

# Notice of Outcome of Police Misconduct Hearing

## (Regulation 43 Police (Conduct) Regulations 2020)

### Chair Persons Account

Officer Concerned: PC Ruby Begum

Date of Hearing: 2<sup>1st</sup> - 23<sup>rd</sup> October 2024

Name of person Chairing: Ms Evis Samupfonda

Names of Panel members: Detective Superintendent Nathan Munson & Mr Simon Williams

### The Decisions of the Hearing

#### Allegations

Between 2013 and 2019 you posted the following discriminatory and / or offensive comments on your Twitter account such as to breach the Standards of Professional Behaviour pertaining to (a) Equality and Diversity; and / or (c) Discreditable Conduct:

- (a) Comments about Pakistani people
- (b) Comments about Jewish / Israeli people
  
- (c) Comments about non-Muslims
- (d) Comments about Arab people
- (e) Comments regarding the '9/11' terrorist attack

You failed to provide full and / or honest information in either vetting process and / or you failed to update the Vetting Unit with relevant information about yourself thereafter. Accordingly, you have breached the Standards of Professional Behaviour pertaining to (a) Honesty & Integrity; and / or (b) Discreditable Conduct.

- (f) Failure to disclose your Twitter account to the Vetting Unit

#### Background

PC Ruby Begum became a Special Constable with the Metropolitan Police Service on 11 May 2014 and attested as a Police Constable on 25 July 2016.

She faces two substantive allegations which are fully set out in the amended Notice served pursuant to Regulation 30 of the Police (Conduct) Regulations 2020 (the Regulations) served on PC Begum which we do not propose to set out here.

In summary, it is alleged that PC Begum made comments on Twitter that are discriminatory, prejudiced or otherwise offensive and lacking tolerance in nature.

### Allegation 1

- a - Comments about people from Pakistan,
- b - Comments about Jewish/Israeli people,
- c - Statements about non- Muslims and
- d - Comments about Arabic people.
- e - Disparaging remarks about the 9/11 attacks by Al-Qaeda in New York on the twin towers in 2001.

The Appropriate Authority (AA) allege that the comments breach the Standards of Professional Behaviour (SoPB) relating to Equality and Diversity, and Discreditable Conduct.

Allegation 2 (a) is that PC Begum breached the SoPB pertaining to Discreditable Conduct and Honesty and Integrity in that when she completed the vetting questionnaire form prior to becoming a Special Constable in 2014 and prior to becoming a Police Officer in 2016, she failed to disclose her Twitter account to the Vetting Unit. PC Begum disclosed the following details;

- 2014: Twitter- ruby\_beee
- 2016: www.twitter.com-ruby\_beee

The Regulation 30 Notice alleged that PC Begum omitted the 's' from her account details. The actual Twitter account is said to be: [https://twitter.com/ruby\\_beees](https://twitter.com/ruby_beees)). It is also alleged that PC Begum had an ongoing obligation to notify the vetting unit of any change of circumstances and when she added the 's', she failed to subsequently update the information provided under her ongoing duty of disclosure.

The AA's Regulation 30 Notice alleged that the above matters, individually and / or cumulatively amount to gross misconduct that is conduct which is so serious that dismissal is justified.

The AA withdrew Allegations 2 (b) and 2 (c) at the commencement of the hearing. The AA conceded that there was insufficient evidence to find the facts proved.

### PC Begum's Response.

PC Begum submitted a written response to the allegations in the Regulation 31 Notice and updated Notice. She was legally represented by Mr Baumber and she gave evidence. In summary, in the written response PC Begum denies allegation 1a on the basis that the tweets she posted about Pakistani people were posted pre attestation and therefore the Panel does not have jurisdiction to consider them. She accepted that the comments could be construed as being racist in the absence of an understanding of the context. In her evidence she provided the contextual background that led to using the term Paki and that led to posting the other tweets. Allegations 1b, 1c and 1d are admitted on the basis that the comments she made about Jewish/Israeli people, non-Muslims and Arabs breach the SoPB pertaining to Equality and Diversity and Discreditable conduct. However, she admits that her conduct amounts to misconduct only and not gross misconduct. Allegation 1e is denied (comments re 9/11) on the basis of content and context of comments.

Allegation 2 (a) failure to disclose Twitter account is denied.

### The Legal Framework

The relevant SoPB alleged to have been breached are set out in the Police (Conduct) Regulations 2020. It defines the standards as follows:

- Equality and Diversity – "Police Officers act with fairness and impartiality. They do not discriminate unlawfully or unfairly."

- Discreditable conduct – “Police officers behave in a manner which does not discredit the police service or undermine public confidence in it, whether on or off duty.”
- Honesty and Integrity – “Police officers are honest, act with integrity and do not compromise or abuse their position.”

Regulation 2 (1) defines Misconduct as “a breach of the SoPB that is so serious as to justify disciplinary action and Gross Misconduct is “a breach of the SoPB that is so serious as to justify dismissal”.

The Panel has borne in mind that the burden of proof rests with the AA throughout and that PC Begum does not have to prove anything. The standard of proof is the civil standard, which is to say that the AA must prove that it is more likely than not, that PC Begum behaved in the manner alleged and that doing so breached the standards of professional behaviour police officers are expected to adhere to and that the manner of that breach is of such a nature or degree that it amounts to Gross Misconduct, Misconduct or neither.

In considering these matters, the Panel adopted a three stage approach

1. We first considered the facts of the case in order to make findings of fact in relation to each allegation.
2. We then moved to determine whether the facts found proved constitute a breach of the relevant SoPB.
3. We then determined whether the conduct found proved amounts to misconduct or gross misconduct.

In deciding these matters, the Panel was provided with an agreed bundle of documentary evidence consisting of 378 pages that contained the papers served on PC Begum, including the tweets, transcript of her interview dated 22 March 2022, blank vetting forms and blank vetting questionnaires. The Panel also received an opening note from Mr Hobbs, Counsel on behalf of the AA and an updated Regulation 31 response from Mr Bamber, Counsel on behalf of PC Begum. PC Begum gave live evidence. The Panel also took account of both Counsels’ closing submissions.

## Findings of Fact

At the close of the evidence, the AA conceded that there was insufficient evidence to find the facts proved in relation to allegation 2 (a). Therefore the Panel finds allegation 2 (a) not proved.

### Allegation 1

The Panel found there was no dispute that PC Begum became a Special Constable on 11 May 2014 at the age of 19 years old. She undertook training that included sessions on Equality and Diversity. On 25 July 2016, she attested as a Police Officer with the Metropolitan Police Service and by this time she was 21 years old. She undertook a further period of training that again included Equality and Diversity.

PC Begum posted tweets between June 2013 and March 2014 about Pakistani people in which she repeatedly used the term ‘Paki’. It is not in dispute that at the time of posting, PC Begum had not yet joined the Police Service and as a civilian the Regulations did not apply to her.

The Panel considered submissions made by Counsel. In summary, Mr Hobbs submitted that although the term ‘Paki’ was posted 2 months before PC Begum became a Special Constable in May 2014, the tweets remained in the public domain after PC Begum joined the Police Service and remained visible for 7 years. The tweets were discovered by the Daily Mail in August 2021 and brought to the Metropolitan Police’s attention by a reporter asking for comments in relation to “racist and deeply

offensive” made on her twitter account. The Mail on Sunday newspaper published two articles in August 2021 indicating that PC Begum had posted tweets of a discriminatory or otherwise offensive nature.

It is the AA’s case that failure to delete them after joining the Police Service was a continuing act as it meant that PC Begum was presenting herself as a racist officer thereby breaching the standards of Equality and Diversity and Discreditable Conduct.

In summary, Mr Baumber submitted that the Regulations did not apply because the tweets were posted pre attestation. He said that the issue for the Panel was failure to take them down after attestation. He submitted that He submitted that taboo words that may be regarded as universally wrong may be reclaimed by the community that suffers abuse and PC Begum did not use the term ‘Paki’ in a racist sense because she is inside the curtilage of the Bangladeshi community that use that term as a friendly division, a shortened version of Pakistani. Mr Baumber submitted that as PC Begum was not using the term in a racist manner, it did not come to her mind that the tweets were inappropriate and should therefore be removed. The tweets gained little to no traction and she didn’t look back into her account.

The Panel noted that the pre-attestation points were not pursued during the hearing. We find that the term ‘Paki’ is highly offensive objectively regardless of intent and the use of which cannot be justified by anyone let alone a serving police officer. As a member of the police service, there is an expectation that officers abide by the standards of professional behaviour and therefore the tweets should not have remained on her account. We did not find PC Begum’s explanation plausible that she failed to appreciate that the term is racist and that it would be regarded as so by the wider community. She admitted that it would not be acceptable to say “Paki” in public. Additionally, the police service’s efforts to root out racism and discriminatory behaviour through cultural changes and training is well publicised and PC Begum had undertaken the Equality and Diversity training on two occasions.

The Panel considered allegation 1a-1e in the round because they are interlinked and rely on the same evidence and rationale. The Panel considered the tweets in the Bundle. The Panel was informed that 25,000 tweets were posted by PC Begum in the relevant period and it is only a proportion of them that form the subject matter of these proceedings. The Panel was also informed that it need not confine its deliberations to the tweets set out in the Regulation 30 Notice only but could also consider others identified in the Bundle. The Panel also took into account PC Begum’s evidence. The Panel did not find her evidence to be credible in some parts. She sought to persuade the Panel that some leeway should be afforded to her because she grew up within a tight Bangladeshi community that she described as like being a bubble of “us and them”, ‘us’ being Bangladeshi’s and ‘them’ being everyone else - in which she was not exposed to alternative views until she joined the Police Service. PC Begum repeatedly told the Panel that her tweets were the result of her being immature, her upbringing and passion against injustice. However, she told the Panel that she had gone to college to do A levels, she had worked as a PA in a school and had travelled worldwide with her sisters to places like Barbados, Vietnam, Malaysia, China, South Korea, Croatia and others that she could not recall The Panel therefore did not accept that her upbringing deprived her of the ability to see the wider world that encompasses diversity on many levels with fairness and impartiality. The Panel consider that the following tweets demonstrate how derogatory and abusive PC Begum was. They show a lack of tolerance of others who do not share the same personal characteristics as her. The tweets also demonstrate discrimination on the basis of three characteristics, namely: race, religion and ethnicity, the most damaging of which, in our view, were:

a - Comments about Pakistani people. The term 'Paki' was used repeatedly in tweets between June 2013 and March 2014. On 27 June 2013, PC Begum tweeted, "*LoL, it's because you tweeted about Paki and I thought you're a paki*".

b. - Comments about Jewish People/Israelis. The tweets say, "*Dirty Zionist, Jahannam [Arabic term for Hell] is awaiting*" 26.7.14  
"*Zionist pricks*" 20.8.14

c. -Comments about Non-Muslims. "*Kuffur Lips have been all over my mug and there is no way I'm using that thing again*". PC Begum told the Panel that this was posted in reference to a colleague who had used her mug at work. "*Trust no Kuffur*"

d. - Comments about Arab people. On 30 September 2015 PC Begum posted "*Them stuck up Arabs that love to bang out Chanel and Gucci but don't know a word of English*", and , "*Even the Cats are Nicer in Madina/ Saudi Arabia*"

e -Tweets about 9/11, were posted on 11 September 2014. PC Begum posted "*Must be stupid if you think I'm gonna do 2 min silence for 9/11*" and on 11 September 2019 "*Omg its 9/11 today? Jokes I only noticed*".

We also identified tweets not set out within the Regulation 30 Notice that were deeply concerning, For example, PC Begum tweeted "*I don't like praying next to fat people they leave me with bruises*" "*Physical training with old people is piss taking*" "*Pride is disgusting*" We rejected her explanations that this did not relate to homophobia.

The Panel rejected wholesale her explanations that these tweets are misconstrued in the absence of understanding her context. Tweets by their very nature can only be assessed at face value and that is why people are urged to exercise caution in their use of social media. The Panel finds that these tweets are on the face of it, plain and clear and do not require any understanding of context to appreciate their meaning. Whilst the term "Paki" maybe used in the Bangladeshi community in the manner described by PC Begum, the Panel find that PC Begum should have known that the term is considered inappropriate as it is universally regarded as being offensive. It is not plausible in the Panel's view that she simply did not give these tweets a second thought or consider removing them because she did not believe them to be offensive.

In regards to the 9/11 comments, again the Panel rejected her explanations that context was a relevant factor. The comments are offensive and appear to mock and undermine the severity of the terrorist attack on the twin towers in 2001. In our view, the context provided cannot justify the officer's behaviour or absolve her of her obligations and responsibilities to abide by the standards of professional behaviour. The comments chime with PC Begum's intolerance of others that we have seen clearly expressed in her tweets.

The Panel rejects her explanations that the tweets were the result of immaturity because she was an adult and a serving police officer. That explanation devalues her evidence that her journey since joining the police service has led to maturity, as she posted wholly inappropriate comments after she had been an officer that had undertaken repeated training in equality and diversity, and the last tweet was posted when she was 25 years old in 2019. Indeed age does not equate to maturity. The fundamental concern for the Panel in this case is that PC Begum is serving police who chose to post racist, prejudiced and offensive comments. By doing so PC Begum failed to adhere to the standards of professional behaviour expected of her.

The Panel therefore finds allegation 1 proved in its entirety.

### **Findings on Misconduct/Gross Misconduct**

The Panel was left in little doubt that PC Begum's conduct breached the SoPB relating to Equality and Diversity and Discreditable Conduct. This conduct was committed whilst she was a serving member of the MPS and off duty, however, the professional standards still apply. The Panel was appalled by PC Begum's behaviour. The vitriolic tone and variety of tweets that spread over a number of years was deeply concerning. The tweets were discriminatory, portrayed religious hatred, and displayed ethnic bias. They also portrayed lack of empathy and respect for members of the public as well as colleagues. Discrimination has a significant impact on public policing. Her tweets would undermine public confidence.

The Panel also bore in mind that the College of Policing Guidance on outcomes in police misconduct proceedings says, "Discrimination towards persons on the basis of any protected characteristic is never acceptable and always serious.... Discrimination may involve language or behaviour. It may be directed towards members of the public or colleagues. It may be conscious or unconscious."

Having considered all the evidence presented, the Panel concluded that PC Begum's conduct fell far below the standards of professional behaviour expected of police officers. In our opinion PC Begum's assessment that the tweets are rude and inappropriate and only reach the level of misconduct does not go far enough. The tweets represented wide ranging racist, discriminatory and intolerant attitudes that severely harms and undermines the Police Service that has worked hard to regain public confidence. Her repeated conduct which covered several years is so serious and discreditable such that it amounts to gross misconduct.

### **Findings as to Outcome**

We have borne in mind that Chapter 2 of the College of Policing guidance on outcomes in police misconduct proceedings, which states the primary purpose of professional disciplinary proceedings is to uphold three principles; it is not to punish but it may have a punitive effect. When determining the appropriate outcome to impose, we should consider the purpose of police misconduct proceedings which is threefold:

- Maintain public confidence in and the reputation of the police service;
- Uphold high standards in policing and deter misconduct;
- Protect the public.

The College of Policing also states there are three stages to determining the appropriate sanction, as follows:

1. Assess the seriousness of the misconduct.
2. Keep in mind the purpose of imposing sanctions.
3. Choose the sanction which most appropriately fulfils that purpose for the seriousness of the conduct in question.

It also states that assessing the seriousness of the proven misconduct involves considering the Officer's culpability as well as

- Considering the harm caused by the misconduct,
- Considering the existence of any aggravating factors,
- Considering the existence of any mitigating factors.

The Home Office Statutory Guidance on Professional Standards, Performance and Integrity in Policing provides helpful direction on 'off duty' conduct. At para 2.18 it states, "As a result of the nature of the officer of constable, a police officer is always subject to the Standards of Professional Behaviour even when off-duty. As such police officers should not behave in a manner that discredits the police service or undermines public confidence at any time.....In determining whether a police officer's off-duty conduct discredits the police, the test is not whether the police officer discredits themselves but the police as a whole."

We have carefully considered the submissions made by both Counsel.

## Culpability

PC Begum's culpability is high. We find that the officer was wholly to blame and responsible for sending out the tweets. The gross misconduct that we have found proved is extremely serious because police officers are expected to abide by the standards of professional behaviour whether on or off duty. Therefore, in our view, due to PC Begum's repeated equality and diversity training and policing experience, she knew or ought to have recognised the damage the racist and discriminatory pre attestation the tweets (1a) would have on public confidence on policing and therefore we do not find it credible that she did not have cause to reflect on the tweets and remove them. Furthermore, due to her equality and diversity training and policing experience, the Panel are of the view that it is not credible that she would not have recognised the serious impact on public confidence the tweets subject to allegation (1b) to (1e) would have when posting them.

We find that her conduct was intentional and deliberate. It was targeted in so far as the tweets were aimed at specific groups on the basis of protected characteristics.

As per the guidance on outcomes in police misconduct proceedings, this case involves explicit and direct discrimination relating to the protected characteristics: race, religion, belief and ethnicity. The guidance also says discrimination that is conscious or unconscious is serious as it can have a significant impact on the public confidence.

## Harm

We consider that the reputational harm is significant. It could be said that this conduct has undermined public confidence as the content of the tweets are now known to members of the public. The tweets were overtly discriminatory on the grounds of religion, religious beliefs, ethnicity and nationality and were so vile that, in our view, members of the public would not be confident they would be treated fairly.

## Aggravating factors

The tweets in question were regular, repeated and sustained over a period of time. PC Begum continued tweeting when she should have realised that her tweets were improper. Her tweets were unlawful discrimination. Her actions were significant deviation from training and instructions.

There remains a deep sense of public concern about racist and discriminatory behaviours in the police service, and her language reflects very poorly on the police service as a whole.

Two proven Standards of Professional Behaviour have been breached.

## Mitigating Factors

PC Begum has shown some level of remorse  
PC Begum made some early admissions  
PC Begum de activated her account

## Personal Mitigation

We received a bundle of PC Begum's character evidence. It is clear that PC Begum is highly regarded as a serving officer who has also received a Commander's commendations.

## Outcome

The Panel first considered whether a final written warning would be appropriate in this case or whether the seriousness of the case required dismissal without notice. Whilst there's some evidence of positive character references and examples of good policing in difficult circumstances, the Panel was not confident or sufficiently persuaded that PC Begum has remediated sufficiently. PC Begum expressed some remorse and said that she is now embarrassed by the tweets and would never repeat this behaviour again. Having heard PC Begum's evidence and considered the nature of the tweets, the Panel does not believe that these tweets emanated from a position of immaturity but rather were manifestations of deep seated personality traits that are inconsistent and incompatible with being a police officer. The level and extent of the officer's conduct is such that public confidence would be severely undermined. The Metropolitan Police Service is an inclusive service which is enhanced by individual officers from a broad and diverse background and it is acknowledged that some groups are under represented and do not sufficiently represent the community they police. However, the primary consideration for the Panel is to reaffirm the purpose of police misconduct proceedings.

Returning to the principle purpose of misconduct proceedings as set out above, the Panel concluded that the only appropriate sanction that serves this purpose is dismissal without notice.