

**IN THE POLICE MISCONDUCT HEARING
PURSUANT TO THE POLICE (CONDUCT) REGULATIONS 2020 (AS AMENDED
BY THE POLICE (CONDUCT) (AMENDMENT) REGULATIONS 2024**

BETWEEN:

THE COMMISSION OF POLICE OF THE METROPOLIS

Appropriate Authority

-and-

PC NIKO MAWANY

Officer concerned

PANEL FINDINGS

Introduction

1. The misconduct hearing for PC Niko Mawany ('the Officer') was held in public on 29th June and 30th June 2026 at Palestra House. A notice of hearing was published in accordance with the Police (Conduct) Regulations 2020 ("the 2020 Regulations").
2. The panel comprised Commander Andy Brittain (Chair), Iain Christie and Andrew Hearn (Independent Panel Members). The Legally Qualified Advisor was Christine Nwaokolo.
3. The Appropriate Authority (AA) was represented by Mr John-Paul Waite of Counsel and the Officer by Mr Colin Banham of Counsel.

The preliminary matters

8. *[REDACTED]*

The proceedings

9. The panel was referred to the Regulation 30 notice. It is alleged that the Officer's conduct breached the Standards of Professional Behaviour (SPB) as follows:

"PC Mawany, whilst a police officer serving with the Metropolitan Police, your conduct is alleged to have fallen below the standard expected of a serving police officer in such a way

that you have contravened the Standards of Professional Behaviour. It is alleged that your conduct amounted to gross misconduct as set out below.

1. On 11 February 2024, PC Mawany behaved in a manner that was offensive, discriminatory, Islamophobic, misogynistic, and/or racist when contributing to a WhatsApp group entitled '*Super Secret Squirrels*', consisting of a group of serving male MPS officers.

Particulars

a. PC Mawany added a poll to the WhatsApp group entitled '*Girls or No Girls*' with two answering options:

Girls (in full burqa and hijab from the confines of a cupboard without speaking privileges), or No girls

[statement of PC Al Fatlawi on page 159 and exhibit on page 172].

b. PC Mawany's conduct and language was contrary to:

- i. The MPS Ethical Social Media and Online Communication Principles 2020; [251]
- ii. The College of Policing Code of Ethics and Guidance for Ethical and Professional Policing Behaviour; [the guidance begins on page 230. Pages 242-243 are of particulate relevance to this case] and/or
- iii. The MPS' commitment to deal robustly with cases of Violence Against Women & Girls (VAWG) and discrimination, both of which are issues of significant local and national concern.

2. It is alleged that PC Mawany's conduct as alleged above, taken individually or cumulatively, breached the following Standards of Professional Behaviour, as defined by Schedule 2 of the Police (Conduct) Regulation 2020:

- a. Equality & Diversity
- b. Authority, Respect & Courtesy
- c. Discreditable Conduct

3. It is further alleged that PC Mawany's conduct was a breach of the Standards of Professional Behaviour so serious that his dismissal could be justified and therefore amounts to gross misconduct."

12. The panel approached its task in the following stages:

- i) Are any of the facts admitted?
- ii) What facts have been proved by the AA on the balance of probabilities?
- iii) Of the admitted or proved facts, has the AA satisfied the panel on the balance of probabilities that the relevant SPB has been breached?
- iv) If so, has the AA satisfied the panel on the balance of probabilities that the conduct admitted or proved amounts to Gross Misconduct, namely the breach is so serious as to justify dismissal?

The admitted facts

13. The Officer's Regulation 31 response makes the following admissions:

- He added a poll to the WhatsApp group entitled '*Girls or No Girls*' with two answering options as set out above in the Regulation 30.
- That he should have been more careful to ensure any words used were appropriate and could not be taken out of context.

14. The panel further noted that during the hearing the AA accepted the Officer's contention that the poll added by the Officer was intended to be a joke.

15. Further, after the conclusion of the Officer's evidence the AA confirmed that it did not seek a finding that, by posting the poll, the Officer had intentionally sought to offend or discriminate, or that his conduct was intentionally Islamophobic or misogynistic.

16. Lastly the AA confirmed it was not seeking a finding that the Officer's poll was racist.

Disputed facts

- The Officer disputes that the poll he added to the WhatsApp Group was offensive, discriminatory, Islamophobic or misogynistic.

- The Officer disputes his conduct breaches the SPB in relation to Equality & Diversity, Authority, Respect and Courtesy and Discreditable Conduct.
- The Officer disputes that this conduct amounts to Misconduct or Gross Misconduct.

Relevant issues to determine

- Whether the Officer's conduct was offensive, discriminatory, Islamophobic and/or misogynistic.
- Whether the Officer's conduct was contrary to the policy and guidance as set out in the Regulation 30.
- Whether the disputed allegations found proven and/or admitted facts amount to breaches of the SPB in respect of:
 - Equality and Diversity
 - Authority, Respect & Courtesy
 - Discreditable conduct
- Whether the Officer's conduct, namely those matters admitted and/or any findings made, amounts to Misconduct or Gross Misconduct.

Stage 1: Finding of Facts

17. The burden of proof is on the AA to prove, on the balance of probabilities, that the Officer behaved in the manner alleged and, in doing so, breached the relevant SPB. It is not for the Officer to disprove the allegations. Further, the AA must satisfy the panel to the same standard that the nature or degree of the breach is such that it amounts to misconduct or gross misconduct.
18. The Panel reminded itself that it does not need to make a finding on every issue and need only make findings on those issues which it believes to be relevant and material to the allegations. The panel has, however, resolved enough to reach a clear judgment in this case.
19. In considering the disputed facts, the panel carefully considered the AA's bundles, the Officer's bundle, written submission and the live evidence of the Officer. While it does not propose to address every individual point raised, the panel sets out its principal findings and conclusions.

Allegation 1

20. In order to determine Allegation 1a and 1b the panel considered it necessary to set out its understanding of the following terms:

Discriminatory - refers to unjust or prejudicial treatment of an individual or group based on specific, legally defined attributes. It occurs when someone is treated less favourably, disadvantaged, or subjected to an offensive environment due to these intrinsic characteristics

Islamophobic - describes prejudice, hatred, discrimination, or an irrational fear of, or directed at, the religion of Islam or Muslims.

Misogynistic - describes attitudes, behaviours, or systems that show a hatred, contempt, or deeply ingrained prejudice against women or girls

Allegation 1a

21. The evidence in relation to Allegation 1a relied on by the AA is mainly that of PC Al-Fatlawi. The IOPC investigation report provided a helpful summary of this:

Evidence of the Officer

22. In his Regulation 31 and in his oral evidence the Officer accepted that he should have been more careful with his words to ensure they were not taken out of context. He explains that he did not have any strong feelings about the poll initially posted by PC Wicker asking for votes on whether female colleagues should be included as he was open to anyone joining social events.
23. The Officer explains that he put the alternative poll to make a joke about the suggestion of segregation between the men and the women and, without any thought, compared this to aspects of his Islamic faith “*to take the suggestion by PC Wicker to the absurd*”.
24. The Officer states that he did not intend the literal meaning that women should attend a work social event ‘*in full burqa and hijab from the confines of a cupboard without speaking privileges*. He had intended it as a jocular response to PC Wicker’s proposal by taking from an alternative based on important tenets of his faith relating to the segregation of women and adding a reference to a line from a comedy film entitled “Four Lions” (a comedy about a group of inept British Islamist extremists as they attempt to plan a terrorist attack).
25. The Officer explained:

The innuendo of being ‘confined to a cupboard without speaking privileges’ mirrors, although exaggeratedly for humour, a known accepted tradition of all gender, worshipping Muslims being segregated to different rooms and prayers or social gatherings being only led by men or male preachers, whereas there are hardly any female Imams worldwide. Females speaking to a mixed or male audience in an Islamic setting is extremely rare. These are real world truths and never designed to injure or degrade women but to protect and preserve the dignity and modesty in respect of women as spiritual equals in the Islamic scriptures and paradigms.

This is not to suggest that I was genuinely imposing my worldview, or those who are also Muslim, on my colleagues. Rather, I referenced Islamic practices in both the Middle East and the UK as a joke. The words of the joke originated from the highly acclaimed BAFTA award-winning comedy film ‘Four Lions’

I accept that humour can be read out of context and, as I have said before, if I have offended anyone then I genuinely and sincerely apologise.

26. The Officer states that had he believed that anyone was offended by his poll he would have explained his joke and remedied misconceptions about his intent.

27. The Officer's oral evidence mirrored his written evidence whilst providing further context. The Officer told the panel that people who knew him relatively well knew he was a Muslim and would have understood that his poll was meant to be a joke. He told the panel he had not really known the identity of the people on the group chat when he sent out his posting but that out of the 33 people on the group there were 3 or 4 people, he did not know well.
28. The Officer informed the panel that he fully accepts his wording was careless but if people understood the context, they would understand that it was joke and that he had not sought to be offensive, misogynistic, discriminatory or Islamophobic. The Officer told the panel that he understood the impact of his words in that it could be misconstrued as something he personally believed in (that women should be confined to cupboards) and that such could undermine the public's confidence in the police force. The Officer told the panel that he made an error in assuming that everyone in the WhatsApp group would understand what he meant by the poll.
29. The Officer told the panel that had his poll been grossly offensive it would have unanimously been challenged by the group. The Officer informed the panel about his Muslim faith and accepted Muslim practices whereby men and women are segregated. The Officer told the panel that his mother wears a covering and whilst he is practising Muslim, he does not pray 5 times a day. He does though follow the faith having been raised in a Muslim family. The Officer told the panel that he believes it's a women's choice whether to wear a burka/hijab or not and he respects whatever choice they make in that regard.
30. The Officer informed the panel that he was 'proud' of his relationships with his female colleagues and that he regarded them and his male colleagues as his work family. In response to the question on whether he accepted that it was morally wrong to confine women to cupboards, the Officer responded, "yes of course".
31. The Officer described PC Al-Fatlawi as someone who observed the Muslim faith closely as he did not go to social events in the pub (to avoid being around alcohol) whereas he did.
32. The Officer told the panel that that he had experienced racism and Islamophobia.

33. The panel found the Officer's evidence to be concise, clear and consistent. The Officer provided context explaining his intentions in adding the poll to the WhatsApp group chat and accepted that without someone understanding the context, it could cause offence. It was not suggested by the AA that the Officer was anything other than of previous good character. Further the panel considered the character statements about the Officer, all of which spoke of his good character and his positive conduct as a police officer. Many came from female officers, including ones of different faiths, who spoke extremely positively about their relationships with him. In addition, the panel considered the Officer's evidence credible and attached much weight to his evidence in light of those matters.
34. On his evidence the Officer did not know who was on the group chat but, having since reviewed the list, he accepted that he did not really know 3 or 4 people in the chat and so he had no way of knowing whether his joke would be understood by everyone in the group. Whilst his reference to confining women '*to a cupboard without speaking privileges*' was not meant literally, by joking about it he trivialised and mocked women who are oppressed in this way. Whilst the panel accepts that the Officer did not deliberately seek to cause offence, publishing his poll particularly to an unknown group of people who he could not be sure would comprehend his intended meaning, was reckless and clearly upset at least one person in the group who subsequently reported his conduct. It is for these reasons that the panel considers the poll to be offensive.
35. The panel accepted that the poll was intended to exaggerate the accepted norms in Islamic faith of women and men being segregated (in certain circumstances/environments). Whilst the reference to speaking privileges and being confined to cupboards is offensive the panel did not find evidence that this was a practice that the Officer believed in or encouraged. It did not consider that the poll suggested, or promoted, a hatred or fear of Islam or Muslims. The panel does not consider the poll to be Islamophobic.
36. The panel also accepted that the poll did not depict a view personally held by the Officer that describes attitudes, behaviours, or systems that show a hatred, contempt, or deeply ingrained prejudice against women or girls. The panel accepted his evidence that he had good relationships with female colleagues, which can be seen both by the character statements referred to in detail below and his evidence that he felt it was an individual's

choice whether to wear a covering. The panel accepts that his poll was meant to mock the idea of not having females join the men at a social event rather than expressing a personal view that he held about the treatment of Muslim women. It is for these reasons that the panel does not consider the poll to be misogynistic.

37. The Officer's own view was that women should be invited to the social event, and he was mocking the idea that they should not. There is no evidence to suggest that the Officer treated or thought of women less favourably nor that he encouraged an offensive environment. In fact, the contrary is evidenced in the character statements provided by my female officers who worked with the Officer.

DC Ingram states *"NIKO was IRANIAN in culture, and I was JEWISH and we both bonded over our minorities within the police. We would both often make jokes together and they were always made light hearted and in good faith, with an undertone that was interpreted as friendly. NIKO would often brighten the mood in the office and I never felt at any point he was undermining me for my gender and I certainly never felt he was prejudiced towards me for being Jewish."*

PC Lexi Brown states *"From what I am aware of the details of the allegation made against Niko, I can confidently say that I do not believe he would have ever intended to incite or participate in any kind of misogynistic or discriminatory conduct. Niko has shared with me details of his life experience which I feel are completely contradictory to the nature of the allegations made against him."*

Hannah Griffin states *"Female officers like myself make up a small minority on our team. If I am honest, at times, I can feel acutely aware of this imbalance. However, PC MAWANY stands out as someone I feel comfortable with. In all the interactions I've had with PC MAWANY, I can honestly feel the genuine respect he has for me and our female colleagues."*

38. It is for these reasons that the panel does not consider the poll to be discriminatory.
39. Taking all of this into account the Panel determines on the balance of probabilities allegation 1a is proven only in respect of the poll being offensive.

Allegation 1b

40. Given that the panel has determined that the Officer's conduct was offensive it considered allegation 1b in the context of this only.

41. In respect of the Ethical Social Media and Online Communication Principles it states:

- Occasional or personal use of social media during working hours is permitted so long as it does not involve unprofessional or inappropriate content.....]
- You should remain aware that that the content of your private group chats on messaging services might not remain private. All individuals have a responsibility to moderate their group conversations or leave those groups where communications are unacceptable

42. The Guidance to Ethical and Professional Policing Behaviour states:

Recognising the potential risk of social media:

- We will ensure that we will think about how others may perceive our social media activities whether at work or at home
- We use social media responsibly, safely positively and appropriately knowing the value it can create for community engagement
- We do not post any discriminatory abusive oppressive, harassing, bullying, victimising or material, or post material that is otherwise incompatible with the ethical policing principles, whether on duty or off duty.

43. In evidence the Officer confirmed that he was aware of the guidance and policies. Given the panel's finding that the poll was offensive it follows it is a breach of the guidance as set out. It is for these reasons that on the balance of probabilities allegations 1(b)(i) and 1(b)(ii) are proven. The panel had well in mind that this conclusion does not necessarily mean that any of the Standards of professional behaviour have been breached.

44. Given that the panel found that the Officer's conduct was not discriminatory, Islamophobic nor misogynistic given this, it follows that the Officer conduct and language was not contrary to the MPS commitment to deal robustly with cases of VAWG and discrimination. The panel therefore does not find allegation 1(b)(iii) proven.

Standards of professional behaviour (SPB)

Stage 2: Do the facts as determined by the panel constitute a breach of the standards of professional behaviour?

45. Having found the allegations proven or partially proven, the panel then went on to consider whether, by his conduct, the Officer had breached the SPB in respect of 'Equality and diversity', 'Discreditable Conduct', and 'Authority, Respect, and Courtesy'.

46. The panel reminded itself that Schedule 2 of the 2020 Regulations stipulates that, with regards to:

- (i) Discreditable Conduct: Police officers will behave in a manner, which does not discredit the police service or undermine public confidence in it, whether on or off duty.
- (ii) Authority, Respect, and Courtesy: Police officers will act with self-control and tolerance and treat members of the public and colleagues with respect and courtesy.
- (iii) Equality and Diversity: Police officers act with fairness and impartiality. They do not discriminate unlawfully or unfairly.

47. The Officer's conduct was offensive; a poorly judged joke sent to a WhatsApp group without any reasonable basis for concluding that all in the group would understand the joke and not find it offensive was reckless. The Officer accepted that if misconstrued to mean that he personally believed in confining women to cupboards his posting would serve to undermine the public's confidence in the police. The panel finds the Officer's conduct breached SPB – Discreditable Conduct.

48. The Officer's conduct trivialised an important aspect of the Muslim faith. Whilst the panel accepts that the Officer's joke was not intended to offend anyone in the group it did in respect of at least one person and it did not show respect or courtesy towards more devout people of the Muslim faith. The panel therefore finds the Officer's conduct breached SPB -Authority, Respect and Courtesy.

49. The panel has not found the Officer's conduct to be discriminatory, misogynistic or Islamophobic. It follows that his conduct did not breach SPB – Equality and Diversity.

Misconduct or Gross Misconduct

Stage 3: Findings on gross misconduct/ misconduct

50. The Panel then went on to consider whether the Officer's behaviour amounted to Misconduct or Gross Misconduct.

51. The Panel reminded itself that Regulation 2(1) of the 2020 Regulations defines Misconduct as being 'a breach of the SPB behaviour that is so serious as to justify disciplinary action' whilst Gross Misconduct is defined as 'a breach of the SPB that is so serious as to justify dismissal'.

52. Further, the purpose of the police misconduct regime is to:

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

53. The panel is mindful that assessing the seriousness of the conduct lies at the heart of the decision on outcome under Parts 4 and 5 of the Conduct Regulations. Whether conduct would, if proved, amount to misconduct or gross misconduct for the purposes of Regulation 14 of the Conduct Regulations is also a question of degree (ie, seriousness).

54. Although the College of Policing – Guidance on Outcomes in Police Misconduct Proceedings is aimed at informing decisions at the outcome stage, the panel drew assistance from some of the principles contained within the guidance when assessing the overall seriousness of the breach in determining the level of misconduct.

55. The Officer's conduct represented a departure from the professional standards expected of a police officer, as set out in The Guidance to Ethical and Professional Policing Behaviour and the Ethical Social Media and Online Communication Principles, as it involved a WhatsApp message trivialising a tenet of the Muslim faith. The Officer being Muslim does not excuse the fact that he ought to have known that his poll had the potential to cause offence especially if his joke was not perceived how he had intended and the fact that he

did not know the identity or views of those in the group, some of whom as it turned out he did not know well and vice versa. It was therefore reckless to have published his post in this way.

56. Whilst the panel is clear that Officer's conduct was offensive it notes that this was a one-off incident. it accepts that the joke did not reflect the Officer's personal views and was not reflective of any deep-rooted attitudinal concern he holds about his faith or about Muslim women.

57. Taking these factors together, the panel determines that the Officer's conduct demonstrated a breach of the SPB which falls seriously short of the standard and therefore justifies disciplinary action. Accordingly, the Panel is satisfied that the conduct found proven amounts to Misconduct.

Outcome

58. Having made a finding of Misconduct, the panel went on to consider sanction. The panel approached this by applying the three stages for determining the appropriate sanction:

1. Assess the seriousness of the misconduct by considering factors such as harm, culpability, and aggravating and mitigating factors.
2. Keep in mind the purpose of imposing sanctions by considering the threefold purpose of imposing outcomes in police misconduct proceedings, as set out in paragraph 2.3 of the College of Policing guidance:
 - a) to maintain public confidence in, and the reputation of, the police service
 - b) to uphold high standards in policing and to deter misconduct
 - c) to protect the public
3. Choose the sanction that most appropriately fulfils that purpose, having regard to the seriousness of the conduct in question.

Submissions

59. The AA submitted that the Officer's conduct was reckless: he risked a joke being misconstrued and it not only risked but had the result of causing offence to one Muslim officer. It was submitted that this would result in public confidence being eroded even though it was not the intention of the Officer to cause harm. It was submitted that the Officer's conduct could not be tolerated and that there needed to be a clear message to uphold high standards.
60. It was submitted that a Final Warning with the maximum term of 5 years was necessary to maintain public confidence, uphold high standards, and protect the public.
61. On behalf of the Officer, Mr Banham submitted that the conduct found proven was neither intentional nor targeted. The Officer had made a mistake and had not intended to cause harm. The Officer had accepted that his conduct caused offence and had apologised for it. It was submitted that both culpability and harm were at the lower end of the seriousness spectrum.
62. It was submitted that there were no aggravating factors. In respect of mitigating factors, the Officer relied on the following:
- The Officer has shown insight.
 - The Officer has shown remorse.
 - The Officer made admissions of fact.
 - The Officer's actions were not intentional.
63. It was submitted that the Officer had throughout these proceedings continued working and had achieved excellent work. Colleagues had been messaging him during the hearing to enquire about its outcome and to provide encouragement. It was submitted that colleagues wanted him back at work, demonstrating that they continue to have confidence in him.
64. In respect of personal mitigation, it was submitted that numerous colleagues had provided statements attesting to the Officer's good character. The Officer retains the confidence and support of his colleagues, which will assist in ensuring that the conduct found proven does not happen again. The Officer had been a police officer for only a short period when the conduct occurred.

65. It was submitted that, given the Officer had already waited two years for the proceedings to conclude during which the advancement of his career was effectively on hold, it would be disproportionate for any sanction to last more than 18 months. It was submitted that a written warning of 18 months would be sufficient.

Panel Decision

66. The Officer posted an offensive poll, intended as a joke, in a WhatsApp group, doing so recklessly having regard to its potential to cause offence. The poll in fact caused upset to the complainant. Further, the Officer's conduct by trivialising an important aspect of the Muslim faith risked reputational harm to the police service. Considering these factors the panel assessed the level of harm caused by the Officer's conduct to be medium.

67. The Officer's conduct was, as already found by the panel, reckless. He ought to have foreseen the risk of causing offence before making his posting, particularly given his awareness of the policies governing the use of social media. Considering these factors the panel assessed the level of the Officer's culpability to be medium.

68. The panel identified the Officer's deviation from policy as an aggravating factor.

69. In respect of mitigating factors, the panel identified that:

- This was a single episode of brief duration.
- The Officer made admissions at an early stage
- The Officer took steps to reduce the harm caused to PC Al-Fatlawi by apologising to him.
- The Officer had demonstrated remorse, insight and an acceptance of responsibility for his misconduct.

70. The panel also took into account the personal mitigation advanced on the Officer's behalf, including the considerable evidence of his good character from his colleagues and the confidence they placed in him.

71. The panel considered the available outcomes, starting with the least severe sanction. Having regard to the seriousness of the misconduct, the aggravating and mitigating factors,

and the purpose of the police misconduct regime, the panel was satisfied that an 18-month Written Warning was an appropriate and proportionate outcome.

Publication of Outcome Report

72. The Chair directed publication of the outcome decision, subject to the harm test, pursuant to Regulation 43(6) of the 2020 Regulations.

1st July 2026