abuse of trust / authority in relation to Person B 4.44-4.46 and
- f) It was a form of violence against women and girls: paragraph 4.60.

108. In terms of harm, the Panel concluded that the level of harm caused was very high for the following reasons:

- a) Person A had to sustain persistent unwanted harassment from the Officer, despite her repeated requests for him to stop, making her fearful and vulnerable in her own home;
- b) Person B provided a lengthy personal impact statement describing the emotional impact the Officer's conduct had on her, leading her to resign from a career she loved;
- c) Reputational harm to the Police Service.

109. The Panel had particular regard to the following paragraphs of the College of Policing's guidance on outcomes in police misconduct proceedings in relation to public confidence in policing which states:

"Violence, intimidation or sexual impropriety

4.40 Misconduct involving violence, intimidation or sexual impropriety is serious and can significantly undermine public trust in the profession (see also the section on 'Violence against women and girls').

4.41 This includes cases involving bullying or harassment, either in the police service or towards members of the public. Give attention to the degree of persistence, the vulnerability of the other party, the number of people subjected to the behaviour and whether the officer was in a specific position of authority or trust. More serious action is likely to be appropriate where the officer has demonstrated predatory behaviour motivated by a desire to establish a sexual or improper emotional relationship with a Colleague or member of the public.

4.42 If the matter involves sexual harassment, consider whether the behaviour has been driven by misogyny, which will increase the assessed seriousness.

4.43 The presence of any of these factors is likely to increase the seriousness of the misconduct, although the treatment of a single individual can be sufficiently serious to amount to gross misconduct.

Abuse of position of trust or authority

4.44 The nature of the office of constable means that all police officers are in a position of trust and authority in relation to members of the public. An officer's misconduct will be more culpable where it involves an abuse of this position. The abuse of position for a sexual purpose (APSP) is a form of serious corruption,⁷² defined as any behaviour by a police officer, whether on-duty or off-duty, that takes advantage of their position as a member of the police service to misuse their position, authority or powers in order to pursue a sexual or improper emotional relationship with any member of the public.⁷³ Such conduct can cause substantial damage to public trust and confidence in the police, and is particularly serious where the subject of the officer's behaviour is a vulnerable person.⁷⁴

110. In relation to wider public concerns about misogyny and sexual misconduct in policing, the Panel also had regard to paragraphs 4.66, 4.70 and 4.71 which state:

4.66 Harm will likely undermine public confidence in policing. Harm does not need to be suffered by a defined individual or group to undermine public confidence. Where an officer commits an act that would harm public confidence if the circumstances were known to the public, take this into account. Always take misconduct seriously that undermines discipline and good order within the police service, even if it does not result in harm to individual victims."

4.70 If applicable, consider the scale and depth of local or national concern about the behaviour in question. However, a case being reported in local or national media does not necessarily mean that there is a significant level of local or national concern. Distinguish objective evidence of harm to the reputation of the police service from subjective media commentary.

4.71 Whether a matter is of local or national concern will be a matter for the person(s) conducting the proceedings based on their experience and the circumstances of the case."

111. Having considered all the evidence and submissions before it, the Panel found that the Officer's actions represent a serious falling short of the standards expected of him. The Panel therefore concluded that, both individually and cumulatively, the Officer's conduct justified dismissal from the Police Service.

112. As such, the Panel found that the Officer's conduct amounted to gross misconduct.

Finding on outcome including any aggravating or mitigating factors affecting the seriousness of the failures in standards

Submissions on behalf of the Appropriate Authority.

113. Dr Wilcox referred the Panel to the "Guidance on outcomes in police misconduct proceedings" 2023 version, ("the Outcomes Guidance") which sets out the staged approach to be adopted in reaching its decision, and the outcome options available. He submitted that the Officer should be dismissed without notice.

114. In terms of culpability, Dr Wilcox referred to the following paragraphs of the Outcomes Guidance which states:

"4.10 Conduct that is intentional, deliberate, targeted or planned will generally be more culpable than conduct that has unintended consequences, although the consequences of an officer's actions will be relevant to the harm caused.

4.12 Culpability will also be increased if the officer was holding a position of trust or responsibility at the relevant time. All police officers are in a position of trust, but an officer's level of responsibility may be affected by specific circumstantial factors, such as rank, their particular role and their relationship with any persons affected by the misconduct."

115. Dr Wilcox also referred the Panel to paragraph 4.26 above and paragraph 4.66 which states:

"4.66 Harm will likely undermine public confidence in policing. Harm does not need to be suffered by a defined individual or group to undermine public confidence. Where an officer commits an act that would harm public confidence if the circumstances were known to the public, take this into account. Always take misconduct seriously that undermines discipline and good order within the police service, even if it does not result in harm to individual victims."

116. He submitted that the conduct found proved was, on any view, deliberate and sustained: a persistent, targeted pursuit of two female colleagues, one junior and over a prolonged period, in which the Officer repeatedly refused to accept rejection. This was not a momentary lapse of judgement but a course of conduct pursued in the face

of clear and repeated refusals; and insofar as any resulting harm was not intended, the risk of it was plainly foreseeable, which itself increases culpability.

117. Dr Wilcox submitted that, in respect of Person B, the Officer was her Line Manager and Sergeant, with just under 20 years' service, some 20 years her senior; she was a probationary officer with just over one year's service. The Guidance expressly recognises the heightened responsibility of those in supervisory roles and the aggravating character of an imbalance of power or authority of precisely this kind. The Officer exploited that imbalance to pressure a probationer under his direct supervision into a relationship she did not want.
118. Dr Wilcox submitted that the Outcomes Guidance identifies misconduct involving sexual impropriety, and bullying or harassment of colleagues, as especially serious, directing attention to the degree of persistence, the vulnerability of the other party, the number of people subjected to the behaviour, and whether the officer was in a specific position of authority or trust. Each of those features was present in this case: the persistence was extreme (on 13 May 2021 the Officer pleaded to be admitted and to return, and was refused, telling her "*U should have invited me in*"). He submitted that the conduct was directed at two separate complainants; and the Officer was, in Person B's case, in a direct supervisory relationship. More serious action, he submitted, is likely to be appropriate where an officer has demonstrated predatory behaviour motivated by a desire to establish a sexual relationship with a colleague, and where sexual harassment is driven by misogyny the assessed seriousness is increased.
119. He invited the Panel to have regard to the criminal character of the December 2020 incident. He submitted that it is unacceptable for Police Officers, who are responsible for enforcing the law, to break the law themselves. Where the conduct found proved is criminal in nature, that is to be taken into account in assessing culpability notwithstanding the absence of any conviction. The incident of 12/13 December 2020 was recorded as a sexual assault. Sexual offences are identified in the Guidance as particularly serious and likely to terminate an officer's career. That the criminal investigation was concluded without the Officer being charged, did not diminish the point, and the criminal standard has no application here.
120. In relation to harm, the Panel was invited to consider psychological distress. The harm to Person B, he submitted, was evident from her Victim Personal Statement: she describes a relationship "*borne out of inappropriate pressure and coercion*", and

explained that the Officer "*used his position of power and responsibility to diminish my ability to decline his advances*". He reminded the Panel that the experience contributed to her resigning from the MPS after only four years. The harm to Person A was likewise apparent from her account of the anxiety his conduct caused her at work, to the point that she sought to avoid him entirely. In each case the harm falls to be assessed by reference to the particular characteristics and circumstances of the victim.

121. Beyond the harm to the individuals, the Panel was invited to consider the effect on public confidence in the police service. Were this conduct to become known to the public, it would be certain to cause significant harm to the standing and reputation of the police, particularly given the heightened national concern regarding the treatment of women by serving officers. Where gross misconduct has been found and the behaviour has caused, or could have caused, serious harm to individuals and to public confidence, dismissal, he submitted, is likely to follow. The impact of the misconduct on the standing and reputation of the profession as a whole he submitted, was a factor of the greatest importance.
122. Finally, he submitted that conduct of this character falls squarely within the Guidance on violence against women and girls, a term referring to acts of violence or abuse known disproportionately to affect women and girls. The Guidance records that policing has come under national scrutiny in this area, and that such conduct perpetrated by a Police Officer, whether on-duty or off-duty, will always carry a high degree of culpability, the likely outcome being severe.
123. In conclusion, he submitted that dismissal without notice was the only rational outcome.

Submissions on behalf of the Officer

124. The Panel heard submissions from Ms Graham and had sight of a number of character references in support of the Officer. The Panel was also provided the Officer's record of service.
125. Ms Graham reminded the Panel that the purpose of an outcome was not to be punitive and that the Panel should impose the least restrictive outcome necessary to meet the need to protect the public and the public interest.
126. She submitted that whilst the findings made were serious, it did not necessitate an

outcome of dismissal without notice and that a 5 years Final Written Warning would be appropriate and proportionate. Alternatively, a reduction in rank would strip the Officer of his supervisory role.

127. She submitted that the character references attested to the Officer's competence as a Police Officer and she made reference to the fact that he had received a number of commendations.
128. In relation to the allegation relating to Person B, she submitted that the Officer saw the relationship differently to her. She stated that the Officer did not use his position to compel compliance on her part, and that the Officer was not aware that his contact with her was unwanted or oppressive.
129. Ms Graham also submitted that the Officer did not specifically seek out a junior colleague for a relationship, and also submitted that the Officer did not intimidate or threaten either Person A or Person B.
130. In conclusion, Ms Graham submitted that confidence in the Police Service and the regulatory process would not be undermined if the Officer was made the subject of a Final Written Warning for 5 years or a reduction in rank.

Decision

131. In reaching its decision on outcome, the Panel has had regard to the public interest, which includes the need to protect the public, to maintain confidence in the Police Service and to declare and uphold proper standards of conduct and behaviour. The Panel has carefully considered all the evidence and submissions made during the course of this hearing. It has borne in mind that the purpose of imposing a sanction is not to be punitive although it may have a punitive effect. The Panel is mindful that its role is to protect the public and to maintain confidence in the policing profession. It has taken into account the Officer's interests, the Guidance on outcomes, and the need to act proportionately. It has taken into account any aggravating and mitigating factors in this case and in doing so, the Panel has exercised its own independent judgment.
132. It has taken into account the principle derived from the case of *Towuaghantse v The General Medical Council [2021] EWHC 681 (Admin)* in that it is not procedurally fair for an Officer to face the risk of enhanced sanctions by virtue of having robustly defended allegations made against them.

133. It has also had regard to the principle as set out in the case of *Bolton v Law Society* [1994] 1 WLR 512 applied in that the collective reputation of the profession was more important than the fortunes of the individual. The maintenance of high professional standards and the reputation of the profession are established principles.
134. The Panel first considered the seriousness of the behaviour it found proved. In doing so, the Panel adopts its findings in respect of culpability and harm identified earlier in this determination when making its findings on gross misconduct.
135. Additionally, in relation to culpability, the Panel has concluded that the level was very high, as was the level of harm, both on the complainants, but also to the reputation of the Police Service. His actions were deliberate and targeted, (noting that Person A stated that the Officer only behaved inappropriately in the office when there were no other Officers present) and the pressure exerted on both Person A and Person B was constant and persistent. In respect of both complainants, the Officer disregarded repeated requests to stop his unwanted behaviour.
136. The Panel noted that, additionally, the Officer's conduct in relation to the sexual touching of Person A in the restaurant and the unwanted kissing of Person B as referred to above, was akin to criminal behaviour. In that regard, the Panel has also had regard to paragraph 4.13 of the Outcomes Guidance which stated that:
- "4.23 If the conduct found proven in the misconduct proceedings is criminal in nature, take this into account when considering the culpability of the officer, notwithstanding the absence of a criminal conviction."*
137. The Panel has also found that the Officer abused his position for a sexual purpose and as such, paragraphs 4.45 and 4.49-4.51 applied. They state that:

"4.45 In addition to the office of constable, an officer may hold a position of trust or responsibility. Within the police service, positions of responsibility may be defined in relation to rank. There may, however, be other circumstances giving rise to an imbalance of power or authority – for example, a senior constable on a shift or a tutor constable in relation to their tutee or those in supervisory or senior leadership roles."

4.49 Many people come into contact with the police when they are at a particularly difficult or distressing point in their lives, and they are entitled to be treated professionally."

4.50 Officers must not, under any circumstances, use their professional position to initiate or pursue a sexual or improper emotional relationship with a vulnerable person.

4.51 Where an officer has a specific responsibility to a person – for example, as a family liaison officer, personal protection officer or cadet leader – there is likely to be a high level of reliance by that person on the officer, which may make that person vulnerable. Developing a sexual or improper relationship in such a situation undermines the professional relationship between the person and the officer, and can harm the vulnerable person. Such relationships, while the professional context or duty prevails, are matters of serious concern.”

138. In assessing culpability, the Panel has had regard to the paragraphs of the Guidance on outcomes identified by Dr Wilcox. The Panel maintained its overall assessment of culpability as being very high.

139. The Panel next considered the level of harm caused by the misconduct found proved. In doing so, it considered that the following paragraphs of the Guidance were relevant:

Type of harm

4.64 The types of harm caused or risked by different types of police misconduct are diverse. Victims may suffer:

...

reputational harm

Effect on the police service and/or public confidence

4.66 Harm will likely undermine public confidence in policing. Harm does not need to be suffered by a defined individual or group to undermine public confidence. Where an officer commits an act that would harm public confidence if the circumstances were known to the public, take this into account. Always take misconduct seriously that undermines discipline and good order within the police service, even if it does not result in harm to individual victims.

4.67 Assess the impact of the officer’s conduct, having regard to the factors in the Discrimination section of this document and to the victim’s particular characteristics.

4.69 How such behaviour would be, or has been, perceived by the public will be relevant, whether or not the behaviour was known about at the time.

4.74 Where gross misconduct has been found and the behaviour has caused – or could have caused – serious harm to individuals, the community and/or public confidence in the police service, dismissal is likely to follow. A factor of the greatest

importance is the impact of the misconduct on the standing and reputation of the profession as a whole.

140. In relation to harm, the Panel has noted that the Officer's conduct caused significant emotional harm. Person A blamed herself for not having raised her concerns earlier. Separately, the Officer's behaviour caused Person B real fear and concern, for example on the night of 12/13 December 2020. In addition, Person B stated that she was sufficiently affected by the Officer's conduct that she left the Police Service, a job she loved and felt competent at.
141. In addition, given the nature of the gross misconduct found proved relating as it does to predatory and oppressive unwanted sexual conduct towards two female colleagues over a significant period of time, the Panel has concluded that such conduct additionally significantly damages the reputation of the Police Service. The public are justifiably entitled to expect that Police Officers provide a safe work environment, free from sexual harassment and unwanted sexual advances. Given the failure to abide with the Officer's professional obligations, the Panel concluded that confidence and trust in policing would be undermined by the Officer's conduct.
142. In terms of harm, the Panel therefore concluded that the level of harm caused was very high.
143. As a result, the Panel concluded that in all the circumstances, the level of seriousness of the Officer's gross misconduct was at the high end of the spectrum of seriousness.
144. The Panel then went on to consider aggravating and mitigating factors. In terms of aggravating features, the Panel identified the following factors:
 - a) the Officer's conduct was premeditated, deliberate and targeted towards both colleagues;
 - b) his conduct was in pursuit of a sexual relationship with both Person A and Person B;
 - c) his predatory and oppressive conduct overall spanned a period of approximately four years;
 - d) his conduct in relation to Person B amounted to an abuse of trust, his position and authority;
 - e) as Person B's Line Manager, the Officer was in a position of leadership which included the expectation that he would act as a role model to other officers;

- f) the vulnerability of Person A and Person B as identified earlier in this determination; and
 - g) there have been multiple proven allegations and/or breaches of the Standards of Professional Behaviour.
145. In addition, the Panel concluded that the Officer's insight is very low. It was his position that he had been *"hung out to dry as part of the current campaign to clean up standards"* and that all he had done was *"have a relationship" with a colleague*. In justifying his own actions, he suggested that Person B willingly had relationships with other line managers and by inference, was responsible for the position in which he found himself.
146. The Officer had stated in his investigation interview that the relationship was "reciprocal" and "always on her (Person B's) terms" and that it was he who was "lonely" and "vulnerable" at the time, and that Person B took advantage of this by controlling when and where they saw each other, and for how long. The Panel viewed this approach as amounting to a significant failure by the Officer to accept personal responsibility for his own behaviour and amounted to victim blaming by the Officer.
147. In terms of mitigating features, the Panel identified the following factors:
- a) he has provided a number of positive testimonials and references attesting to his competence and capability as a Police Officer; and
 - b) he has no adverse disciplinary history.
148. Whilst recognising the presence of the above mitigating factors, the Panel concluded that they were significantly outweighed by the gravity of the aggravating factors.
149. The Panel has already identified that the gross misconduct found proved by the Officer amounted to a significant falling short of the standard expected of him and undoubtedly undermined the reputation of the Police Service. It has therefore considered the outcomes available to it in respect of each charge as set out in Regulation 42(3)(b) of the 2020 Regulations, namely imposing a final written warning, reduction in rank, or dismissal without notice.
150. The Panel has had regard to the need to maintain public confidence in, and maintain the reputation of the Police Service and made reference to a number of authorities which supported that position, *R (Green) v Police Complaints Authority [2004] UKHL*

6; [2004] 1 WLR 725, *Bolton v Law Society* [1994] 1 WLR 512 and *Salter v Chief Constable of Dorset Police* [2012] EWCA Civ 2012.

151. In considering outcome, the Panel has had regard to the principles laid down in the case of *Williams v PAT* [2016] EWHC 2708 (Admin) (albeit that that case related to an allegation of dishonesty) in which it was said:

“In my judgment, the importance of maintaining public confidence in and respect for the police service is constant, regardless of the nature of the gross misconduct under consideration. What may vary will be the extent to which the particular gross misconduct threatens the preservation of such confidence and respect. The more it does so, the less weight can be given to personal mitigation... This does not mean, of course, that personal mitigation is to be ignored. Nothing in the Salter principle suggests it must be ignored. On the contrary, it must always be taken into account. I therefore reject the submission that the effect of the Salter principle is that dismissal will invariably be the sanction whenever gross misconduct is proved. But where the gross misconduct threatens the maintenance of public confidence and respect in the police – as gross misconduct often will – the weight which can be given to personal mitigation will be less than would be the case if there were no such threat, and if the disciplinary body were a court imposing a punishment. Whether the circumstances are such that the sanction of dismissal is necessary will be a fact-specific decision: where the facts show dishonesty, case law establishes that dismissal will almost always be necessary, and dismissal will often also be necessary where there the misconduct involves a lack of integrity; where the facts show that one of the other Standards has been breached, the appropriate outcome will depend on an assessment of all the circumstances, with proper emphasis being given to the strong public interest in the maintenance of respect and confidence.”

152. The Panel considered whether a final written warning would be appropriate and concluded that in all the circumstances, it was not given that the gross misconduct related to predatory sexual misconduct. In reaching its decision, given the aggravating factors identified, and the serious nature of the gross misconduct found proved, the Panel concluded that such an outcome would neither be appropriate nor proportionate to meet the public interest concerns.
153. The Panel next considered the possibility of a reduction in rank. In reaching its decision, it had regard to the case of *R (Commissioner of Police of the Metropolis) v Police Misconduct Panel & Fletcher* [2025] EWHC 93 (Admin). It was said in that

case that the panel must “...address the question of whether the misconduct involved poor leadership such as to make reduction in rank an available outcome. They must consider whether, in all the circumstances, the threshold for dismissal has been reached. If it has, dismissal is the outcome that must follow. If not, the Panel must explain why not, addressing (if applicable) why the circumstances of [the officer’s] misconduct leaves him fit to be a police officer at any level”.

154. Given the nature of the gross misconduct found proved, relating to predatory and oppressive behaviour, the Panel concluded that the Officer’s behaviour was incompatible with that expected of a Police Officer of any rank. As such, it concluded that a reduction in rank was not an appropriate or proportionate outcome.
155. The Panel has borne in mind its role in maintaining the reputation of the Police Service and declaring and upholding proper standards of behaviour. Notwithstanding the mitigating factors identified in this case, the Panel has therefore concluded that dismissal without notice was the only appropriate and proportionate outcome.
156. The overall disciplinary action imposed is therefore one of dismissal without notice.

Decision on publication

157. Dr Wilcox submitted that the decision should be published. Ms Graham did not object to the application.
158. In the circumstances, the Panel ordered publication pursuant to Regulation 43(6) subject to appropriate anonymisation as directed in the hearing.

Appeals Process

A police officer has a right of appeal to a Police Appeals Tribunal against any disciplinary finding and / or disciplinary outcome imposed at a misconduct hearing held under the Police (Conduct) Regulations 2022. A police officer may not appeal to a tribunal against a finding of misconduct or gross misconduct where that finding was made following acceptance by the officer that his or her conduct amounted to misconduct or gross misconduct (as the case may be).

Grounds of appeal

A Police Appeals Tribunal is not a re hearing of the original matter; rather its role is to consider an appeal based on specific grounds.

In the case of matters dealt with under the Police (Conduct) Regulations 2022 the grounds for appeal are:

- That the finding or disciplinary action imposed was unreasonable; or
- That there is evidence that could not reasonably have been considered at the misconduct meeting (in the case of senior police officers), the misconduct hearing or special case hearing (as the case may be), which could have affected the finding or decision on disciplinary action; or
- That there was a breach of the procedures set out in the Police (Conduct) Regulations 2012 or other unfairness which could have materially affected the finding or decision on disciplinary action.

Notice of appeal

Where a police officer wishes to appeal then he or she will need to give notice of his or her appeal in writing to the Metropolitan Police Authority on Form 3355C at the following address:

Professional Standards Department
Mayors Office for Policing and Crime (MOPAC)
City Hall, The Queens Walk, SE1 2AA

The notice of appeal must be given within 10 working days; beginning with the first working day after the police officer is supplied with a written copy of the decision that he or she is appealing against.

In cases where the police officer fails to submit his or her notice of appeal within the 10 days period, he or she may, within a reasonable time after the end of that period, submit a notice of appeal, which shall be accompanied by the reasons why it was not submitted within that period.

The MOPAC will appoint a Police Appeals Tribunal chair to deal with the notice of appeal. Where the notice is sent outside of the time limits the tribunal chair will consider the following:

- Whether or not it was reasonably practicable for the notice to be given within the time limit; and
- Whether the notice was submitted within a reasonable time after the end of the 10-day period for submitting a notice of appeal.

Where the tribunal chair determines that it was reasonably practicable to have submitted the notice within the time limit, or that the notice was not submitted as soon as possible after the end of the 10-day time limit, **the appeal shall be dismissed at this stage.**

Regulation 30 Notice

PS Matthew Taylor, it is alleged that you have breached the standards of professional behaviour, namely Authority Respect & Courtesy and Discreditable Conduct by the following conduct:

1. Between 2017 and 20, you sexually harassed and pestered Person A, a female colleague, both in and out of work. You made inappropriate sexualised comments to her. You persisted in attempts to get her to go out for dinner with you and contrived a reason to stay at her house. Despite making it clear that she was not interested, you relentlessly messaged her, made innuendos to her and attempted to foster sexual relations with her, culminating in an occasion at a restaurant when you physically touched her and made her feel uncomfortable. This attention was unwanted and unwarranted, yet you persisted, completely disregarding Person A's feelings and wishes.

2. In late 2020, as a result of unrelenting pressure on her, you started a relationship with Person B. You engineered this relationship and its continuation against PC B's wishes, and despite the fact you were her Sergeant, she was a probationary officer new to policing, and you were her Line Manager. You used your seniority to obtain sexual gratification from a

junior officer who was otherwise unwilling and reluctant to be in a relationship with you. As with Person A, you engineered an occasion where Person B was forced to allow you to stay at her address. There was an obvious power imbalance in the relationship. You ignored Person B's requests not to go to her address. On one occasion in December 2020 when in drink, you forced yourself on Person B despite being told not to. You refused to take no for an answer. You left her no option other than to submit to your persistent advances.

3. Your conduct in relation to both women was predatory and oppressive. The conduct, individually or cumulatively, is so serious as to justify dismissal and constitutes gross misconduct. The Appropriate Authority will submit that, if the alleged conduct is proven, dismissal is the only appropriate sanction.