

1. Hearing/legal argument

- 1.1 This matter was case-managed by Ms H Linklater at preliminary hearings on 9 June and 22 July 2026. It was originally listed to be heard at Empress State Building. Following the second preliminary hearing, Mr A Brittain replaced Ms Linklater as Chair, and the Hearing venue was moved to Sutton. The IPMs were Ms J Ellul and Mr P Agrawal, and the LQA was Ms H Norris.
- 1.2 The panel had before it a redacted 45-page bundle, which incorporated the Regulation 30 notice and PC Wilson's Regulation 31 response, plus the Appropriate Authority's opening note with accompanying documents (the MPS Sexual Harassment Policy and a link to the EHRC technical guidance. There was an "addendum bundle" of 23 pages, which was created in the week before the Hearing, following some late disclosure by the AA.
- 1.3 Ms Kane for the AA having opened the case by reference to the opening note, the Panel heard evidence at the Hearing on day one from the complainant, to whom we refer in this decision as "Officer A". She finished giving her evidence around midday. Following a break, the Panel was informed that PC Wilson intended to call up to two witnesses and that their statements were being finalised. It was agreed in the circumstances that the Hearing would adjourn overnight. Directions were made for the statements to be served on the AA and for Ms Kane to confirm the AA's position about whether she wished to cross examine either or both potential witnesses.
- 1.4 Later on day one, the Chair received the two witness statements and an indication from Ms Kane that she had no questions for either of them. These statements were passed on to the other Panel members overnight.
- 1.5 On day two, Ms Kane formally closed the case for the AA. The Panel was told that one of the statements served the previous evening was not being relied on. The other, from PS Schoorl, was relied on, but neither the AA nor the Panel had questions for him. His statement was taken as read. The Panel then heard evidence from PC Wilson before lunch on day two.
- 1.6 The Panel was able to put any questions it had to both Officer A and PC Wilson.
- 1.7 After lunch on day two, the Panel heard closing arguments from the parties, with Ms Kane and Dr Okewale speaking to their helpful written submissions. The Panel started deliberations on the afternoon of day two and concluded them on the morning of day four.

2. Evidence in the case

- 2.1 The outline facts in this case are as follows:
 - a) PC Wilson has been a Metropolitan Police Officer since 2002. For some years, he has been an armed police officer working in "PaDP", the Parliamentary and Diplomatic Protection branch of the MPS. That unit provides armed and unarmed officers for the Palace of Westminster and Downing Street.
 - b) PC A is an unarmed officer who is also assigned to PaDP. It is common ground that by the date of the alleged incidents forming the basis of these proceedings, she and PC Wilson were not known to each other.

c) Incident One

On 9 September 2024, PC Wilson and PC A were both required to attend a taser refresher course at Shoreditch Police Station. PC Wilson did not believe PC A was in the same class as him. Their accounts differ as to how and why he conveyed that belief:

- (i) PC A says that PC Wilson approached her while she was waiting for the course to begin and said words to the effect of, "Mate, I don't think you're with us on this course because we don't have any female officers with us". He suggested she try another classroom. She went upstairs but the door was locked. She returned downstairs and PC Wilson repeated, "Mate, I told you, you are not with us".
- (ii) PC Wilson says that when PC A arrived, she twice asked the room at large whether she was in the right place. Nobody answered the first time. The second time, he suggested there might have been a booking error and suggested she double check. He had been sent a booking the previous year for the right day but the wrong time. He denies referring to "female" officers.

(d) It is common ground that:

- (i) PC A was the only officer attending the training who was not an Authorised Firearms Officer (AFO).
- (ii) As such, she was the only person wearing a white shirt; the AFO shirts were a dark blue.
- (iii) AFOs and Specially Trained Officers (STOs) were normally trained separately.

(e) Incident Two

In November or December 2024, PC A was on duty at the Palace of Westminster. A general discussion took place about the cold weather. PC A says that PC Wilson approached her and asked if she was cold. She said she was not. He suggested she was used to the temperature [REDACTED] *because of her origins* but she responded that it was because she was "properly dressed". She alleges that he replied, "Oh yeah, do you want to talk to me about dressing up?" She says this was said in a sexualised way and was embarrassed by it.

- (f) PC Wilson denies having made these comments at all. He says he did not [REDACTED] and did not recognise PC A from their encounter in September.

(g) Incident Three

In December 2024, PC A was in the restroom at the Palace of Westminster. She had brought in food which she had prepared, and had heated it in the microwave. She and another colleague were discussing their homemade food while they were eating. It is common ground that PC Wilson made an initial comment and then said something else. PC A says that PC Wilson said "Mmm ... delicious" and she thanked him; he then said, "The food looks good too", i.e. by inference, the word "delicious" had been a reference to her.

PC Wilson agrees that he said something along those lines but denied that there was any sexual connotation; he claims to have been referring exclusively to the food.

- (h) PC A discussed PC Wilson's alleged comments with other colleagues. It is common ground that she made no formal complaint. However, a colleague with whom she spoke did so. PC A made a witness statement on 30 January 2025. On 9 May 2025, PC Wilson was served with a Regulation 17 notice alleging breaches of the Standards of Professional Behaviour (Authority, Respect and Courtesy). On 18 December 2025, he made a statement under caution denying the allegations against him.

Regulation 30 notice and Regulation 31 response

- 3.1 The allegations were read at the beginning of the hearing and are as follows:

ALLEGATION 1

1. On 9 September 2024, PC Matthew Wilson failed to act with respect and courtesy, in that he stated to PC A:
- a) "Mate, I don't think you are with us on this course because we don't have any female officers with us"; and
 - b) "Mate, I told you, you are not with us".

ALLEGATION 2

2. Between 1 November 2024 and 31 December 2024, PC Matthew Wilson failed to act with respect and courtesy, in that he stated to PC A:
- a) "You are used to this temperature because [REDACTED]"; and
 - b) "Oh yeah? Do you want to talk to me about dressing up?".

ALLEGATION 3

3. Between 1 December 2024 and 31 December 2024, PC Matthew Wilson failed to act with respect and courtesy, in that he stated to PC A:
- "Mmm... delicious ... the food looks good too".

ASSESSMENT OF CONDUCT IF PROVEN

4. The matters set out above amount to gross misconduct and are so serious as to justify dismissal.

- 3.2 PC Wilson responds to the allegations as follows:

"I deny each allegation in its entirety. The alleged words were not said as alleged, nor in substance, nor at all. Where any interaction occurred, it was:

- a. Ordinary workplace communication;
- b. Professional in nature;
- c. Entirely devoid of any sexualised, discriminatory, or disrespectful intent or content.

The case against me rests on retrospective interpretation, not objective evidence. Each allegation is said to have occurred in communal policing environments and would have been in the presence of other officers. In those circumstances, if the alleged words had been spoken in the manner suggested, it is reasonably to be expected that:

- a. Other officers would have been capable of hearing the exchange;
- b. There would have been some contemporaneous reaction, challenge, or report;
- c. There would be supporting independent evidence.

There is none”.

4. Findings on the allegations and breaches of the Standard

The Panel has had full regard to all the relevant evidence in the documents before us and to the parties’ submissions in making its findings.

4.1 We acknowledge that in cases of this nature, commonly referred to as “he said/she said”, it is rare for there to be direct third-party evidence corroborating either account. However, that may not be necessary. Such corroboration may be drawn instead from external factors, or by inference. We are always mindful that the standard of proof is the balance of probabilities and that the burden is on the AA.

4.2 In relation to credibility, we make the following general findings:

PC A

- (a) We found PC A to be a generally credible witness. We accept that she attended the Hearing without the benefit of having read all the documentation in the case, but she was nonetheless clear and consistent in her account throughout.
- (b) We do not criticise PC A for the fact that she did not report the alleged incidents. She has explained this by saying that she did not wish to create hostility between herself and PC Wilson; coming face-to-face with him at the Palace of Westminster could cause embarrassment and affect her day-to-day duties. She was, she told the Panel, embarrassed to be at the Hearing but that the comments should not have been made in the first place. She said she should not have to come to work and experience that. We are mindful of what is said in the Casey report about the many reasons why victims may be reluctant to come forward to make an official complaint. It is not inherently a reason to disbelieve them if they do not.
- (c) Nor do we criticise PC A in that she did not make contemporaneous notes about the incidents. The first time she made a written record was 30 January 2025. We note that this was at least some weeks after even the most recent alleged incident and nearly five months after the Shoreditch training. It does mean that her recollection may be imperfect as to the precise words used. We accept that she has been careful to acknowledge that her recollection is not precise. For instance, she was not certain that PC Wilson started the initial encounter with “Mate...”, something PC Wilson claims he does not say generally and did not say on this occasion. She was nonetheless very clear about the remainder of the words used and their significance towards her.

- (d) In addition, we observe that she did make two contemporaneous verbal reports about the third incident:
 - (i) The first was to her colleague PC [N].
 - (ii) The second was to other colleagues on duty at Carriage Gates. It was this verbal report, on the face of it, which caused the formal complaint to be raised, though we make no definitive finding on that point.
- (e) PC A did not seek to exaggerate either the nature of the words or their impact. In cross examination however she maintained that they were “sexualised”.
- (f) We accept her evidence that while on occasion other officers had made comments to the detriment of PC Wilson, PC A did not particularly listen to them, preferring instead her own analysis of PC Wilson’s behaviour towards her rather than any prejudicial gossip about his reputation.

4.3 PC Wilson

- (a) We found PC Wilson also to be generally credible in many aspects of his evidence. However, there were points on which he was inconsistent. One point of general note was his self-assessment in evidence in chief that he is “very factual” in the way he speaks and can come across as “blunt”. He sought however to differentiate between being direct and being blunt or disrespectful. He said he likes to get to the point quickly and seeks clarity but does not want to cause anyone discomfort; he does not mean deliberately to upset people or to be rude.
- (b) This self-analysis was at odds with PS [S]’s description of PC Wilson: “warm, approachable and welcoming”. PS [S] said that PC Wilson was one of the first people to make him welcome when he arrived in Barking and Dagenham around ten years ago, taking time to show him around the area, which, he said, “reflects his supportive and inclusive nature”.
- (c) The Panel put this inconsistency to PC Wilson. His response was that he has worked towards being warm and approachable, and it was a skill he has had to cultivate over time. We did not find this explanation persuasive. His answer appeared to reverse the logical sequence where he has worked on his style over the years so that he is not causing others discomfort. He claims instead that a decade ago he was warm and approachable but has now become very factual to the point of being perceived as blunt. The timing of these two versions is unlikely.

4.4 Incident One

- (a) There are two versions of this incident.
 - (i) On PC Wilson’s account, PC A entered the room and asked everyone whether she was in the right place. He thought she might not be. She was wearing uniform typical of an unarmed officer: a white shirt and standard body armour. All the others in the room were AFOs.

PC Wilson knew there were other groups training at Shoreditch that day. The previous year, he had been misinformed by the training unit about the

timing for a course he was to attend. He had arrived substantially early, dressed in his AFO uniform and it had been awkward. He had looked at the sign-in sheet on the board in the corridor outside the classroom and had seen his own name and those of some others he recognised. He did not recall seeing PC A's name and anyway, he did not know her.

Nobody else answered PC A, so when she asked for a second time whether she was in the correct room, he took it on himself to clarify that they were all there for taser training but that it was for firearms officers only; it might be that she too had received an email in error and was in the right place but at the wrong time, as he had done in the past. We do not accept the AA's submission that this went further than a "general exchange".

While acknowledging that PC A was the only female officer in the room, PC Wilson denies that this was what marked her out as different: it was the fact that she was dressed in an entirely different style from the rest.

Further, PC Wilson says, AFOs deploy tasers in a different way from unarmed officers, not least because of the extra equipment they carry; for instance, they do not carry additional cartridges and their use of protocols is slightly different. He was not expecting there to be unarmed officers on the same course.

- (ii) On PC A's account, she arrived about half an hour before the course was due to start. She was the only unarmed officer present and also the only woman. She put her bag on the chair and changed into her uniform, using the disabled toilet as there was no other facility and she did not want to change in the same room as the others present. PC Wilson came up to her, unprompted, and said that she was not with them because there were no female officers with them. This confused her. It was her first refresher training and she was not sure whether armed and unarmed officers were trained separately. She asked whether another group was meeting and PC Wilson suggested she try the top floor, where the other classroom was to be found. She went up and tried the door, which was locked, so she returned to the canteen. PC Wilson then approached her a second time and repeated, "Mate, I told you, you are not with us".

We therefore have to establish whether we are satisfied on balance of probabilities that the incident unfolded as PC A alleges, i.e. with PC Wilson referring to her female status as a point of difference.

- (b) In his unchallenged evidence, PS [S] (Course Director) confirms that it was standard practice to train the two groups separately, and that on the date in question, there were 14 AFOs booked for one course on the first floor, while there were five STOs booked on another course, on the fourth floor, at the same time. The Panel has the register in the addendum bundle. It does show 14 names, including those of PC Wilson and PC A, though one has been crossed through. None of the other attendees at the course was called by the AA. A statement from one of them was produced by PC Wilson late on day one of the hearing but as we have said, that statement was not relied on.

- (c) Thus we have no evidence to support either version. We stress that this does not mean we disbelieve PC A. However, PC Wilson's reasons for speaking to her are plausible – he would not have expected an unarmed officer to be training with AFOs - and credible – she was immediately recognisable as an unarmed officer by the uniform she was wearing.

4.5 Incident Two

- (a) In this incident there is a flat contradiction by PC Wilson that he used the words attributed to him, both the reference to PC A's [REDACTED] *origins* and then a comment about "dressing up".
- (b) PC Wilson said that he had forgotten the encounter with PC A at the training in September and in fact never knew *where* she is *from* [REDACTED]. Whether he actually knew this or not, we consider he could very easily have made such an assumption because, as he acknowledges, she has a discernible [REDACTED] accent. [REDACTED]
- (c) It appeared in oral evidence to be a source of very minor grievance to PC Wilson that armed officers are required to remain standing in the open while unarmed officers are able to go into the sentry hut and get warm. He also said – whether or not for that reason - that there is usually little interaction between the armed and unarmed officers, save for pleasantries. He also said armed officers tend to stand back, to provide both a visual deterrent and a full oversight of the entrances to the Palace of Westminster footprint. Thus, he said, their interaction with the unarmed officers is "next to none".

By contrast however, PC Wilson had acknowledged in his statement under caution that it is commonplace to have conversations among colleagues about the weather, including about how cold it is. He also maintained in that statement that if the exchange had taken place as PC A alleges, it would have been witnessed by "many colleagues". This is an inconsistency in his evidence.

- (d) PC Wilson acknowledged that if anyone said those words, he would accept it was conduct of a sexual nature and very unprofessional; it would amount to a breach of the standard of Authority, Respect and Courtesy. He claimed however that he would not have had a conversation with anyone about "dressing up" because he is too prudish to do so.
- (e) However, we prefer the account of PC A. We can see no reason at all why she would invent not just a one-off comment but a brief discussion in which first PC Wilson made reference to her *origins* [REDACTED] and then when she responded briefly to say it was because she was "properly dressed", for him to reply as alleged. She is an adult woman capable of analysing when something being said to her has a sexual meaning and we accept her interpretation that he was suggesting she was into "dressing up in a sexual way". PC A's account has been consistent throughout on this point.
- (f) Further, we find the context is plausible. We consider that PC Wilson was implying in oral evidence that such a conversation would not take place because of the extremely limited interaction between armed and unarmed

officers. As we have said, this is inconsistent with what he said in his witness statement. It is also entirely feasible that the discussion would not have been overheard, if PC A and PC Wilson were outside in what can be a very busy area. We note that this is not suggested to have been a long conversation, rather a short discussion that started about the weather and was ended probably less than a minute later with his reference to dressing up. Therefore we do not consider that a lack of corroboration for PC A's account is significant.

- (g) We also reject the possibility that meaning was somehow lost or misunderstood in this interchange between the parties. The second incident does not depend on interpretation. It is not the situation that PC Wilson claims to have said he should be "properly dressed" rather than inviting PC A to talk about "dressing up". PC Wilson's outright denial of having said these words at all leaves no scope for nuance. We accept that the alleged remarks were made and that they were made in the sexual manner alleged.

4.6 Incident Three

- (a) Again, in this incident, there is a conflict on the accounts. PC A says that she was sitting in the rest room at the Palace of Westminster. She described, unchallenged, how there is seating in the form of small chairs with side tables in a horseshoe layout and that she was sitting on one side of the room with PC [N] sitting on the other. They had both brought in and heated up food that they had made at home and were discussing it as they ate. She says in her statement that PC Wilson came from the kitchen and stood beside her, leaning in and saying, "Mmm, delicious". She looked up and thanked him. As he was walking away, he turned and said, "The food looks good too".
- (b) PC Wilson has given two accounts:
 - (i) In his statement under caution, he said that PC A was heating her food in the microwave and that he told her, "That smells good". When she took it out of the microwave, he saw it and said, "It looks good too".
 - (ii) In evidence in chief however, his account was closer to that of PC A. He said that he was moving through the room on his way to the exit and the food on her plate both looked and smelled nice. He agreed that he "leant down to get a better sniff", said, "that smells nice" and then as he walked away, turned back and said, "It looks good too". He repeated in cross examination that he leaned in to smell the food and then said it "smells delicious", before starting to move away and then turning back to make a comment about how it looked.
- (c) Again, we prefer the account of PC A:
 - (i) Once again, we can see no reason for her not to be telling the truth about the incident. We repeat that she is an adult woman capable of analysing when something being said to her has a sexual meaning.
 - (ii) She immediately reacted to what PC Wilson said, so that although PC [N] did not hear what was said, he asked her and she told him straight away. That is a contemporaneous account of the conduct alleged.

- (iii) It was reasonable for PC [N] not to have heard the comment himself; he was on the opposite side of a fairly busy room, in which the television was switched on and there were around a dozen other colleagues present. The comment was not made to the room at large but directly to PC A by PC Wilson who was standing close to her.
- (iv) PC A has been consistent about where the incident took place and what was said. PC Wilson now appears to agree that it was when she was sitting down, already eating her food. Thus, the two-stage process where PC Wilson first smells the food and comments about that, and only subsequently sees it so as to comment about its appearance, falls away. He must have both smelled and seen it at the same time.
- (v) The Panel considers it would be unusual behaviour to stop close to an unknown colleague and lean in to sniff at their meal, but even if we were to accept the reason PC Wilson ascribes to this (that he is a “foodie” with a particular penchant for home-cooked, plated meals), it does not explain why he would then start to walk away, only to turn back and say that it looks good too.
- (d) For the avoidance of doubt, the Panel finds on balance of probabilities that the initial word “delicious”, while not specifically referencing PC A, was intended to refer to her personally and sexually, by contrast with “the food looks good too” (our emphasis). The use of the word “too”, we find, implies that he was referring to something/someone else – i.e. PC A - when he used the word “delicious”.

4.7 In light of our findings above:

- (a) We conclude that the allegation regarding incident one is not made out.
- (b) We conclude that the allegations regarding incident two are made out.
- (c) We conclude that the allegation regarding incident three is made out.

4.8 The Professional Standard of Authority, Respect and Courtesy says that “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”.

4.9 The Standard in the 2014 Code of Ethics (now superseded, but potentially of assistance in understanding the behaviours expected of officers) said:

“I will act with self-control and tolerance, treating members of the public and colleagues with respect and courtesy. I will ...respect the rights of all individuals.”

According to the 2014 Code, an officer must:

- avoid any behaviour that might impair their effectiveness or damage either their own reputation or that of policing; and
- ensure their behaviour and language could not reasonably be perceived to be abusive, oppressive, harassing, bullying, victimising or offensive by the public or policing colleagues.

4.10 We accept the AA's submission that PC Wilson's conduct in connection to the second and third incidents lacked respect and courtesy to PC A. It damaged the reputation of

policing and was reasonably perceived by PC A and other colleagues to amount to harassing behaviour/language. PC Wilson himself acknowledged that if the words attributed to him were used in the manner alleged, that would amount to a breach of the relevant Standard. We find that the Professional Standard of Authority, Respect and Courtesy is breached in respect of allegations two and three.

5 Findings on gross misconduct/misconduct

5.1 The Panel has considered the proven conduct in this case by reference to the Guidance on Outcomes in Police Misconduct Proceedings. We start by assessing seriousness, including at this stage culpability and harm. We are mindful that serious misconduct may cause minimal harm to individuals but still damage the reputation of the police service. We have regard to the definitions of misconduct and gross misconduct as set out in the Regulations:

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

5.2 In terms of culpability:

- (a) We note that PC Wilson is entirely responsible for this actions in this case and he made the comments intentionally; he did not misspeak, for example. However, we consider his conduct was not pre-meditated or planned; they occurred on two occasions, several weeks apart, when he happened to encounter PC A. We adopt her analysis that these may well have been attempts at humour which fell flat.
- (b) The words used in incidents two and three are at what might be described as “the lowest end of the scale”; they are not sexually explicit but amount at their highest to innuendo. They do not come close to criminal behaviour of a sexual or any other nature. PC Wilson was not in a specific position of authority or trust vis-à-vis PC A. We do not find that his behaviour was driven by misogyny.
- (c) We are nonetheless mindful of the huge national scrutiny as a result of high profile cases of sexual misconduct, particularly in PaDP, where sexist (and violent) behaviour has been perpetrated by serving officers in recent memory. Such cases cannot have slipped far from the minds either of those in that Command or the public they serve. We are also mindful that any misconduct involving sexual impropriety is serious and can significantly undermine public trust in policing. The Guidance makes it clear that such misconduct is wholly unacceptable, though again we stress that this behaviour is not of the same order as those high profile cases.

5.3 As we have found, PC Wilson breached the standard on more than one occasion, making comments weeks apart though to the same individual. We remind ourselves of the statutory definition of harassment at section 26 Equality Act 2010, and namely that it is “unwanted conduct related to (for relevant purposes) sex¹, or of a sexual nature, which has the purpose or effect of violating the recipient’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them.

¹ Ms Kane confirmed that this is the only protected characteristic on which the AA relies

5.4 The ACAS website is also of assistance in relation to sexual harassment, which it also describes as “unwanted behaviour of a sexual nature”; it can be a one-off incident or an ongoing pattern of behaviour. It can amount to 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; and
- telling sexually offensive jokes.

5.5 The MPS Sexual Harassment Policy also adopts the statutory definition, noting that such conduct need not be sexually motivated, only sexual in nature. It acknowledges that sexual harassment “includes a wide range of behaviours” and provides a non-exhaustive list of the same. We consider that the conduct at the bottom of the list in the Policy (“unwelcome touching, hugging, massaging or kissing, predatory behaviour, criminal behaviour, including sexual assault, stalking, grooming, indecent exposure coercive control and sending offensive communications”) is clearly of quite a different order from that at the top (“sexual comments or jokes”). That does not trivialise the behaviour that we have found occurred in this case, but it recognises that as with all other instances of misconduct, the label ascribed may cover a range of conduct that is not only “wide” in the sense that it encompasses many different types of behaviour but also wide in its severity and impact. Therefore, what some people might consider as joking, 'banter' or part of their workplace culture can still be sexual harassment. As is acknowledged on behalf of PC Wilson, the MPS adopts a zero tolerance approach thereto.

5.6 There is no question that the proven conduct was “unwanted” and that it was either sexual in nature or, at best, was “related to” sex. We also note that to meet the statutory definition, the wording is clear that the conduct must also 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:

- (a) Violating PC A’s dignity or creating such an impermissible environment was not the *purpose* of PC Wilson’s conduct. As we have said, we find it likely that he was endeavouring to be amusing but it was not received as such by PC A who described it as “a joke that landed badly”.
- (b) As PC A herself has said, it did have the *effect* of violating her dignity. On the second occasion in particular, she said PC Wilson had “crossed the line”. She described it as creating a “toxic” environment, which we consider to be akin to the words used in the statutory definition. We factor in that perception of hers, which we find was reasonable, taking into account the circumstances of the case overall and the fact that it occurred on more than one occasion.

5.7 As a result, in assessing harm, and taking into account that harm may be at the individual level and/or may lie in the potential to undermine public confidence in policing:

- (a) As we have set out above, PC A does not claim to have suffered significant or long-lasting harm as a result of the conduct we have found proven. We accept her claim to have been embarrassed by the “dressing up” comment and humiliated by the food comment. She was made to feel disrespected and unsafe. She was distressed by PC Wilson leaning in towards her and uncomfortable that he had spoken to her in this way while she was eating. She was concerned that PC Wilson’s behaviour towards her might be repeated.
- (b) We note that another officer or officers shared PC A’s concerns to the extent that they made a report, and they were right to do so.
- (c) We consider that if the public knew all the circumstances of the matter, they would also be concerned that this behaviour was occurring in PaDP, even at this comparatively low level, despite the high-profile cases to which we have referred. It would further damage the MPS’s reputation because it suggests that lessons have not been learned.

5.8 Accordingly, we assess culpability as moderate to high and we assess harm as moderate. Overall we find there was a breach of the Standards of Professional Behaviour that was so serious as to justify dismissal. Taking those factors into account, we find that the conduct is properly to be categorised cumulatively as gross misconduct.

6 Outcome

6.1 In deciding outcome, we have adopted the four-stage test as set out in *Fuglers* considering culpability, harm aggravating, and mitigation, while being careful to avoid double counting. We have the Officer’s character bundle and service history

6.2 We remind ourselves of the threefold purpose of these proceedings:

- 1. to maintain public confidence in, and the reputation of, the police service
- 2. to uphold high standards in policing and to deter misconduct
- 3. to protect the public.

All employers, including the MPS, have a statutory obligation to identify preventative actions to mitigate the risk of sexual harassment occurring during employment and to implement such actions using reasonable steps.

6.3 It was agreed that the available outcomes in this misconduct hearing are:

- final written warning
- dismissal without notice

We are also reminded that when considering the outcome in this case, given the timing of when the matter first came to the attention of the Appropriate Authority, the Panel is to start with the least severe sanction first.

6.4 We have assessed the seriousness of the conduct having regard to section 4 of the Guidance of Outcomes in Police Misconduct Proceedings, taking into account:

- PC Wilson’s culpability for the misconduct
- the harm caused by the misconduct

- the existence of any aggravating factors
 - the existence of any mitigating factors.
- 6.5 We have had regard to the character evidence submitted by PC Wilson and take into account that he has a clean disciplinary record. We have also taken into account the submissions made on behalf of both parties as to outcome.
- 6.6 We have made full findings on culpability and harm in our assessment of the seriousness of the proven conduct, and we do not repeat those findings here, save to repeat that we assessed culpability as moderate to high and harm as moderate and do not move from those findings. We turn then to aggravating and mitigating factors.
- 6.7 Aggravating features
- So far as aggravating factors are concerned, we have identified the following. The proven conduct:
- Was deliberate though not premeditated or planned. As PC A said, it was not “malicious” in the sense that no harm was intended;
 - Was repeated in that it took place on two occasions, around one to two months apart so that there are two proven breaches;
 - Met the statutory definition of sexual and/or sex-related harassment under the Equality Act 2010;
 - Concerns a matter of national importance.
- We stress that we are careful not to double count.
- 6.8 Mitigating features
- In each instance, the misconduct was of brief duration.
- PC Wilson did not make full and frank admissions as to his conduct and has not expressed remorse so those cannot be mitigating factors.
- 6.9 On the other hand, we also find it significant that we have considered these incidents from the perspective of their cumulative effect, and assessed them as gross misconduct. The Panel has given thought to whether, taking individually, they reach that level, and we consider that they do not. The conduct does meet the statutory definition, but the language used was not explicit. It was limited to innuendo. That does not make it acceptable, but we consider it puts it firmly in perspective. PC A did not suggest she thought PC Wilson should lose his job. She just wanted him to stop making comments to her.
- 6.10 We can also see from the addendum bundle that an invitation was made by the investigating officer to at least one (female) witness to come forward with any examples of similar behaviour (“what’s your knowledge of PC Wilson’s inappropriate behaviour towards colleagues, more particularly females”) and this was met with a polite but firm “I have no evidence to offer”. It does not appear to be a case where PC Wilson has been making women feel uncomfortable through his use of language, but which has gone unreported. Rightly, once his behaviour towards PC A emerged, it was reported and dealt with. There is an acknowledgment that it was not acceptable, and we

consider that may assist to reassure both police colleagues and the public that even at the lowest level, there is recognition that such behaviour is not to be tolerated.

6.11 Personal mitigation

We have noted the bundle of character evidence. It includes strong mitigation from those of different ranks, both men and women, as well as some personal mitigation from a friend who is also a psychologist and is not a member of the MPS. We note in particular her suggestion that PC Wilson may have undiagnosed autism. In line with the Guidance on Outcomes, we place limited weight on this aspect of the evidence, coming as it does so late in the proceedings, and without support from any independent clinician. In any event, 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.

6.12 The Panel further reminds itself that the police misconduct regime is not designed to punish police officers; it is about the reputation and standing of the profession as a whole.

6.13 We refer back to the Casey report:

“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.

... 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”.

6.14 In terms of deterrence, we observe that sexual harassment, according to the MPS policy, “will not be tolerated in the workplace... complaints will be taken seriously ..., treated as serious disciplinary offences and may be considered as gross misconduct”. We accept the submission previously made on behalf of PC Wilson that it is not automatic and as we have said, taken individually, the conduct was confined to two short instances and so far as we are aware has not been repeated since.

6.15 The IOPC in its document ‘Abuse of position for a sexual purpose (APSP): An overview of the IOPC’s work and its impact’ observes, “It is also important to recognise that APSP covers a wide spectrum of unacceptable behaviour. More subtle actions, such as flirtatious messages or unnecessary contact, can be the start of a pattern of behaviour. It is important to root out any abuse of position and take action².” We have said that we consider PC Wilson’s conduct to fall at the least severe end of the spectrum.

6.16 Bearing all of that in mind, we started, as we are required to do, with the least severe sanction first, i.e. that of a Final Written Warning. It is our view that this would have the effect of meeting the purpose of this regime. We believe imposing a final written warning would reassure the public of the high standards to which the police are rightly

² R v Aftab [2023] EWHC 589 (Admin)

held and deter other officers from similar misconduct. It marks the severity of the behaviour – and the way in which the MPS takes seriously misconduct that involves sexual impropriety to any degree and holds those guilty of it to account - without being disproportionate to the harm caused.

- 6.17 The maximum duration for a Final Written Warning is five years. In all the circumstances it is our decision to impose a Final Written Warning for 30 months, which we consider to be appropriate since it adequately reflects the nature of the allegations while remaining proportionate as to the severity of the conduct and the impact on all concerned.