

1. Hearing/Legal argument

1.1 *Pre-Hearing issues*

This matter was case-managed by Commander Brittain at a misconduct pre-hearing on 23 January 2026. It was listed by agreement for 13-17 April 2026 inclusive. On 24 March 2026, it was agreed that as Counsel for the Appropriate Authority (“AA”) would not be available on the first day of the Hearing, he would be replaced.

1.2

The Hearing itself remained listed for five days and the venue was confirmed as Palestra House, 197 Blackfriars Road, London. The Hearing Panel comprised Commander Brittain sitting with Independent Panel Members Ms Beckford and Ms Bonnet. The Legally Qualified Adviser to the Panel was Ms Norris.

Ms McDermott represented the AA at the Hearing and Ms Lloyd-Jacob represented the Officer, who also had his Federation Representative Mr Edwards in attendance.

1.3 *Ciphers*

In the absence of any observers at the Hearing, all relevant names were used in full throughout. However, it was agreed at the pre-hearing that the subject Officer would be referred to in this report as Officer A, as a result of his immigration status in the United Kingdom.

Other ciphers are used in this report as follows to prevent jigsaw identification of the complainants:

- The complainants are referred to as Officers V, W and Y
- Two other witnesses called by the AA are referred to as Officers X and Z
- A further witness called by Officer A is referred to as Officer D.
- Officer W’s boyfriend is referred to as Officer B. Officer Y’s boyfriend is referred to as Officer C
- Two more senior officers are referred to as Sergeant E and Inspector F.

1.4 *Documentation*

The Panel had before it the following documents:

- The “Service Bundle Final” comprising 106 pages, including the Regulation 30 Notice and the witness statements of Officers V, W, X, Y and Z
- A separate 53-page transcript of Officer A’s interview under caution of 5 March 2025
- A revised and redacted 67-page bundle
- Officer A’s Regulation 31 response
- Officer A’s 17-page character evidence bundle (later replaced with a 52-page bundle of character references and commendation letters)
- The Appropriate Authority’s opening note
- A nine-page bundle (served on behalf of Officer A on the first morning of the Hearing, entitled “Exhibits Bundle”)
- Handwritten notes made on 21 February 2024 by Inspector F of a conversation with Officer Y (served during the Hearing)
- Personnel records for Officer A (training record, basic information sheet, absence and assignment histories) (served during phase two of the Hearing).

1.5 *Issues*

On the first morning it was noted that the Regulation 30 notice was couched in general terms. Ms MacDermott having opened the case by reference to her opening note¹, an adjournment took place for the AA to set out the specific allegations in writing.

1.6 *Evidence*

Once the list of issues was received and further disclosure dealt with, the Panel then heard evidence at the Hearing on day one from Officers V (via video link), W, X (also via video link) and Z. By agreement, Officers W and Z gave their evidence from behind screens.

On the morning of day two, the Panel heard Officer Y for the AA and from Officer A. The Panel was able to put any questions it had to all the witnesses and there was re-examination where appropriate.

After lunch on day two, Officer A was briefly recalled for a further panel question and then the Panel heard his witness, Officer D via video link. The Panel received written submissions from the parties on the morning of day three and started deliberations after the representatives had spoken to those submissions. Deliberations on the first stage concluded just after 15.00 so that, by agreement, a decision on phase one could be given in summary form and similarly, a decision on phase two was then delivered on the basis that this fuller report would set out the detailed findings of the Panel.

2. Undisputed evidence in the case

2.1 The following background facts are largely uncontroversial/were not disputed. Where the Panel notes that an incident was not reported contemporaneously, no criticism is to be inferred of the officers involved:

- a) Officer A was born overseas but is now a British citizen, having been granted refugee leave in or around 2006. He has been a Metropolitan Police Officer since 2019. Prior to joining the MPS, he worked in a number of roles, particularly in the hospitality sector.
- b) A number of colleagues refer to Officer A in highly positive terms, using words such as warm and personable, dependable and trustworthy, popular and well-respected. Officer Z called him “outgoing and bubbly”. Another colleague said that he is a “pillar of strength”, “advising colleagues in distress, providing practical assistance during critical incidents or offering reassurance in tense moments”. It is also said however that he can be “very enthusiastic” with one officer describing him as “trying to run before he could walk”. One aspect of his exuberance has led to him being described (again, by Officer Z) as “a team joker”. At the Hearing, Officer W agreed with this description.
- c) Since early in his police career, Officer A has been known (and has referred to himself) as “prince” or “king”. He says this results from him being asked to give his team a “fun fact” about himself when he started with the MPS. He explained his name can be translated into English in those ways. This

¹ An alleged aggravating feature, that Officer A continued his behaviour after he had been spoken to by a line manager, was not pursued by the AA

has become a nickname, or one which has been commonly used by colleagues in a social setting such as his workplace football team, and also in WhatsApp messages that the Panel has seen.

- d) Officer A says that he has suffered from back pain himself and that he has familiarised himself with techniques for relieving that pain, though he has no medical qualifications. On numerous occasions he has performed a technique, which is referred to in this document as “massage”, for fellow officers, on either the area around their shoulders/back or their hands. It appears to be common ground that he became known for doing so.

It is his case that he did so only with consent.

- e) In keeping with his label of “team joker”, Officer A uses words to describe both male and female colleagues such as “Beautiful”, “Honey”, “Sexy”, “Baby” and “Legend”.
- f) From September or October 2021, Officer A was working with Officer V. She makes an allegation of an incident (an unsolicited kiss on the cheek) that she says took place shortly after she started in Officer A’s Team. She did not report it at the time. She moved to another building and on her return, became what she described as “friendly colleagues” with Officer A, until he moved himself. However, in late 2022 or early 2023, Officer V recalls raising the incident, in another context, with Sergeant E, who said Officer A’s line manager would speak to Officer A to “highlight the issue making him aware of his conduct”.

It has not been possible for the AA to speak to Sergeant E and thus the Panel has been unable to ascertain whether Sergeant E had that conversation with Officer A’s line manager or whether the latter in turn spoke to Officer A. Officer A denies at any rate that anyone spoke to him about this issue and that is not disputed by the AA.

- g) Officer W was also part of the same team. She says that in or around January 2023, while she and Officer V were sitting together in the writing room, Officer A massaged their shoulders without consent. Officer V has not made any allegation in this regard. Officer W says that she and Officer V told Officer A to stop. She says that Officer A “stormed off” and did not speak to her for six months. Officer W did not raise the issue at the time.
- h) It is common ground that thereafter Officers A and W had a somewhat strained relationship, though both seem to acknowledge there were other potential reasons, not all of which were detailed before the Panel. One of those issues was that towards the end of 2023, Officer W started a consensual relationship with Officer B. Officer A says that he and Officer B were very good friends and that prior to the start of the relationship, he had counselled Officer B against going out with Officer W. He says that Officer W found out about this, which she denies.
- i) Officers B and W went away together on holiday in February 2024. On their return, Officers A and W were crewed together at the start of a four-day night shift. It is common ground that Officer W was the driver and Officer A the operator while Officers B and W were speaking on the phone in “handsfree” mode. Arrangements were made to meet Officer B at a regular spot to get hot drinks. While there, it is alleged by Officer W that Officer A

made comments to her and/or Officer B about their sex life. Those comments, or some of them, were witnessed by Officer X who was also at the same location with her fellow crew member.

- j) Officer W says that Officer A made a similar comment to her the following day and she decided she did not wish to be crewed with him any longer. She spoke to Inspector F, who made handwritten notes of the conversation. It appears this triggered a wider investigation, in which a large number of colleagues were interviewed.
- k) On 30 May 2024, a Regulation 17 Notice was served on Officer A in relation to the alleged kiss to Officer V and the alleged comments to Officer W.
- l) Officer A moved to another location and team. While he was there, it is alleged that on occasions he referred to himself as “king” to Officer Y, who was not aware of the history of this nickname and thus believed him to be behaving in a condescending and/or inappropriate manner towards her. It is common ground that she responded by telling Officer A to “fuck off” and/or putting her middle finger up to him, which did not deter him. She also says that Officer A told her repeatedly that she should leave Officer C, of whom he was very critical, and told her she was “gorgeous”. She did not report any of this behaviour.
- m) However, on 19 September 2024, Officer Y says she and Officer A were on guard duty at the same hospital and that while there, he took her hand in his and began to click her fingers and massage her palm without her consent. She says she felt very uncomfortable and did not know how to react. A Regulation 17 Notice was served on Officer A on 14 December 2024, in relation to his alleged behaviour towards Officer Y, and he was moved once more. A misconduct interview was conducted on 5 March 2025.
- n) Officer A denied all the allegations in his Regulation 31 response (detailed further below).

3. Regulation 30 notice and Regulation 31 response

3.1 Against the above background, it is alleged in the Regulation 30 notice that:

On various occasions between 2021 and 2025, whilst on duty, Officer A has made unwanted sexual comments to female officers and displayed inappropriate behaviour towards them which has made those female officers feel uncomfortable. It is alleged that this behaviour amounts to unacceptable behaviour and constitutes a breach of one of the standards of professional behaviour, namely Discreditable Conduct. It is further alleged that this conduct amounts to gross misconduct.

3.2 The details of the comments and behaviour are not in the Regulation 30 Notice but as noted above, the Notice was particularised by the AA at the beginning of the Hearing. Specifically, it is alleged as follows:

“Between 2021 and 2025, whilst on duty, Officer A has engaged in inappropriate and/or sexual behaviour in that Officer A:

- (1) Made unwanted sexual comments to Officer W about her sex life;
- (2) Inappropriately touched Officer W by massaging her without her consent;

- (3) Inappropriately touched Officer V by kissing her on the cheek without her consent²;
- (4) Made inappropriate comments to Officer Y regarding her appearance and asking her to kiss his hand whilst calling him “King”;
- (5) Inappropriately touched Officer Y by massaging her hand without her consent; and
- (6) This behaviour made these female officers uncomfortable.

It is alleged that this behaviour amounts to unacceptable behaviour and constitutes a breach of the following Standard of Professional Behaviour: Discreditable Conduct. It is further alleged that this conduct amounts to gross misconduct”.

- 3.3 The details of allegation (1) which on its own is put by the AA at the level of misconduct are that on 20 February 2024, while on duty, Officer A asked Officer W, “Have you told [B] you’re mine for the next four days?” and “For the next four days, you can’t have sex with [B], you can only have sex with me.” The following day, Officer A is said to have asked Officer W, “Did you have sex with [B] last night? As you know you’re mine.”
- 3.4 The details of allegation (2), which on its own is put by the AA at the level of gross misconduct, are that on an unknown date, Officer A gave Officers V and W a shoulder massage. Officer W had not given permission for Officer A to do so, and felt uncomfortable.
- 3.5 The details of allegation (3), which on its own is put by the AA at the level of gross misconduct, are that on an unknown date, Officer A came up behind Officer V, put his hands on her shoulders, leaned close to her and kissed her cheek.
- 3.6 The details of allegation (4), which on its own is put by the AA at the level of misconduct, are that Officer A was “overfriendly” with Officer Y, asking her to kiss his hand, and described himself as her “king”. He told her she was “too gorgeous” for her partner and should split up with him.
- 3.7 The details of allegation (5), which on its own is put by the AA at the level of gross misconduct, are that on 19 September 2024, while they were on guard at AAA General Hospital, Officer A started clicking Officer Y’s fingers and massaging her palm. This was done without Officer Y’s consent and made her feel uncomfortable.
- 3.8 Officer A responds as follows in his Regulation 31 response:
 - a) It was Officer W who asked him to tell Officer B that she would not be able to have sex with him for four days while she and Officer A were on duty together. He did not say that Officer W should have sex with him, or discuss her sex life.
 - b) He has never kissed Officer V on the cheek, though he accepts that he may have touched her shoulder, and recalls a conversation with her in which he advised that she had a detached false eyelash.
 - c) It was a joke among his colleagues that he is called “Prince” or “King” because of the translation of his name.

² An additional allegation of massaging Officer V without her consent was withdrawn at the submissions stage

- d) He recalls a conversation in which Officer Y confided in him about difficulties she was having in her relationship and, in that context, accepts that he told her she was beautiful and could move on if she was not happy.
- e) He denies massaging Officer Y's hand without consent, but admits that he does give brief massages to colleagues on request.

4. Relevant findings of disputed fact

4.1 The Panel has had full regard to all the relevant evidence in the bundle and to the parties' submissions in making its findings as follows:

4.2 Discreditable Conduct

- a) The Standard in the 2014 Code of Ethics (now superseded, but potentially of assistance in understanding the behaviours expected of officers) said, "I will behave in a manner, whether on or off duty, which does not bring discredit on the police service or undermine public confidence in policing".
- b) According to the 2014 Code, police officers "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. 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."
- c) Examples of meeting this Standard in the 2014 Code included avoiding any activities (work-related or otherwise) that may bring the police service into disrepute and damage the relationship of trust and confidence between the police and the public, and avoiding activities which may compromise a police officer's position in policing.
- d) Both sets of submissions refer to harassment and the Panel was reminded of the statutory definition at section 26 Equality Act 2010:
 - (1) A person (A) harasses another (B) if—
 - (a) A engages in unwanted conduct related to a relevant protected characteristic, and
 - (b) the conduct has the purpose or effect of—
 - (i) violating B's dignity, or
 - (ii) creating an intimidating, hostile, degrading, humiliating or offensive environment for B.
 - (2) A also harasses B if—
 - (a) A engages in unwanted conduct of a sexual nature, and
 - (b) the conduct has the purpose or effect referred to in subsection (1)(b).
- e) The ACAS website is of assistance in relation to sexual harassment:

It describes sexual harassment as unwanted behaviour of a sexual nature. This can be a one-off incident or an ongoing pattern of behaviour. It can be sexual harassment if the behaviour:

- has one of the effects in the statutory definition, even if it was not intended
- intended to have one of these effects even if it did not have that effect.

Examples on the website include:

- making sexual remarks about someone's body, clothing or appearance
- asking questions about someone's sex life
- telling sexually offensive jokes
- touching someone against their will, for example hugging them

What some people might consider as joking, 'banter' or part of their workplace culture can still be sexual harassment.

- f) In policing policies on "VAWG" (violence against women and girls) it is noted that "violence" does not just mean physical harm but can include harassing and coercive behaviour.

4.3 Witnesses generally

Complainants

- a) Overall, the panel assesses the evidence of Officer V, Officer W and Officer Y as credible. They each gave straightforward evidence which was not significantly damaged in cross examination. Their oral evidence was broadly consistent with their written witness statements which were made nearer to the time of the incidents complained of.
- b) To the extent that there were minor inconsistencies, we prefer their written accounts.

Officer A

- c) We did not find Officer A to be an entirely credible witness. We return below to areas where his oral evidence or the case advanced on his behalf conflicts with the documents in the bundle. Specifically in relation to his state of knowledge after May 2024 and whether he had been told that women had complained about him (which he denied) we find he was not at all credible.
- d) We remind ourselves however that he was giving evidence in English and that this is not his first language, and that he was doing so two years (or considerably more) after the events in question, having generally had no reason to commit them to memory contemporaneously. We also remind ourselves that where a witness has not been credible in one element of their evidence, that does not necessarily mean that they are being untruthful about everything.
- e) We also noted Officer A's behaviour in the Hearing, including in the way he addressed and spoke to the Panel and by getting up and moving across the room while witnesses were giving their evidence (even when he had been specifically reminded of the purpose of the screens), the latter being of more

concern. We return below to the absolute necessity of Officer A ensuring his behaviour is fully professional and appropriate in future.

4.4 Allegations

The Panel has considered each of the allegations in chronological order, so far as can be made out, i.e. that:

- a) On an unknown date towards the end of 2021, Officer A put his hands on Officer V's shoulders, from behind, and leaned close to her and kissed her cheek without her consent ("*Officer V kiss*").
- b) On an unknown date, in or around January 2023, Officer A inappropriately touched Officer W by massaging her without her consent ("*Officer W massage*").
- c) On 20 February 2024, while on duty, Officer A asked Officer W (who was in a relationship with another MPS Officer, B), "Have you told [B] you're mine for the next four days?" and "For the next four days, you can't have sex with [B], you can only have sex with me." The following day, Officer A asked Officer W, "Did you have sex with [B] last night? As you know you're mine." ("*Officer W sexual comments*")
- d) Officer A was "overfriendly" with Officer Y, asking her to kiss his hand, and described himself as her "king". He told her she was "too gorgeous" for her partner and should split up with him ("*Officer Y comments*").
- e) On 19 September 2024, while they were on guard at AAA General Hospital, without consent, Officer A started clicking Officer Y's fingers and massaging her palm. ("*Officer Y massage*").

4.5 *Officer V kiss*

- a) Officer V gave a credible account of the kiss in 2021. We take into account that she had reason to remember this because she did not know Officer A at the time, having only just started working with him (indeed she said this was their first shift together). She subsequently however developed a good working relationship with him, as we have noted above, describing them in her witness statement as "friendly colleagues".
- b) She says that she raised the kiss with a sergeant subsequently (she was not clear on the timescale but it was at least a couple of months afterwards) and had been under the impression that Officer A had been spoken to and she was content for that to be an end of the matter. Officer V has only come forward in these proceedings at all because of a requirement from Inspector F to make a statement; she told Inspector F that she did not want Officer A to get into trouble and that she wanted to "leave it" but was told she had to make a statement regardless.
- c) Officer V said in cross examination that if Officer A had been spoken to, she did not need anything further to be done. She repeated that by the date of the investigation, she and Officer A had developed a friendly working relationship. They ran a club together and exchanged WhatsApp messages in that regard which were before the Panel and which support her evidence.

- d) As far as the panel could make out, Officer V had no personal agenda or any motivation to lie or mislead the panel. She was however very clear that the kiss took place.
- e) On a subsequent occasion when Officer A drew her attention to an issue with a false eyelash, Officer V told him to stop commenting on her personal appearance, and he did.
- f) Officer V was clear that the kiss happened. She was shocked because it was unexpected. She was pressed on possible motivation and was clear that it was not sexual. She repeated that it made her uncomfortable because it was “weird and unexpected”. She described Officer A as trying to be “pally pally” but said she had not found him “creepy”; rather, she thought he was “friendly”.
- g) In interview Officer A said he could not recall kissing Officer V but he indicated that in his culture, kissing is normal when the person is known to you. He denied having been warned about this incident, saying that so far as his behaviour was concerned, he had only been told not to point and use his hands when speaking.
- h) In response to the Panel’s question, Officer A accepted that he touched Officer V’s shoulder. He said that he frequently does this to both men and women, to get their attention. He still did not recall having kissed Officer V.
- i) The sergeant has not been spoken to as part of this investigation and we understand is now off long-term sick so could not be called as a witness. Therefore, the AA fairly removed the part of the allegation that suggested Officer A had continued in this type of behaviour following such warning. In any event there is no further allegation of Officer A kissing a colleague without their consent.
- j) In the circumstances, we are satisfied that this is something that Officer A could have done. On his own account it is normal behaviour in his culture (albeit done once the people involved are known to each other). It is therefore plausible that he would do this.
- k) Although he has no recollection of it, we accept Officer V does. Officer A’s only suggestion was that something may have brushed Officer V’s cheek while he was behind her and that she mistook it for a kiss. We do not accept that as a plausible explanation and on balance of probabilities prefer Officer V’s account.
- l) We also accept that the kiss made Officer V feel uncomfortable. She got up and walked away. However, she was subsequently happy for him to rub her shoulders on occasion when they were both in the writing room. This would be in the presence of others.

4.6 *Officer W massage*

- a) Officer W refers to a single incident of non-consensual massage by Officer A. She says this occurred in the presence of Officer V, who was also massaged by him and that they both told him to stop, which he did. She was clear in her witness statement that there was no malice or ill intent behind the massage. Officer V does not recall this incident at all and there

is no longer any allegation that Officer A massaged Officer V's shoulders without consent.

- b) It is important to note that by the term "massage" in the context of the shoulders, this is said to be pressing the pressure points on the top of the neck on or near the sciatic nerve. The massages were brief, lasting between 10 and 60 seconds.
- c) It is plausible that Officer A did this to Officer W, given that he was well known for giving such massages in the office, although he claims that he only ever did so with consent. We note that this is said to have happened in or around January 2023 and that by now, Officer V on her own account had developed a friendly working relationship with Officer A in which she says he occasionally massaged her with her consent. It is plausible that Officer W has a recollection that Officer V does not have.
- d) It is also possible that while Officer V was initially content for Officer A to behave in this way, when Officer W told him to stop, she agreed but places no significance on it after such a passage of time. These things do not mean that Officer W is being untruthful.
- e) Officer A also said in interview that he saw this as him "doing something good, bringing the spirit of the team up". The panel considers it entirely plausible that Officer W telling him to stop doing it, in those circumstances, caused or contributed to a less positive working relationship between these two colleagues.
- f) The panel accepts that this incident took place as Officer W described in her witness statement.

4.7 *Officer W sexual comments*

- a) It is alleged that on 20 February 2024 Officer A asked Officer W, as Officer B was walking over to them, words to the effect of, "Have you told Officer B you're mine for the next four days" and then "For the next four days you can't have sex with B, you can only have sex with me". Officer X says that she heard only words to the effect of, "You know, you two can't have sex whilst me and her are working together".
- b) In interview, Officer A said that he did not use the words described but that it was "something close to that". He then denied having said "you are mine" but remembered saying "we are working next four days". Subsequently in the interview, he recalled saying something like, "We are working together for four days, don't ask for it or don't do it". He said he could recall that it was just after Valentine's Day and they were discussing the gift of some trainers that Officer W had bought for Officer B.
- c) In oral evidence to the panel, Officer A agreed that he could have used the word "sex" and indeed claimed that Officer W had told him to say "she is mine" for the next four days. He went on to say that he did tell Officer B, "she is mine for four days, you cannot do anything".
- d) We accept Officer W's evidence and find that Officer A did say the words claimed, or words to that effect. Officer A and Officer B would call each other "beautiful" and "sexy". Officer A would say jokingly that Officer B was

the “handsomest man on the team” and notwithstanding their differences, would call Officer W “hon”.

Officer W said in cross examination that she did not assess Officer A as being “flirty” or “sexual” in using words such as “gorgeous” or “honey” to colleagues; she accepted he was “confident in being expressive”. It is therefore entirely plausible that Officer A would use the words claimed.

- e) On 21 February 2024, it is alleged by Officer W that Officer A asked her at the beginning of the shift whether she and Officer B had had sexual relations the night before. She says that this prompted her to ask to be moved and not to continue to be crewed with him. Officer A denies this completely.
- f) We accept Officer X’s evidence that the conversation when the officers met was awkward and inappropriate. She could only ascribe it to a private joke between the three because she thought it was such a bizarre thing for Officer A to say.

It is common ground that Officers B and W laughed awkwardly (although Officer X said in fact that she does not remember Officer W laughing). It is not however Officer A’s account that Officer B was “in” on the joke, only him and Officer W, yet it is claimed that their reactions of awkward laughter were the same, which we find significant. If it had been Officer W’s joke, her laughter would have been genuine and her reaction different from that of Officer B.

- g) We note that when speaking to Inspector F later on 21 February, Officer W described her working relationship with Officer A as “not that close, friends wise, civil but wouldn’t spend time with him”. We do not find it plausible that Officer W would have set up such a “joke” in circumstances where (on both her and Officer A’s account) they were not sufficiently friendly to be joking about her sex life with Officer B. While Officer X acknowledged in cross examination that Officers B and W would joke with each other, when it was put to her that they had a “teasing” relationship, she said that was quite a strong word and that they were quite professional in work.
- h) Further, if it had simply been a joke by Officer W that had fallen flat on 20 February, we can see no reason why she would still have been in low spirits when she saw Officer X the following day. Officer X says (and we accept) that she and Officer W are close friends and that on 21 February, she saw her looking at the floor and lacking energy. She approached Officer W and at that point found out why Officer W was low in mood.
- i) We also consider it is wholly implausible that Officer W would have gone (at Officer X’s suggestion) to a senior officer to ask to switch crews, essentially making up the entire account of inappropriate comments over two nights, if it was on the back of a joke of her own that had fallen flat. In the circumstances, the panel accepts Officer W’s evidence that it was not Officer W’s joke.
- j) Turning to the discussion the following day, it was notable that in oral evidence it was put to Officer W that the trainers were discussed as a birthday present for Officer B but she explained Officer B’s birthday was not around that date. Officer A claimed in his evidence that their discussion was around a gift for Valentines Day, but when it was noted that Valentines

Day had been the week before, he said that it might have been a late gift. However, it was Officer A, not Officer W, who first raised Valentines Day, and he did so in his interview (“it was just after the Valentine Day I think it was...”).

The panel does not find this confusion around dates damaging to Officer W’s credibility and considers it is entirely possible that Officer A is misremembering when that conversation about the trainers took place. We accept Officer W’s evidence that she would not have shown him a picture of the trainers while she was driving. It may have been on a different day altogether.

- k) Even if the trainers discussion took place on 21 February however, it has not been suggested that the two sat in complete silence for the rest of the shift, even though Officer W was uncomfortable. She said in oral evidence that Officer A was a very flirty and confident person, both to her and to others. She felt however that in general, talk around sex is “quite taboo” and that she did not “overstep the boundary” with Officer A. She said she would not feel confident in having a discussion about intimate things with someone she does not deem herself comfortable with.

We consider that there is a significant difference in telling someone that you have bought trainers for your boyfriend for a Valentines Day gift (and even showing them a picture of the trainers you have bought) and setting them up to make a joke about having or not having sex. The latter is considerably more intimate and we accept Officer W’s account that she was not in the sort of relationship with Officer A where she would have that conversation with him.

We also do not think the Panel needs to decide whether Officer A was making a pass or not. This was something raised in cross examination of Officer W and she was repeatedly pressed on it, eventually saying she did not think so. It is not something she has previously claimed herself, rather she has said that the comments were highly inappropriate and she did not want to continue in that environment where she was “treading on eggshells” for a further two nights. She found the comment more intrusive than anything else.

- l) While we accept the comments made Officer W uncomfortable, we note what she said at the time and in her witness statement. At the time, she told Inspector F on 21 February that Officer A had made inappropriate comments on the lines that we have already found. She said she had laughed it off on 20 February but there was a repeat on 21. Inspector F’s handwritten notes are a contemporaneous record of the allegations and as such we find they are a reliable record of both interactions between Officers A and W.
- m) In cross examination Officer W said that she was put off saying anything on 20 February because of Officer A’s reaction previously. In any event, she knew it was not serious and did not want to make a big deal of it, it was “just Officer A”. He was like that with everyone. It was only when he “started again” on 21 February that she decided to report it.
- n) Officer W’s witness statement confirms that that is what she told Inspector F. She says that she also told Officer B and asked him if it would be

appropriate to request a different operator on night shift because she had been made to feel “super uncomfortable” by what Officer A had said.

Again, we can see no reason to doubt this evidence. We find it credible that she would not have wanted to report it initially or at all, particularly following the distance between her and Officer A after the massage incident and Officer A’s popularity. It was the repetition on the second day that triggered her reporting of it.

4.8 *Officer Y comments*

- a) We note that Officer A agrees he behaved towards Officer Y in the way alleged in terms of words used.
- b) First, he accepts that he referred to himself as “king” or “prince” and that this was commonplace because of the translation of his name into English. He also accepts that he would hold out his hand for her to kiss. Second, he accepts that he told Officer Y that she was “gorgeous” but says this was in the context of him counselling her in a paternal way about her relationship with her boyfriend.
- c) We note that Officer Y had not been privy to his earlier disclosure about the translation of his name and did not know that this was an “in” joke among colleagues, which we accept it was. She says in relation to the “gorgeous” comment that they did not discuss her relationship with her boyfriend because she did not know Officer A well enough to do so. She said she felt it was unprofessional because he was “overfriendly” with her and did not know her well enough to be suggesting she should leave her boyfriend.

We accept her evidence.

4.9 *Officer Y massage*

- a) So far as the hand massage allegation at the hospital is concerned, we note that initially Officer A completely denied having done this in a public place and without consent. In his interview indeed he said he did not remember the incident in September 2024 at all.

This contrasts very notably with his evidence to the Panel which was that he had a reason to remember it very well. He still denied having massaged Officer Y’s hand, but went into great detail as to how he pulled it, trying to stop her from peering behind a curtain where a victim of domestic violence was in bed, with family around her.

- b) None of this was put to Officer Y herself in oral evidence. It is not mentioned in the Regulation 31 response. We find it implausible that Officer A’s recollection of events is better now than it was when he was interviewed, over a year ago.

We accept that the incident occurred as Officer Y said, and that Officer A did massage her hand by clicking her fingers and pressing the pressure points in her palm.

- 4.10 We find there to have been a breach of the standard of discreditable conduct in each of the five incidents.

5 Determination of severity: Misconduct, Gross Misconduct or neither

- 5.1 The Panel heard representations from both the AA and Officer A as to whether the breaches amount to misconduct or gross misconduct and has considered those carefully. We have also considered the admitted conduct and our findings in this case. We note that the standard alleged to have been breached requires officers to behave in a manner which does not discredit the police service or undermine public confidence in it. That includes when they are off duty. We consider that a properly informed member of the public would consider the objective standard to have been breached in this case.
- 5.2 Gross misconduct is a breach of standards so serious that dismissal would be justified. These are objective standards, and the standard of proof is the balance of probabilities. We are mindful that the purpose of the police misconduct regime is threefold: to maintain public confidence in and the reputation of the police service, to uphold high standards in policing and deter misconduct and protect the public. We are further reminded that our function is not punitive.
- 5.3 We find that the comments made to Officer W were unwanted and were related to sex, specifically her sex life. She found that intrusive. We find that the comment to Officer Y that she was “gorgeous” was related to her appearance. We note that the proven conduct includes – without consent - approaching Officer V from behind and kissing her on the cheek, touching Officer W by massaging her shoulders and touching Officer Y by taking and massaging her hand.
- 5.4 We have considered whether the proven conduct amounted to sexual harassment, taking into account the definition in the Equality Act and the examples given on the ACAS website. We note that in some circumstances, this conduct could meet the statutory definition. We do not consider it does so here, though we make it clear this was a finely balanced decision.
- 5.5 The principal reason for so saying is that we are guided by the reactions and assessments of the complainants involved. The Panel was not present during any of the conduct and we do not consider it is appropriate for us to say that something is sexual when those on the receiving end of the conduct said firmly and repeatedly that it was not. We give Officer A the benefit of the doubt.
- 5.6 We also note that in the statutory definition, the wording is clear that the conduct must have either the purpose or effect of violating the victim’s dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. We consider after careful consideration of the evidence in the round that this was not the *purpose*. We find that Officer A did aim, as was submitted on his behalf, to joke around so as to lighten the atmosphere, and while we cannot emphasise strongly enough that this was not at all appropriate, that was his purpose. Officer V was clear that he was not someone who was trying to make others uncomfortable. New people to the team might not have appreciated this straight away, but she agreed he is a friendly person and once they got to know him, they would realise what he was like.
- 5.7 Nor do we consider this was the *effect* of the proven conduct. We remind ourselves it is important not to encourage a culture of hypersensitivity or the imposition of legal liability in respect of every unfortunate phrase. We draw a distinction – albeit a fine one – between conduct that causes the victims to feel “uncomfortable” and conduct that meets the statutory definition of “intimidating, hostile, degrading, humiliating or offensive”. We find that there was comparatively low to medium

actual harm because all the victims said that they were caused to feel uncomfortable. We consider that, in very slightly different circumstances, this could be seen as sexual harassment but we find it is not here.

5.8 We also consider that it is notable that the victims were not calling for dismissal and did not embellish their evidence to suggest the conduct was of a sexual nature. Officer W for instance confirmed that some people would ask for massages; they were done with no “ill intent” and their purpose was “decompression”. She also told Inspector F that Officer A was a “jokey” person who had “made a couple of jokes (unsolicited)” about sex with Officer B. She described their interaction as “a bit odd”. This is a further point that causes us to accept the witnesses’ accounts and to discredit any suggestion that they have in some way colluded because they are in a mutual friendship group.

5.9 Similarly, the potential for harm if all the facts – including the impact on the victims - were known to the public, is low to medium. In assessing seriousness, we take into account that, as was submitted for Officer A, these were comparatively isolated incidents, spread over a number of years and were not repeated once Officer A was told to desist. We note that indeed his present supervisor, Officer D, who gave evidence on his behalf, appeared not even to appreciate that he has a reputation for giving massages, suggesting he has managed to stop doing it.

5.10 *Culpability*

a) We accept that Officer A’s conduct had unintended consequences.

He should however have reasonably foreseen them, and in particular he could have done so once his attention was drawn to his conduct in May 2024 with the service of the first Form 163 and then once he was moved to another team.

b) We find that Officer A still did not “get” the problem with his conduct. When he was asked in a Panel question what he had done to moderate his behaviour after the first notice was served, his response was that he had asked not to be crewed with female officers. This entirely misses the point. It was not the female officers that were the problem. It was Officer A’s conduct. Not being crewed with female colleagues could never have been a long-term solution. Changing his behaviour was the only thing to do and he did not do it. At best this demonstrates a lack of emotional intelligence.

c) We find however that the other aggravating factors in the Guidance are not present in this case. In light of our findings that there was no sexual element to his conduct, the sections on “violence, intimidation or sexual impropriety” and VAWG are not engaged.

While the complainants before the Panel were exclusively young women and both Officers V and Y specifically were new to their respective teams or did not know Officer A at all well when the proven conduct occurred, we do not consider they were “vulnerable” as such and they were not junior to him in rank.

d) We note that even unconscious discrimination can have a significant impact on public confidence in policing. Using words such as “sexy”, “gorgeous”, “baby” and “honey” towards colleagues, even when addressed to both males and females, is at best inappropriate. They are potentially loaded words to which any colleague may reasonably take offence. Referring to

oneself as “king” or “prince” and requiring colleagues to kiss one’s hand, even as a joke or in the context relied on of translation from another language, is inappropriate. Massaging colleagues, even on request, particularly when out in public, is also entirely inappropriate.

- e) In addition, to assist with assessing seriousness, the Panel also was cognisant of the published report, HMICFRS’s Inspection of Vetting, Conduct and Misogyny in the Police Service, which describes ‘prejudicial and improper behaviour’ as:

“Any attitude and/or behaviour demonstrated by a police officer or police staff that could be reasonably considered to reveal misogyny, sexism, antipathy towards women or be an indication of, or precursor to, abuse of position for a sexual purpose (AoPSP). It may include, but is not limited to: inappropriate, crude or offensive comments; telling sexualised jokes; asking intrusive questions about someone’s private life; inappropriate touching; abusive, manipulative, coercive, controlling or predatory behaviour; bullying and harassment; and any other type of behaviour that may give cause for concern over whether a person is fit to serve as a police officer or as police staff.”

Notwithstanding we have found no misogyny, sexism or antipathy towards women in Officer A’s conduct, we have found some of these behaviours proven. They are at the very least wholly improper, regardless of their underlying motivation.

- f) For these reasons, the Panel assesses culpability as medium.

5.11 *Harm*

- a) Looking at the harm, there was a degree of mental harm but it was at the lower end of the scale, according to the victims. They were made to feel uncomfortable. None of them has described any lasting effects of the conduct. We accept the submission that while Officer Y said she would not want to work with Officer A again, that is because she was required to make a statement for these proceedings. It is to their credit that they have come forward and the Panel was grateful for their balanced and clear evidence

There was no financial loss or physical harm involved.

- b) The potential for harm lies further in the undermining of public confidence in policing had Officer A’s actions been common knowledge. We consider however that again, a fully informed member of the public would have considered Officer A’s behaviour to have been discomfiting rather than harmful, given the lack of a sexual or predatory motive.
- c) The Panel assesses harm as low to medium.

5.12 For these reasons, we find the proven conduct, taken individually or cumulatively, amounted to misconduct.

6. Findings on outcome including any aggravating or mitigating factors affecting the seriousness of the failures in standards

6.1 We remind ourselves again of the purpose of the police misconduct regime.

6.2 We have had regard to the extensive character evidence submitted by Officer A, to the oral evidence from his current supervisor and to his HR records. We have taken into account the submissions made on behalf of both parties as to outcome.

6.3 We have made full findings on culpability and harm in our assessment of the level of conduct above, and we do not repeat those findings here. We turn then to aggravating and mitigating factors.

6.4 *Aggravating features*

So far as aggravating factors are concerned, we have identified the following. The conduct as a whole:

- Was repeated over a period of time;
- Involved multiple victims;
- Continued after the officer realised, or should have realised, that it was improper.

We stress that we are careful not to double count.

6.5 *Mitigating features*

- In each instance, the misconduct was of brief duration.
- Officer A has expressed remorse, and regret for any discomfort caused to his colleagues.

6.6 *Personal mitigation*

We have noted the bundle of character evidence from those of different ranks, and both men and women. However, we are careful to caveat that with the reminder that purely personal mitigation is not relevant to the seriousness of the misconduct and thus it may have a limited effect on the outcome.

6.7 Officer A has expressed remorse but as we have found in mitigating factors, there does remain limited personal insight. He did not make full and frank admissions as to his conduct. He has required the complainants to attend the Hearing and has subjected them to detailed cross examination including as to intimate matters as a result. He would have done better to have spared them this intrusion.

6.8 The Panel reminds itself carefully of the three-fold purpose of the misconduct regime in considering the appropriate outcome in this case. We further remind ourselves the police misconduct regime is not designed to punish police officers; it is about the reputation and standing of the profession as a whole.

6.9 Finding

- a) We have started, as we are required to do, with the least severe sanction first.
- b) We note that Officer A's behaviour generally occurred when he was with others, either in the police station writing room or the hospital, though there were also interactions in the car when he was alone with Officers W and Y. His propensity to play the joker was noted and remarked upon by his colleagues. It had not become engrained or insidious. We are particularly mindful that when he was told to stop a particular behaviour, he did so, although he continued with other inappropriate conduct until he was told to stop that too.

- c) In all the circumstances it is our decision to impose a Final Written Warning for five years. We believe it is necessary to do so to reassure the public of the high standards to which the police are rightly held and to deter other officers from similar misconduct. It marks the severity of the behaviour – and the way in which the MPS takes seriously misconduct that is, however tangentially, related to sex, and holds those guilty of it to account - without being disproportionate to the harm caused. The length of the warning particularly reflects the level of culpability that we have found and the number of people affected by the behaviour.
- d) We do however conclude that Officer A may have been fortunate that all the complainants were both able and willing to describe his behaviour in the terms we have set out, so that we assessed it as falling just below the necessary level to amount to sex-related harassment rather than just above that line. We are mindful that English is not Officer A's first language and he is, as was submitted on his behalf, from another culture.
- e) Officer A must now be aware that he has a propensity to create an environment that makes others uncomfortable particularly when they are new to the team and are not familiar with his particular brand of humour, especially young women. This must stop.

We refer back to the Casey report in this regard:

“We have found a culture of discrimination that takes many forms in the Met but is felt most acutely by those who cannot hide their differences from the White male norm, particularly people of colour and women. We have found racism, misogyny and homophobia in plain sight.

This ‘resistance to difference’ emerges in a culture of bullying experienced by a significant minority of the organisation, described further below. Those who do not conform to the prevailing culture face discrimination, bullying and barriers to thriving and progressing in their careers. Those who try to conform teeter on a knife edge in the organisation. If they speak out, they will be labelled as a ‘trouble-maker’. They are incentivised to hide things about themselves which would bring them into conflict with the prevailing culture. But even if they walk that line effectively, the organisation may still decide that their ‘face doesn’t fit’.

While it may or may not be a small minority of colleagues who are committing acts of discrimination, many more are affected by those acts. The organisation as a whole, especially through its leadership, its management tiers, its policies, systems and practices, allows, or causes, discrimination and abuse to occur and recur. As a result, the integrity of the whole organisation is degraded and public trust is eroded”.

We have not found discrimination in this case but colleagues should not be made to feel awkward when they are new to a team just because they are not “in” on a joke.

Officer A's label as “team joker” must be relinquished if he is to keep his job. The MPS has no room for officers whose misbehaviour – even at lower

levels - is tolerated because it is “just them”. It is they who must adapt, not their colleagues.

- f) Officer A must make every effort to ensure that he observes British professional cultural norms from now on and upholds policing standards to their fullest. He must be under no illusion that the matter will be considered in a very different light if there is any repetition of inappropriate words towards or touching of other officers – whether male or female - by him. We hope he takes this Final Written Warning as just that.