

IN THE POLICE MISCONDUCT HEARING

Pursuant to the Police (Conduct) Regulations 2020

IN THE MATTER OF:

FORMER POLICE CONSTABLE HANNAH STACE ('FPC STACE')

DECISION OF THE PANEL

Cameron Brown KC (Chair),
Simon Williams (IPM)
and
Supt. Andrew Ricketts

Unredacted Judgment

Introduction

1. These misconduct proceedings are brought under the 2020 Police (conduct) Regulations 2020. This is a redacted version of the judgment, suitable for publication.

The Allegations

2. The Panel was referred to a Regulation 30 notice in respect of FPC Stace and allegations that her conduct amounted to gross misconduct.
3. In particular, it was alleged that she had breached the following standards of professional behaviour, as set out in the notice in the following terms:

"1. On 26 March 2022, whilst off duty at the Metropolitan Police Warren Sports Club you were intoxicated and aggressive and had an altercation with PC Rachel Brown during which you assaulted her by pushing her;

2. On the 14 June 2022, whilst off duty at Royal Ascot, you were intoxicated and had an altercation with Shannon Dutton during which you assaulted her by slapping her in the face.

Discreditable Conduct: By acting in the way described above, you brought discredit on the Police Service and undermined public confidence in the Metropolitan Police. Based on the information available at this time the conduct described above, if proven or admitted has been assessed as amounting to: Gross misconduct.¹"

Representation

4. Throughout the hearing the Appropriate Authority ('AA') has been ably represented by Mr Rose of Counsel. FPC Stace was ably represented by Mr O'Shea, her police federation representative.

¹ For ease of reference these had been amalgamated together but were originally two separate allegations. It was confirmed at the start of the hearing with her Police Fed. Rep. that there was no objection to both allegations being dealt with together, pursuant to regulation 4 of the 2020 Regulations.

5. The Panel would like to thank both representatives for their assistance in hearing this case, including the provision of an opening note and closing written submissions.

Preliminary Issues

6. FPC Stace resigned from the MPS on 8 August 2022. She did not attend this hearing. Mr O'Shea confirmed that he had tried to make contact with her immediately prior to the hearing. She had previously indicated that she would not be attending. Mr O'Shea indicated that he did not have any instructions but would remain to test the evidence. The Panel determined in the circumstances it was appropriate to proceed in her absence, FPC Stace having voluntarily absented herself.
7. None of the witnesses had been shown copies of the relevant CCTV in relation to each of the allegations. This occurred as each witness gave evidence (see below).

Regulation 30 Notice and Response

8. On the morning of the hearing on 1 March 2024 the Regulation 30 notice, as set out above, was read out. The notice was neither admitted nor denied, as FPC Stace did not attend.

The Panel's Approach

9. In the circumstances the Panel determined that it was required to make factual findings, before determining whether the relevant standards had been breached and whether her conduct amounted to misconduct or gross misconduct.
10. The Panel reminded itself that the burden of proof is on the Appropriate Authority throughout and the standard of proof is the balance of probability, namely what is more likely than not.
11. The Panel also reminded itself of relevant guidance from the Home Office: -
"2.265. *The more serious the allegation of misconduct that is made or the more serious the consequences for the individual which flow from a finding against him or her, the more persuasive (cogent) the evidence will need to be in order to meet that standard (bold added). This does not mean that the standard is higher. It means only that the inherent probability or improbability of the conduct occurring is itself a matter to be taken into account when weighing the probability and deciding whether on balance the conduct occurred.*"

Evidence

12. The Panel was referred to a bundle of documentary evidence (249 pages). The Panel was also provided with the following:
 - a. A transcript of the BWV from FPC Stace's arrest.
13. The Panel heard from the following witnesses: -
 - a. Ms Shannon Dutton (remote);
 - b. Ms Petrine Dutton (remote);
 - c. Ms Assell-Jarvis;
 - d. PC Ciarian Upton (live);
 - e. PC Brown (live)
 - f. PC Kelly Cooke (live)
 - g. PC Ryan (live)
 - h. PC Fisher (Live)
 - i. PC Coulson (Live)
14. The Panel was informed that both Ms Bubb and PC Pardoe were both unwell and unable to attend. Having reflected on the matter, the Panel did not require the attendance of PC Warren. FPC Harrison Gray and Ms Steere were not willing to

attend. In the circumstances the Panel exercised caution in relation to those witnesses who appeared in the bundle but did not attend, acknowledging that their evidence had not been tested.

The Facts

15. In considering the facts, save for the matters set out above we make it plain that the Panel reviewed and considered the entirety of the evidence presented to us.

The First Incident - the Warren Sports Club

16. On the 26 March 2022 whilst off duty FPC Stace was at a wedding reception at the Warren, Bromley. PC Rachel Brown was also in attendance.
17. There had been a previous incident between FPC Stace and PC Brown (an allegation of assault, reported in September 2021). At the time of this incident the Panel understood that FPC Stace remained under investigation in respect of that alleged assault. PC Brown confirmed during her evidence that the original allegation was eventually discontinued, due to PC Brown facing some personal difficulties.
18. PC Brown stated that she was wary of FPC Stace because of the allegation she had made and deliberately kept out of her way/ avoided contact. PC Brown disliked confrontation. PC Brown reported that FPC Stace said hello to PC Brown, which PC Brown ignored. PC Brown describes herself as not a big drinker and had 5 drinks the whole evening.
19. At around 23:00, PC Brown stated she was dancing with other officers, including PC Coulson. She stated that FPC Stace took exception to this and intervened, moving PC Coulson away from her and telling him he could not dance with PC Brown. PC Brown ignored her and carried on dancing with other Officers. By this time FPC Stace appeared to PC Brown to be very drunk.
20. PC Brown then stated that FPC Stace approached PC Brown and said words along the lines of *"you had put in a complaint about me and you have got me in trouble"*. PC Brown stated that FPC Stace was slurring her words and persisted in talking about PC Brown's complaint. She was pointing at PC Brown in an accusatory manner. At that point FPC Stace pushed PC Brown by her shoulders, whereupon officers Gray, Fisher and FPC Steere intervened and ushered FPC Stace away outside. PC Brown stated in her evidence it was not an accidental push. FPC Stace was shouting and saying she wanted to kick PC Brown's head in.
21. PC Brown very upset by the incident and wanted to leave. The Panel considered that she may have felt like that as she had have been the subject of an unpleasant incident. PC Brown stated that as she was getting her things together one of FPC Stace's friends, PC Kelly Cooke, said, *"stop saying shit to Hannah (FPC Stace)"*. PC Brown was somewhat taken aback as she alleged she had not said anything to FPC Stace other than to tell her to leave her alone.

The CCTV from the Warren

22. At 22:50 FPC Stace is seen to be standing with PC Cooke to the right and away from the Bar. FPC Stace is seen wearing a dark pink floor length dress - PC Cooke was in a white trouser suit. FPC Stace is then to march towards the Bar, with PC Cooke appearing to try to catch her arm, and stands immediately next to PC Brown, who was standing at the Bar. PC Brown is seen wearing a pink knee length dress. PC Brown is seen on the CCTV to her right at the Bar, facing away from FPC Stace. FPC Stace is then seen dancing, pushing her backside towards PC Brown. PC Cooke then places herself between FPC Stace and PC Brown. PC Brown is then seen to eventually move away. PC Brown stated that she was not aware of FPC Stace at that point.

23. While FPC Stace alleged in her interview, see below, that she was concerned about the conduct of PC Brown that evening, the CCTV at that point supported the contention that FPC Stace was placing herself right next to PC Brown and arguably acting in a confrontational manner.
24. The Panel carefully reviewed the CCTV from the dancefloor at the Warren. While PC Brown can be seen standing on the dancefloor and at one point FPC Stace is seen to approach her, the Panel was unable to identify what had occurred from the CCTV on the dancefloor and relied upon the witness accounts, in particular PC Brown, who appeared a credible witness and had no reason to fabricate her evidence.

Other Witnesses

25. PC Gray witnessed the push (“...I then saw what I believe to be PC Stace push PC Brown in the chest with both hands while continuing to be verbally aggressive...”), while PC Pardoe saw FPC Stace being aggressive but did not witness the push.
26. PC Fisher describes the FPC Stace as being drunk and pulling FPC Stace away from PC Brown. She did not see any push but accepted there was some accidental contact between them when FPC Stace lost her balance as she was pulled away.
27. PC Ryan didn’t see very much save that FPC Stace appeared drunk and angry but did recall PC Brown falling backwards. PC Brown did not appear to have accidentally stumbled. Several other officers who gave statements were drunk and didn’t see anything.
28. PC Cooke initially gave a statement indicating she supported the account of FPC Stace, stating that PC Brown acted so as to provoke FPC Stace. However, when she came to give her evidence she retreated from her original position, having “reflected on matters” following the resignation of FPC Stace and because “how she is as a person”. She confirmed when under the influence of alcohol, FPC Stace was unpredictable. She no longer supported her previous assertion that PC Brown had provoked FPC Stace and that PC Brown’s looks were not provocative but innocent. She accepted that she should have provided a further statement to clarify matters. She was now on good terms with PC Brown.
29. PC Molly Steere describes accidental contact between FPC Stace and PC Brown as FPC Stace was being pulled away. She did not witness anything else.
30. PC Coulson recalls being on the dance floor when FPC Stace came over and said something. He had been drinking since 12:30 p.m.

Interview in relation to the First Incident

31. In her caution interview on 13 July 2022, FPC Stace essentially said “nothing further to add” to two prepared statements.
32. In her first statement she indicated the following: -
 - a. There had been a previous incident when PC Brown accused FPC Stace of having pushed her. This allegation was not ultimately proved;
 - b. Early in the evening on the 26 March 2022 PC Brown had been giving her dirty looks trying to intimidate her. At one point she told her to stop speaking to her friend Tom Harrison to which FPC Stace replied that she could as he was her friend;
 - c. FPC Stace tried to reason with PC Brown saying, “*we’re at a wedding - let’s be adults and be civil I want you to stop being confrontational but if you want to have a chat about this outside and clear the air then I am more than willing to oblige*”. At this juncture, FPC Stace was pulled away and her arm swung out which may have made contact with PC Brown;
 - d. Essentially FPC Stace maintained she was being reasonable; PC Brown was the aggressor, and any physical contact was accidental.
33. In her second statement she indicated the following:
 - a. FPC Stace accepted she had drunk a reasonable amount of alcohol and was inebriated (her word) but had good control of herself. She denied having

danced with her backside against PC Brown. She denied approaching PC Brown to intimidate her or have a confrontation. She also alleged PC Gray and PC Ryan colluded when making their witness statements whilst at Lewisham Police Station.

34. As noted above, FPC Stace did not give evidence on her own behalf or call any evidence.

Factual Determinations

35. Further to the matters set out above, the Panel determined the following in relation to the facts:

- a. It did not consider that the assertion that PC Brown was giving her dirty looks was evident from the CCTV, nor was it supported by PC Cooke;
- b. Furthermore, as noted above, it was FPC Stace who marched over to the Bar and then gyrated/ danced in PC Brown's direction – the Panel considered this could be seen in the CCTV, despite what FPC Stace said in her second statement;
- c. The Panel also noted that the alleged conciliatory approach did not appear to reconcile with the other witness evidence, in particular the evidence of PC's Brown, Pardoe, Gray and Ryan;
- d. There was no evidence to suggest that PC Gray and PC Ryan colluded in the making of their statements.
- e. That FPC Stace had a motive to assault PC Brown – PC Brown's previous complaint. It was stated by a number of witnesses that PC Brown could be unpredictable or emotional when drunk and this incident likely occurred when FPC Stace was intoxicated;
- f. As set out above, the Panel determined that PC Brown was a credible witness whose evidence was largely supported by the CCTV and other witnesses.

36. On the balance of probabilities the Panel found FPC Stace had been intoxicated, had been upset about the previous complaint made by PC Brown, had attempted to provoke PC Brown earlier in the evening by dancing provocatively and then had assaulted her by pushing her backwards, having made reference to the previous complaint made by PC Brown. She had then made a threatening comment when leaving.

The Second Incident - Ascot

37. On 14 June 2022 whilst off duty FPC Stace went to the races at Ascot in the company of other police officers. One of the officers present was PC Upton, with whom she had previously had a relationship and recently separated.
38. Towards the end of the day, at around 7:15 pm, PC Upton was talking to another woman, Ms Dutton. Ms Dutton did not know or had not even met FPC Stace. It is alleged FPC Stace approached Ms Dutton and pushed her in the face area.
39. The incident is partially captured on CCTV. The CCTV shows the following:

- | | |
|----------|--|
| 19.19.31 | FPC Stace is seen in a white trouser walking at pace towards Ms Dutton and her group. |
| 19.19.35 | FPC Stace is seen standing next to Ms Dutton but the view is obstructed by a large white sign. |
| 19.19.36 | Ms Dutton is seen to put her hands up in the air and she steps backwards. |
| 19.19.40 | Ms Dutton moves backwards, and FPC Stace is taken forcibly to the |

- floor by a male officer.
- 19.19.42 Ms Dutton kicks her right foot towards the FPC Stace who is on the floor, it does not appear to connect.
- 19.19.48 Ms Dutton again kicks towards the direction of the FPC Stace.
- 19.19.55 Ms Dutton is pulled away by PC Upton and FPC Stace is pulled away by PC Cooke in a blue dress.
- 19.20.0 FPC Stace and PC Cooke are seen running out of frame away from the scene.
- 19.21.0 Security officers arrive on the scene.

Other Witnesses at Ascot

40. Petrina Dutton (victim's mother), she described FPC Stace charging full pelt into Ms Dutton and they both fell to the floor.
41. Ms Bubb, a friend of Ms Dutton, described in her statement seeing a woman fly past them and then Ms Dutton getting up off the ground. Ms Dutton getting off the ground did not accord with the CCTV evidence.
42. PC Cooke saw a female swing at FPC Stace and who shouted something. PC Cooke then took FPC Stace away from the area.
43. PC Upton describes FPC Stace bumping shoulders with Ms Dutton, the women were separated and security intervened.

Arrest

44. FPC Stace was arrested. Her detention was recorded on a body-worn camera. She denied any offence and insisted the other woman was the aggressor. When she was placed under arrest, she became tearful and was reluctant to get into the van.
45. The Panel carefully noted the transcript of the BWV, where she alleged that Ms Dutton had run at her and then assaulted her. She had invited the Police to review the CCTV.

Interview Re Ascot

46. FPC Stace explained that her ex-boyfriend [PC Upton] was there and he had been trying to wind her up by flirting with another woman. She went over to the group and told PC Upton to stop trying to wind her up, whereupon she was pulled away by her friend PC Cooke and taken to the floor. She said the other woman was the aggressor and had told her to "fuck off". She could not explain why PC Cooke pulled her away. She maintains the video shows the other woman being aggressive and PC Upton having to intervene to stop the other woman. She also pointed out that the video shows the other woman trying to stamp on her. As a result of the incident, she had an injury to her lip.
47. For the reasons set out above, the Panel did not agree with the above assertion that Ms Dutton was the aggressor. While Ms Dutton did attempt to assault FPC Stace, this was only after FPC Stace had pushed her and others had become involved. PC Cooke pulled her away as FPC Stace had improperly assaulted Ms Dutton. The Panel found on the balance of probabilities that FPC Stace's injuries were caused as a result of being taken to the floor, not as a result of any contact from Ms Dutton.

Factual Determinations

48. From the CCTV and other evidence, the Panel determined the following:
- a. That FPC Stace can be seen striding towards Ms Dutton and PC Upton in what appears to be a deliberate and arguably confrontational manner. PC Upton confirmed in his evidence that he had been flirting with Ms Dutton and that FPC Stace was the aggressor. He had seen her and thought “oh god what is going to happen.” He had described the assault as more of a shoulder barge. FPC Stace was “not the best drunk - she would get quite emotional”;
 - b. Ms Dutton can be seen retreating backwards and with her arms trying to ward off something, which indicated that she has been subject of a physical assault;
 - c. Ms Dutton thereafter reacts to what occurs, by trying to kick at FPC Stace, which does not connect. She does not appear to connect with FPC Stace at any point. Ms Dutton appears to be reacting to something that had just occurred with FPC Stace;
 - d. FPC Stace is forcibly taken to the ground by another male officer, who appears to have reacted to what he has seen;
 - e. Ms Assell-Jarvis confirmed that she had seen FPC Stace push Ms Dutton, in the area of her left shoulder. She could not say whether there was contact to Ms Dutton’s face. FPC Stace seemed to her to be quite angry because PC Upton had been talking to Ms Dutton;
 - f. Ms Dutton alleged in her witness statement that FPC Stace approached her whilst she was speaking to PC Upton and slapped her in the face, with such force she fell to the ground. The CCTV does not show Ms Dutton being slapped or falling to the floor, though she can be seen to stumble backwards. In her evidence, having seen the CCTV, she stated that she was not sure if she had been slapped, it was more of a push, but she had been assaulted. There was no facial injury. The push came from her right side and was enough to make her go backwards.
49. The Panel determined that Ms Dutton had inaccurately recalled in her statement that she had been slapped and fallen down but the evidence from the witnesses, in particular Ms Assell-Jarvis, and the CCTV was consistent with Ms Dutton being assaulted, by a push in the upper left shoulder area. This had not resulted in any injury. FPC Stace had committed the assault as an emotional reaction to PC Upton talking to Ms Dutton.

Criminal Prosecution

50. Neither matter was taken forward as a criminal case.

Approach to the Standards

51. The Panel has considered the facts as relied upon within the Regulation 30 Notice and the facts found by the Panel as set out above.

Discreditable Conduct

52. The standard provides that Police Officers behave in a manner which does not discredit the police service or undermine public confidence in it, whether on or off duty.

Breaches of the Standard

53. The Panel determined that the following conduct as set out above did amount to breaches of the standard of discreditable conduct, as set out in the Regulation Notice. The Panel determined that FPC Stace’s conduct did discredit the police

service and undermine public confidence, in that as a serving police officer at the time she should not have assaulted two different individuals on two different occasions, while intoxicated. The fact that the assaults were against an individual who had made another complaint against her and against an innocent member of the public further undermined confidence in the police service.

Gross Misconduct or Misconduct

54. Having found breaches of the standard as set out above, the Panel has carefully considered whether the breaches amounted individually or cumulatively to misconduct or gross misconduct.²
55. We have again reminded ourselves of the full circumstances of this case and the breaches of the standard that we have found.
56. The Panel concluded that the facts and multiple breaches of the standard as set out above both individually and cumulatively amounted to gross misconduct. In the Panel's view, the breaches were so serious as to justify dismissal.
57. In particular, as noted above, FPC Stace was the subject of an investigation in relation to an alleged previous assault against PC Brown and that Ms Dutton was a member of the public who had no previous dealings with FPC Stace. While the Panel noted that the assaults were committed under the influence of alcohol and were relatively minor, causing no injuries, her consumption of alcohol was voluntary and her actions could have caused greater injury. It was plainly entirely inappropriate for a member of the MPS to get drunk on two different occasions and then assault different individuals, due to her perceived grievances against them.

Outcome

Guidance – College of Policing Guidance

58. We have been reminded of and reviewed the latest version of College of Policing Guidance 2023 on outcomes in police misconduct proceedings ('the guidance')³ and Regulation 42 (12) (c) (iii)⁴ of the BTP Conduct Regulations
59. We have also considered the three-stage, structured approach in Fuglers LLP v SRA [2014] EWHC 179 (Admin) when assessing outcome, at paragraph 28.
60. *"There are three stages to the approach which should be adopted by a Solicitors Disciplinary Tribunal in determining sanction. The first stage is to assess the seriousness of the misconduct. The second stage is to keep in mind the purpose for which sanctions are imposed by such a tribunal. The third stage is to choose the sanction which most appropriately fulfils that purpose for the seriousness of the conduct in question."*
61. This three-stage approach is reflected in the guidance. As to the first stage (seriousness), the Guidance directs attention to four central reference points, as stated in Fuglers at paragraph 29 and now repeated in the Guidance at part 4:
 - 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.
62. As to the second stage, keep in mind the threefold purpose of the police conduct regime:

² Under the 2020 Regulations, "misconduct" means a breach of the Standards of Professional Behaviour not so serious as to justify disciplinary action" and "gross misconduct" means a breach of the Standards of Professional Behaviour that is so serious as to justify dismissal";

³ College of Policing's 'Guidance on outcomes in police misconduct proceedings', 2022.

⁴ The disciplinary action available at a misconduct hearing is...Where the conduct of FPC Stace concerned amounts to gross misconduct, in accordance to 41 (15), (i) a final written warning; (ii) dismissal without notice. The final written warning may, subject to section regulation 41 (10) extended for a maximum period of five years.

- a. maintain public confidence in and the reputation of the police service;
 - b. uphold high standards in policing and deter misconduct;
 - c. protect the public.
63. As set out at part 4 - *“The most important purpose of imposing disciplinary sanctions is to maintain public confidence in and the reputation of the policing profession as a whole. This dual objective must take precedence over the specific impact that the sanction has on the individual whose misconduct is being sanctioned”*.
64. As to the third stage, choosing the sanction which most appropriately fulfils that purpose, we have considered the entire range of the disciplinary sanctions open to us. We have reminded ourselves that the object of misconduct is not to punish Police Officers and that the Panel should consider less severe outcomes before more severe outcomes, choosing the least severe outcome which adequately addresses the issues identified while protecting the public interest. We have kept in mind the purpose of imposing sanctions and the need to choose a sanction which most appropriately fulfils that purpose for the seriousness of the conduct in question.

Matters Relevant to Outcome

65. The Panel has considered again the full detail of this case and the entirety of the factual context.
66. We have read all of the evidence presented to us the regarding officer’s records of service. No character evidence was submitted on her behalf.

The Parties’ Submissions

67. The Panel carefully considered the submissions of the parties and took everything said by them into account, in particular the following on behalf of the AA:
 - a. That FPC Stace was prone to becoming abusive and violent when drunk. There was clear evidence that she had issues with alcohol;
 - b. That PC Brown doing her best to keep out of the way;
 - c. That the Ascot matter was very public and Ms Dutton was only talking to PC Upton – she had done nothing to provoke FPC Stace;
 - d. There was no excuse for her behaviour and there was a clear intention to cause harm and harm was reasonably foreseeable;
 - e. That she had no insight into her behaviour;
 - f. No harm caused but was both were clearly unpleasant incidents;
 - g. Perception of the public – does seriously undermine confidence, even if off duty;
 - h. There were multiple incidents. There was also the background re PC Brown previous complaint about violence. There were no mitigating factors, save for her youth, and no previous findings.
68. The following was submitted on behalf of the Officer:
 - a. That a finding of dismissal without notice was not justified;
 - b. That the officer resigned due to her mental health being impacted by this investigation and personal issues that resulted in her not engaging;

Culpability – General Observations

69. The guidance provides that *“the more culpable or blameworthy the behaviour in question, the more serious the misconduct and the more severe the likely outcome. Conduct that is intentional, deliberate, targeted or planned will generally be more culpable than conduct that has unintended consequences, although the consequences of an officer’s actions will be relevant to the harm caused. Where harm is unintentional, culpability will be greater if FPC Stace could reasonably have foreseen the risk of harm.”*

Harm

70. In relation to reputational harm this “*will likely undermine public confidence in policing. Harm does not need to be suffered by a defined individual or group to undermine public confidence. Where an officer commits an act that would harm public confidence if the circumstances were known to the public, take this into account... How such behaviour would be, or has been, perceived by the public will be relevant, whether or not the behaviour was known about at the time... A factor of the greatest importance is the impact of the misconduct on the standing and reputation of the profession as a whole...*”

Assessment

71. The Panel considered the three-stage approach in relation to the allegations.
72. In relation to culpability, the Panel determined that FPC Stace was entirely culpable for her conduct, involving similar conduct occurring on two separate occasions and under the influence of alcohol. The Panel concluded the conduct was deliberate in both instances.
73. In relation to harm, the Panel noted the guidance at §4.40 that any misconduct involving violence and intimidation is serious and can significantly undermine public trust in the profession. The perception of her conduct by the public would be very unfavourable and would harm confidence in policing. Both assaults occurred in public venues.
74. In relation to aggravating and mitigating factors, the Panel determined that the two acts amounted to repeated behaviour and when the officer should have realised it was improper on both occasions. Mitigating factors included the lack of any actual injury and the length of the incidents was relatively brief.
75. In considering any personal mitigation, the Panel was not assisted by character material.

Conclusion

76. Having considered carefully all of the circumstances and in particular chapter 4 of the College of Policing Guidance we have concluded that the most appropriate outcome, if FPC Stace had still been an officer of the MPS, would have been that of **disciplinary action**. We find that the appropriate and lowest possible sanction had FPC Stace still been a member of the MPS would have been that of **dismissal without notice**.
77. We find that the above sanction was the most appropriate and lowest possible sanction possible in the circumstances of this case. The Panel considered on balance that the outcome of a Final Written warning was not sufficient to address the reputational harm caused by FPC Stace’s misconduct, involving assaults on two individuals while under the influence of alcohol. Furthermore, FPC Stace was subject of an allegation of misconduct re PC Brown at the time of the Warren assault and was the subject of a second allegation of misconduct (the Warren PC Brown assault) at the time of the Ascot allegation. Ms Dutton was an innocent member of the public, who had no dealings with FPC Stace.
78. Accordingly, the Panel was satisfied that the breaches of the standards, as we have found, would have been incompatible with her continued service as a Police Officer of the Metropolitan Police, had she still been serving. Furthermore, the need to protect public confidence in and the reputation of the police service, the need to maintain high professional standards and the need to protect the public and officers and staff by preventing similar misconduct in the future is appropriately served by the sanction of dismissal without notice. As the Officer has already resigned from the MPS, the Panel determined that the appropriate outcome would have been one of disciplinary action.

Lessons to be Learned

79. The Panel noted that

- a. none of the witnesses had been shown a copy of the CCTV to see if they wished to amend anything in relation to their statements. In the Panel's view this should have occurred before the hearing. As noted above, this occurred in relation to all of the witnesses.
- b. the previous allegation was not used a bad character material by the AA in presenting the case. No explanation was given why this did not occur. PC Brown confirmed that the only reason the allegation had not been taken forward was due to her own personal circumstances, but that would not have been a bar from using it here. However, for the avoidance of doubt, the Panel did not give any weight to the fact that an allegation had been made previously by PC Brown in determining the instant allegation.
- c. A number of the witness statements had been taken very late in the day, despite a number of the officers being present at the scene. Plainly this would not assist in relation to recollections.

Cameron Brown KS (Chair)

Simon Williams (IPM)

And

Supt. Andrew Ricketts

Date: 12 March 2024