PC Lucy Cox

Accelerated Misconduct Hearing

Regulation 63(1) Report

1. This matter comes before me as an accelerated misconduct hearing under Part 5 of the Police (Conduct) Regulations 2020.

2. The hearing was conducted by me, Colin Wingrove – a Metropolitan Police Commander. The hearing took place on 9 October 2026 in person at Palestra House, 197 Blackfriars Road, London, SE1 8NJ.

Hearing in public

3. The hearing was held in public pursuant to Regulation 59(1).

Representation

4. The Appropriate Authority ("AA") was represented by Hannah Clark.

5. PC Cox was present, and represented by her federation representative PC Paul Marks.

6. I was advised by Jim Olphert who provided his advice on the record. I delegated responsibility for preparing this report to Mr Olphert pursuant to Regulation 63(1B). Mr Olphert submitted a draft report to me on 15 October 2026 pursuant to regulation 63(1C)(a). Having considered that draft, I have satisfied myself, as required by regulation 63(1C)(b)(ii), that I am content with the draft report prepared by Mr Olphert.

Allegations

7. The Regulation 51 notice served on PC Cox provided as follows:

> "*Between May 2025 and September 2025, you used your Metropolitan Police Service issued mobile device to send and receive personal messages and communications which served no policing purpose and were contrary to MPS policies governing the use of ICT systems and equipment.*

In particular:

i. On 4 June 2025, you exchanged messages of a personal and intimate nature with a male police officer, including the following:

- [redacted]

ii. During the same period, you used your MPS-issued mobile device to exchange personal messages with [redacted] *concerning private matters.*

iii. During the same period, you exchanged messages with a male contact in which you used intimate terms of endearment, including:

[redacted]

iv. During the same period, you exchanged messages with a female colleague in which another colleague was discussed in an inappropriate and unprofessional manner.

v. By using your MPS-issued mobile device for personal and intimate communications, you acted contrary to MPS policy governing the use of information and communication technology systems, including section 4.2.4.1 of the relevant Standard Operating Procedure, which states:

"MPS telephony should only be used for primary policing purposes, whether operational or organisational."

<u>Professional Standards of Behaviour</u>

In the circumstances, the Appropriate Authority contends that your actions breached the Standards of Professional Behaviour as set out in the Regulation 5 and Schedule 2 of the Police (Conduct) Regulations 2020 (as amended by the Police (Conduct) (Amendment) Regulations 2024, namely:

(i) Orders and Instructions - In that you failed to comply with MPS policies and instructions governing the use of MPS-issued communications equipment and systems.

(ii) Authority, Respect and Courtesy - In that you used a police-issued device to exchange messages of an inappropriate and unprofessional nature.

(iii) Discreditable Conduct - In that your misuse of MPS-issued equipment and systems was likely to bring discredit upon the police service and undermine public confidence in policing.

As a result of that stated herein, if proven, your conduct individually or cumulatively amounts to gross misconduct and your dismissal may be justified."

Response

8. PC Cox has supplied a Regulation 54 response.

9. The response sets out that PC Cox accepts conduct to the level of misconduct, but not gross misconduct and asserts that the only messages about which she had been asked during the investigation related to those with [redacted]. The remainder, it is asserted, relate to messages as between herself and [redacted]

Evidence

10. I have been provided with a 89-page hearing bundle by the AA which includes – amongst other documentation:

a. The Investigation Report of DC Gayane Charchoglyan, dated 17 May 2026;
b. A Dissemination Report from DET, dated 11/08/2025;
c. An excerpt of messages between PC Cox and [redacted];
d. PC Cox's prepared statement, dated 7 May 2026; and
e. The relevant policies relating to ICT and smartphone use.

11. Referred to in the bundle but provided digitally was Extraction Report from the phone in question.

12. I have considered all of this material.

Factual findings

13. I am required by Regulation 61(15) to review the facts of the case and decide whether or not the conduct of PC Cox amounts to gross misconduct. Regulation 61(16) states that I must not find that the conduct of the Officer amounts to gross misconduct unless (a) I am satisfied on the balance of probabilities that this is the case, or (b) PC Cox admits it is the case.

14. There is a clear denial that the conduct amounts to gross misconduct so I must assess whether I am satisfied on the balance of probabilities that the conduct is proved. I have reminded myself that it is the Appropriate Authority who bear the burden of proving the case to that standard.

15. I have listened carefully to the case presented by the Appropriate Authority and considered in some detail the documentary evidence presented on behalf of the Appropriate Authority.

16. I have also carefully considered the prepared statement of PC Cox, her Regulation 54 response, and her oral evidence, supported by a written copy of the statement which she read out.

17. I find all of the factual particulars **proved** on the balance of probabilities. In reaching this conclusion I have assessed that PC Cox did not dispute the

underlying conduct, and have also had appropriate regard to the significant volume of material which the AA have supplied in support of their case.

18. I have concluded to the required standard that PC Cox – over the course of a prolonged period – treated her MPS mobile telephone as a personal phone. She frequently messaged [redacted] along with a member of the public, and fellow officers. PC Cox accepts, and I find that the nature of the highlighted messages exchanged with another officer was such that they were capable of giving rise to the impression that sexual activity may have taken place within an MPS building. Whilst I make no finding that any such activity occurred, the messages demonstrate the intimate nature of the communications being conducted on an MPS-issued device. For the avoidance of doubt, I do not find that such activity took place, but it is clear that those messages gave rise to such a concern.

19. The ICT SOP, and particularly paragraph 4.2.4.1 makes clear that personal communication should be avoided unless necessary and only to the extent it is necessary. PC Cox's actions were in clear breach of that expectation.

Breach of Standards of Professional Behaviour findings

20. I then have to consider whether the facts proved amount to a breach of standards. It is for the AA to prove breach of standards on the balance of probabilities.

21. I was advised by Mr Olphert that:

    a. The definition of Discreditable Conduct, per Schedule 2 of the Conduct Regulations, is as follows: "*Police officers behave in a manner which does not discredit the police service or undermine public confidence in it, whether on or off duty*."
    b. The definition of Orders and Instructions, per Schedule 2 of the Conduct Regulations, is as follows: "*Police officers only give and carry out lawful orders and instructions. Police officers abide by police regulations, force policies and lawful order*".

c. The definition of Authority, Respect and Courtesy, per Schedule 2 of the Conduct Regulations, is as follows: "*Police officers act with self-control and tolerance, treating members of the public and colleagues with respect and courtesy*."

22. In respect of Discreditable Conduct, I am satisfied to the required standard that the proven conduct is capable of bringing discredit to the police service and capable of undermining public confidence in the police service. A member of the public would rightly expect an officer to remain professional in their use of Metropolitan Police equipment, and the use of an MPS phone, issued for work purposes, ought not be used for personal communications, let alone intimate communications or used to comment on the appearance of colleagues as is present in this case.

23. I find a breach of Orders and Instructions on the basis that the proven conduct amounts to a breach of the ICT SOP included at p.59, and particularly paragraph 4.2.4.1, which states:

> "*MPS telephony should only be used for primary policing purposes, whether operational or organisational support in nature. To enforce this rule it is expected that MPS personnel use their own privately owned mobile devices to make personal calls and texts. Users temporarily without their own private mobile phone, will be permitted to make occasional and urgent/ emergency calls/ texts from office landlines and mobile devices. This exception is* ***ONLY*** *permitted for users who need to make urgent contact regarding family care responsibilities or for welfare/ domestic purposes. You should minimise any personal or sensitive data on such calls/ texts and delete them no later than 7 days thereafter*"

24. It is evident that the proven conduct is a breach of this policy. The personal communication is demonstrably not urgent, and not solely in relation to family care responsibilities or for welfare/ domestic purposes.

25. Finally, I have concluded that a breach of Authority, Respect and Courtesy is also proved to the required standard in the present case. The repeated use of the device for personal and intimate communications, despite the clear requirements of the ICT SOP, demonstrates a lack of professional self-control and discipline expected of a police officer. This was not an isolated lapse in but a repeated course of conduct over a prolonged period.

26. I am also satisfied that PC Cox's communications with a colleague on her work phone about the attractiveness of colleagues, describing a male colleague as 'atrociously fit' fell below the standards of professionalism, respect and courtesy between colleagues. Taken together, I am satisfied that these matters amount to a breach of the standards of professional standards relating to authority, respect and courtesy.

Severity Assessment

27. Regulation 2 defines:

a. Misconduct as a breach of the Standards of Professional Behaviour that is so serious as to justify disciplinary action;
b. Gross misconduct as a breach of the Standards of Professional Behaviour that is so serious as to justify dismissal.

28. In reaching a decision as to whether the conduct amounts to misconduct or gross misconduct, I must form a preliminary view as to severity. Assessing severity on a preliminary basis, I have considered PC Cox's culpability and harm.

29. Culpability: PC Cox is responsible for her own actions. She took the decision to communicate with a number of individuals on her MPS issued mobile phone, using it effectively as a personal mobile phone. It is notable that the extraction report runs to some 500 pages. It is clear from that that PC Cox used her issued mobile phone to communicate frequently with colleagues and others. The messages between her and other officers, [redacted] and an individual demonstrate personal conversations ranging from conversations about [redacted]

[redacted], communications about the attractiveness of colleagues, and flirtatious and intimate messages. All of these messages were sent – I find – in the knowledge that they were not the kinds of communications which ought to take place on a work communications device. I recognise that a significant number of the messages provided in the extraction report related to work, but there is a real and notable blurring of the lines between professional communication and practice, and personal communication. The volume of communications contained within the extraction report demonstrates a sustained pattern of personal use extending well beyond the limited personal use contemplated by the ICT SOP. This is deliberate decision-making over a prolonged period despite obvious knowledge the phone was an MPS device. I therefore provisionally conclude that the culpability in this case is high.

30. Harm: There is plainly harm to the public confidence. It is proper to highlight that just because something has occurred which might be of interest to the public it does not necessarily follow that it is in the public interest. However, the volume and nature of the communications in this case undertaken on PC Cox's work mobile phone would – I find – be of concern to a member of the public who must rightly expect that a member of the Service uses IT and telephony systems provided by the service for legitimate policing purposes. Using that same device to discuss intimate and flirtatious conversations between herself and a colleague necessarily undermines that. As do objectifying conversations between PC Cox and a fellow officer. I therefore conclude that harm, and particularly harm to the public confidence, is high even in the absence of actual harm to a person because the conduct involved repeated misuse of police equipment over a prolonged period.

31. This was not an isolated lapse of judgment. The extraction evidence demonstrates repeated and sustained personal use of an MPS-issued device over a prolonged period, including intimate and flirtatious communications. The scale and persistence of the conduct substantially aggravates its seriousness.

32. For these reasons I consider that the allegation has been proved at the level of gross misconduct.

Disciplinary action

33. As I have made a finding of gross misconduct, pursuant to Regulation 62(1) I must impose disciplinary action.

34. In considering the question of action disciplinary action, Regulation 62(10) provides that:
    a. I must have regard to PC Cox's record of police service as shown on her personnel record. I confirm that I have done so.
    b. I may consider such documentary evidence as would, in my opinion, assist me in determining the question of disciplinary action.
    c. I must give PC Cox, her lawyer or Police Friend and the AA the opportunity to make oral or written representations. I confirm that I have done so.

35. Ms Clark's submission was that dismissal without notice was the only appropriate outcome in the present case. She submitted that the case fell within the ambit of the 2025 amendment to the Police (Conduct) Regulations 2020 and as such the presumption of dismissal following a finding of gross misconduct applied.

36. PC Marks submitted that I should step back from dismissal here and find exceptional circumstances, and should impose a final written warning.

37. I have had regard to the College of Policing's *Guidance on Outcomes in Police Misconduct Proceedings* (2023) which has not been updated to reflect the new Regulations position.

38. On p.15 of the *Guidance* the College of Policing sets out the approach that I must take in reaching a decision as to disciplinary action, which is to:

    1) assess the seriousness of the misconduct by reference to:
        a. the officer's culpability for the misconduct;
        b. the harm caused by the misconduct;
        c. the existence of any aggravating factors;
        d. the existence of any mitigating factors;

2) keep in mind the purpose of imposing disciplinary action, which the *Guidance* explains on p.4 are (i) to maintain public confidence in, and the reputation of, the police service; (ii) to uphold high standards in policing and deter misconduct; and (iii) to protect the public.
3) choose the disciplinary action which most appropriately fulfils that purpose for the seriousness of the conduct in question.

Stage 1

Culpability

39. On page 16 of the *Guidance* the College of Policing states that *"Culpability denotes the officer's blameworthiness or responsibility for their actions. The more culpable or blameworthy the behaviour in question, the more serious the misconduct and the more severe the likely outcome."*

40. I have addressed culpability above, which I do not repeat. I am satisfied therefore that the culpability is high.

Harm

41. On p.27 of the *Guidance*, the College of Policing explains that *"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."*

42. I have addressed harm above. I therefore assess the harm caused by PC Cox's conduct as high.

Aggravating factors

43. I have considered the non-exhaustive list of aggravating factors in the *Guidance* at p.29.

44. I have reminded myself not to 'double count' matters that I have already considered with the respect to culpability or harm.

45. I have concluded that the following aggravating factors are present here:

    a. Regular, repeated or sustained behaviour over a period of time; and
    b. Significant deviation from instructions, whether an order, force policy or national guidance.

46. Whilst those factors are present here, I have not placed significant weight in them given they overlap with my existing conclusions as to culpability and harm. It is notable, however, that the deviation from the SOP was significant in the present case.

Mitigating factors

47. I have considered the non-exhaustive list of mitigating factors in the *Guidance* at p.30 - 31.

48. I have concluded that there is genuine remorse and insight here.

Overall

49. Overall, I assess the seriousness of PC Cox's conduct as high.

Stage 2

50. I have borne in mind the purposes of imposing disciplinary action.

51. I find that all following purposes for imposing disciplinary action are engaged in this case:

    a. **to maintain public confidence in, and the reputation of, the police service.** For the reasons already set out above, PC Cox's conduct is of the kind which is likely to damage the reputation of the Service. It is likely that a member of the public in possession of all of the facts would have their confidence in the Service impacted. The reputation of the Service, particularly given the nature of the messages sent and received between PC Cox and her colleagues is also bound to be significantly impacted.
    b. **to uphold high standards in policing and deter misconduct.** In order to do so, findings made by me as Chair conducting accelerated misconduct

hearings must be such as to mark the seriousness of the misconduct and show to other officers that misconduct of the type considered in this hearing will result in disciplinary action of a certain severity.

Stage 3

52. I was advised by Mr Olphert that that:
    a. I must have regard to PC Cox's personal mitigation.
    b. Personal mitigation in terms of character statements and the officer's record of service should be taken into account only after the assessment of seriousness has been concluded: *R (O'Connor) v Police Misconduct Panel Chair & Mason* [2025] EWCA Civ 27 at [52]; [62] – [65].
    c. When personal mitigation properly falls to be considered, it attracts limited weight in professional disciplinary proceedings in general, and police misconduct hearings in particular: *Bolton v Law Society* [1994] 1 WLR 512 at p.519B-D; *Salter* in [2012] EWCA Civ 2012 at [23]; *R (Williams) v Police Appeals Tribunal* [2016] EWHC 2708 (Admin) at [66] – [67[
    d. The weight that can be given to personal mitigation depends on the extent to which the misconduct imperils the public confidence.

53. I have had regard to PC Cox's record of service.

54. I have read and considered the character references provided on behalf of PC Cox. They demonstrate PC Cox to be a compassionate, caring and hard-working officer who colleagues appear to rate highly. It is evident that they value working with her.

55. I have also at this stage had significant regard to the heartfelt statement which PC Cox read during her evidence. It is clear that the officer recognises her wrongdoing and has carefully reflected upon it. It is very much to her credit that she has taken the time to carefully and thoughtfully address her conduct. I have no doubt that the depth of feeling which she displayed when reading the statement out was genuine and her remorse and insight sincere.

56. I conclude, however, that the misconduct here is significant and imperils the public confidence significantly, for those reasons I must place less weight in

those references. This is particularly so given my findings at Stage 2, set out above.

Conclusion as to Outcome

57. I have been invited to consider an outcome less than dismissal without notice, namely a final written warning.

58. Under the 2025 amendments to the Police (Conduct) Regulations 2020, I must approach outcome with the presumption of dismissal. Nonetheless I have considered the alternative sanctions and considered whether they meet the public interest and other factors which I am required to balance. Ultimately, I have concluded that such sanctions fall short of meeting the severity of the proven conduct, and the significant public interest factors which I must balance.

59. I have taken particular care in this case to assess the question of whether exceptional circumstances exist so as to warrant a departure from dismissal. The word exceptional has no special meaning in these proceedings, it is to have its ordinary definition. Whilst I find that the evidence from PC Cox herself, and the character references provided bore significant weight, I ultimately have concluded that the present circumstances here cannot be regarded as exceptional.

60. In balancing the above, the particular public focus on police standards must, in cases of this sort, be at the forefront of any decision.

61. I therefore move on to consider dismissal. Again, having considered all of the circumstances of the case, the severity of the proven conduct and the public interest, I am satisfied that the only appropriate outcome in this case is dismissal without notice.

Outcome

62. Having considered the matter fully and having regard to the nature and severity of the breach of the Standards of Professional Behaviour, the disciplinary action I impose is dismissal without notice; and PC Cox should be added to the College of Policing Barred List.

Publication

63. I received brief submissions on publication. I require the AA to publish this report pursuant to Regulation 63(5).

Colin Wingrove
Commander
9 October 2026