Essex Police
Police Headquarters
Chelmsford CM2 6DA
Former PC A

Before The panel:

ACC. Glen Pavelin-Chair
Mr. Stevie Jones- Lay member
Ms Margaret Walsh-Lay member

Assistant Chief Constable Pavelin - Chair
Ms Monica Daley-Campbell – Legally Qualified Person
Mr Stevie Jones- Independent Panel Member
Ms Margaret Walsh- Independent Panel Member

Heard on 1-2 December 2025

Introduction

This case was brought by the Professional Standards Department on behalf of Essex Police, the Appropriate Authority ("The AA"). Former PC A is the respondent to these proceedings.

The Allegations

1. A Notice pursuant to Regulation 30 of the Police (Conduct) Regulations 2020 was served on PC A. Although PC A is no longer a serving police officer, for ease of reference she is referred to throughout this decision as PC A.

2. The notice contained allegations, numbered throughout as 1-4

1 Between December 2022 and October 2023, you formed an improper emotional relationship (which was non-sexual in nature) with a complainant (Ms P) in a case of alleged historic sexual abuse in which you were acting as officer in the case.

2 The improper emotional relationship included the following behaviours:

(a) Exchanging a high volume of text messages which had the purpose and/or effect of developing a personal friendship with Ms P and were inconsistent with the maintenance of professional boundaries. Examples include the following:

- Repeatedly using the term "hun" to address Ms P
- Repeatedly ending your messages with "x..."
- Repeatedly referring to Ms P as your friend and, on occasion, your "bestie"
- Using emotive language such "I adore you. xxx" "I miss you too. Hun.xxx" "I think the world of you" and "you are like my kindred spirit; I just love how amazing you are…"
- Regularly using profanities
-Sharing images/videos which were unrelated to work
- Sharing details of your family
- Planning/discussing actual and potential social visits

(b) Participating in social visits in which Ms P travelled to Essex and met with you in March, April and May 2023.

(c) Hosting Ms P as a guest in your house on at least one of the above occasions, during which you also shared the same bed on at least one occasion.

3 The above improper emotional relationship

(a) had the potential to compromise your ability to discharge your duties as officer in the case in an objective manner and/or

(b) created an actual or potential conflict of interest between your responsibilities to Ms P as a friend and your duties as a police officer and/or

(c) Had the potential to compromise the quality and/or integrity of the criminal investigation and/or

(d) By reason of the above conflict of interest, had the potential to harm Ms P, who was vulnerable.

Breaches of the Standards of Professional Behaviour

3. It is alleged that your actions as set out above were in breach of the Standards of Professional Behaviour:

- **Honesty and Integrity**

  Your conduct was in breach of the Standard of Honesty and Integrity. Police officers are honest, act with integrity and do not compromise/ and or abuse their position.

- **Authority Respect and Courtesy**

  Police officers act with self-control and tolerance treating members of the public with respect and courtesy.
  Police officers do not abuse their powers or authority and respect the rights of individuals.

- **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.

The Background

4. The Background is set out in the Independent Office for Police Conduct (IOPC) report, dated 6 December 2023, prepared by the Lead Investigator Samantha Heath.

5. The report provided the following details that at the time the events which gave rise to the allegations, PC A was an officer in Essex Police's [REDACTED TEXT] On 29 October 2022, PC A was allocated as the officer in charge of an historical sexual offence complaint.

PC A wrote to Ms P on 2 November 2022 asking her to make contact. PC A tried to contact her on Ms P's mobile phone a number of times. On 17 November 2022, PC A recorded that the victim on that case who was recorded as Ms P, had said that she would feel more comfortable if they arranged a video call.

6. PC A followed this up by sending an email with her availability and then on 4 December 2022 sent a WhatsApp message to Ms P from her personal mobile phone. PC A in this initial contact stated that she had a few technical issues with email and Teams. She asked if she could give her a call via this (WhatsApp). PC A updated the file to say she had spoken with Ms P at length after this call took place. PC A updated the file a number of times in December noting contact with Ms P.

7. There was a contact on 12 January in which Ms P disclosed to PC A that she was struggling [REDACTED TEXT]. PC A noted that she was concerned with Ms P's welfare and had contacted Ms P's GP and would chase CARA (Centre for Action on Rape and Abuse) to fast-track Ms P's case. She agreed with Ms P that she would increase contact leading up to the ABE (Achieving Best Evidence) interview.

8. The transcript of the WhatsApp messages showed they were in contact every few days. The record was updated to show that Ms P was [REDACTED TEXT] and that she was awaiting an Independent Sexual Violence Advisor (an ISVA).

9. The WhatsApp transcript of messages showed that PC A and Ms P exchanged over 3,000 messages between December 2022 and October 2023. The report detailed some of the messages contained.

10. Ms P made 6 visits to Essex during the relevant period, and during 3 of those visits stayed at PC A's home.

11. On 18 October 2023 PC A disclosed to her sergeant that she and Ms P had been having contact on her personal mobile and that she considered their association as a friendship.

12. Following an investigation into PC A's conduct, it is alleged that PC A established an inappropriate relationship with Ms P including, but not limited to, contacting Ms P by video call and message on her personal phone. Allowing Ms P to stay as a house guest at her home address, sharing personal details about herself with Ms P and introducing Ms P to family members. During at least one of these visits, it was alleged that Ms P and PC A shared a bed.

Pre-Hearing ruling on Regulation 36 (anonymising the name of the former officer)

13. Prior to the hearing it had been directed that the officer's name would be anonymised throughout the hearing and that she would be referred to as Officer A as well as Ms P. The decision to anonymise these witnesses was in accordance with paragraphs 11.60-11.62 of The Home Office Guidance ("The HOG").

14. Accordingly, the witnesses were throughout the hearing to be known and referred to as "Ms P", and the officer was referred to as PC A.

15. PC A solicitor wrote to the AA and made the following representations-: Under Regulation 36, [PC A] respectfully asks that, on the grounds of [REDACTED TEXT]

(sharing her surname) as evidenced, that there be no publication identifying her (and thus also [REDACTED TEXT]) by name whether pre- or post-Hearing. Further, [PC A] respectfully asks that the Chair direct that she be referred to only under pseudonym (perhaps as 'Officer A') throughout the Hearing and within any publication that the Chair may direct." Dated 19.10.25.

16. The email included a medical letter [REDACTED TEXT], from 25/1/2025. This report [REDACTED TEXT]

17. Following the pre-meeting, the chair made the following decision-: "…I have considered written legal advice from the LQP (Legally Qualified Person) in this matter dated 17/11/2025 … and I have asked if there is any further medical evidence to be considered since Jan 2025 and I have been informed there is not. I note the concerns re the impact [REDACTED TEXT] Ex PC … but have no further information as to the risk associated apart from concerns how any impact from this case may transfer to them due to the [REDACTED TEXT]. I note their individual [REDACTED TEXT] included within correspondence.

It remains my direction that the hearing be made available for the public. I also consider that directing the following restrictions is proportionate to strike a balance between open justice and article 8 rights of the officer:
Ex PC …is referred to as Officer A
This measure allows for the allegations to be reported as required and also affords mitigation [REDACTED TEXT]. This measure also mitigates [REDACTED TEXT]"

The Hearing

18. At the hearing, the Presenter for the Appropriate Authority ("The AA") was Mr John Mark Waite, counsel. Also in attendance, was Samantha Heath lead investigator from the OPC from the Professional Standards Department, was DI Nick Eliot on 1 December 2025, and DI Tina Hart on 2 December 2025 (PSD). Also supporting the panel was Kathryn Farrell, Hearings Officer.

19. Ms M Daley-Campbell, was the Legally Qualified Person, assisting the panel, in accordance with regulation 28 (6) (of the Police Conduct Regulations as amended) although she remained with the panel throughout the hearing, she took no part in the decision making.

20. The officer was not present and was not represented.

Preliminary Issues

The decision to proceed in the absence of PC A

21. The panel noted that PC A was not present and had indicated that she would not attend, it was the decision for the panel as to whether it should proceed with the hearing in the absence of PC A.

22. Mr Waite provided the panel with an opening note. In his note he set out that the hearing should proceed in PC A's absence. Mr Waite set out all of the factors which the panel should consider.

23. The Panel were referred to -:" Regulation 37(1) which requires the ex-officer to attend the

misconduct proceedings. Regulation 37(3) provides that, whether or not the ex-officer attends the hearing, the officer may be represented by a police friend or relevant lawyer. The ex-officer has indicated through her solicitor, that she did not intend to attend the hearing.

24. The panel was invited to consider the written representations made on behalf of the officer, in which it was set out that she would not be attending.

25. The Panel was referred to the Home Office Guidance, 11.106, which permitted hearings to proceed in the absence of officers. The panel asked for and were provided with details of how the Regulation 30 Notice had been served on PC A which had been served via email. The officer resigned from the force on 18 August 2025 and save for the email dated 19.10.25 from her solicitor setting out her intention not to attend, Officer A has not engaged with the process after the service of the Regulation 30 Notice and has not provided a Regulation 31 response.

26. The Panel heard from Ms Daley-Campbell, who outlined the procedure and the law. She reminded the panel of Regulation 37 (3) (b) of The Police Misconduct Regulations 2020 and the Home Office Guidance,

(i)The Panel has a discretion as to whether a hearing should take place or continue in the absence of the officer concerned and/or their legal representatives.

(ii)That discretion must be exercised with great care, and it is only in rare and exceptional cases that it should be exercised in favour of a hearing taking place or continuing, particularly if the officer concerned is unrepresented. The panel needed to be satisfied that PC A had voluntarily waived her right to attend, and that in her absence it was still possible to deal with this matter in her absence without any injustice to her.

27. The panel accepted the submission made on behalf of the AA. It reminded itself that PC A had prior to this hearing and throughout the procedural steps leading up to the misconduct hearing set out her intention not to attend the hearing. The panel considered that she had voluntarily absented herself or chosen not to come to the hearing.

28. The Panel considered whether it would be fair to the officer to proceed in her absence. The panel was satisfied that she had due notice of the hearing and when the hearing was taking place. Mr Haldene, her solicitor, in his email of 19.10.25 set out that the officer was aware of when the hearing was due to take place and does not want the case to be adjourned.

29. The panel was aware that if the case was adjourned it would have a possible negative impact on Officer A and also Ms P, as they were both expecting this matter to conclude. The panel reminded itself that the case had been on-going since 2023 as such in regard to the length of time since the allegations arose, the panel determined that it was in the interest of justice, public accountability and public trust and confidence the hearing should take place. The panel also took account of the interest of the AA, who had made arrangements and incurred costs in relation to this hearing, that the matter be proceeded to be dealt with expeditiously.

30. The Panel reminded itself not to draw any adverse inference from PC A's non-attendance, such as deciding that she had chosen not to come because the evidence was irrefutable.

31. The panel noted that PC A had made no formal admission to the charges. Given this it was for the panel to test the evidence in the absence of PC A.

The Appropriate Authority's Case

32. The panel heard from Mr Waite who prior to the hearing had provided the Panel with an Opening Note and outlined the Appropriate Authority's (AA) case. In his written submissions he reminded the panel that-: "No Regulation 31 Notice has been completed by the officer in this case. The purpose of the Regulation 31 Notice is (inter alia) to clarify whether the officer accepts or does not accept the conduct alleged against them. The position before the panel is therefore that the conduct alleged above is neither admitted nor denied. It remains incumbent upon the AA to prove on the balance of probabilities that such conduct occurred.

33. He referred the panel to PC A's responses to the allegation which were set out in her interview at page 635, and 694, and the second statement at page 718.

34. He submitted that in his observation, on behalf of the AA, by not serving a response denying the allegations, no factual dispute has been raised by the officer.

35. He stated that the panel did not have the benefit of any explanation to repute what the AA in its regulation 31 notice set out was clearly gross misconduct.

36. He referred the panel to the interview of PC A and submitted that the panel should consider her responses to questions asked in order to have a fair understanding of her position.

37. He also referred to her words in the interview, in which he stated PC A had acknowledged that she had stepped outside of the police policy and had compromised herself.

38. Mr Waite referred to the chief constable National Counter Corruption Advisory Group in particular the referred to imbalance of power. "It is your responsibility to always be aware of the imbalance of power between you as a member of the police service and members of the public you come into contact with through your work and to maintain professional boundaries. While some may not see the imbalance of power in the relationship, there is always one just by the sheer presence of your uniform, warrant card, specialist knowledge and what the police represents."

39. He submitted that a relationship, such as that between PC A and Ms P did not need to be a sexual relationship to amount to an improper relationship.

40. The Panel had a number of questions for the Appropriate Authority, the panel asked whether the Equality Act Applied. Mr Waite submitted that it did not arise in terms of the allegations. In terms of the hearing itself, he stated that not enough was known about the officer's medical condition to decide on its application to the hearing.

41. However, he stated that PC A may be regarded [REDACTED TEXT] although he submitted that there was no failure to make adjustments on the part of the AA as no request for adjustments was before the panel.

42. Mr Waite was asked to confirm the relevant Code of Ethics, he confirmed that the applicable code was the 2014 College of Policing Code of Ethics.

43. In respect of the College of Policing Guidance for Ethical and Professional Behaviour, he

confirmed that this guidance was dated August 2017 and was the applicable guidance in force at the time.

44. He was asked about the alleged breaches of the code, in respect of Honesty and Integrity, whether the AA was relying on both honesty and integrity.

45. He told the panel that the breach in respect of honesty was more implicit, than explicit. Mr Waite stated that what was alleged was a lack of integrity on the part of the officer as PC A had created a conflict in the discharge of her duties. There was a conflict of interest and inherent lack of integrity. The factual background was that the nature of the relationship was not revealed until Oct 2023, it was not referred to in the records. He accepted that the AA was alleging integrity, rather than a breach of the standard in respect of honesty.

46. The panel requested that the training records to be released at the finding of facts stage as there was an issue as to the training that the officer had received. It was noted that the SOTO (Sexually Offences Trained Officer) does not show passed or completed. Mr Waite was not able to confirm the position and told the panel that the best evidence was as set out in the IOPC report.

47. The panel heard and accepted legal advice of the LQP, who reminded the panel of that in the absence of PC A that the panel should draw no adverse inference and should carefully consider the account that she had given. It was also reminded that PC A was of good character. The panel was also reminded of the burden and standard of proof.

The evidence before the panel

48. The panel had been provided with a hearing bundle of 854 pages and an Addendum to the main bundle of 18 pages prior to the hearing, and two short video clips (taken on a mobile phone), together with the email dated 19 October 2025, from PC A's solicitor.

49. The panel took account of the following information which it considered relevant in reaching its decision.

IOPC Final Report

50. The investigation report prepared by Samantha Health Lead Investigator for the IOPC. The report provided a summary of the events and the relevant evidence. The panel found this helpful as it signposted the most relevant WhatsApp messages and summarised the visits which Ms P had made to Essex, and the communication that she had with PC A prior to, during and after the visits, including information about where Ms P had stayed during her visits to Essex.

51. Ms P came to Essex on 4 February 2023, where she was met by PC A who drove her to her ABE interview, after that Ms P sent PC A, a number of messages in which she detailed that following the interview, which had brought the details of the reported assault back to her memory, [REDACTED TEXT].

52. The report referenced the second visit which Ms P had undertaken to Essex, on 22 March 2023.

53. Prior to the visit the following message exchange took place. On 7 March Ms P messaged

PC A, to say that she had sent her some information via email. PC A messaged back saying "…Sorry lovely, can you send those emails to my personal email as my work laptop is being an arsehole." She sent a laughing face emoji and provided her personal email address.

54. The report detailed that there was agreement for the visit to take place from 22 March to 28 March 2023. During the exchange in which the arrangements were made, the following comments were made firstly PC A wrote-: "It is soon, it will be nice to see you". Ms P replied, "Yes it will be nice to see you to this time you see me tho we will be friends." PC A replied: "…Yea we are proper friends now, Even more reason to listen, but we can have hun time rather than shitty police time."

55. The report referred to a WhatsApp message which was exchanged during Ms P's visit, which is referenced at paragraph 49 of the report. "… At 9.27pm on 25 March the following messages were exchanged: "PC A: Hey friend, I'm in bed, I can't move, come join me when you're ready!! #tirednesskills." Ms P replied "Do you want me to turn the lamp in the kitchen off? …Didn't want to come up in case you was still on the phone." PC A replied No babe you can leave it & the one in the lounge I normally do X."

56. Ms P visited Essex on 3 April 2023, the report concluded that the messages revealed that PC A and Ms P met up on that occasion, following the visit, Ms P Whatsapped the following message to PC A "sad (sad face emoji) hopefully not lon until our next sleepover, sleeping alone sucks for realsy xx. PC A replied "Aww beautiful we'll see each other soon, for realsys, how's today been? Xx@ [Ms P]."

57. The report set out Ms P visited Essex on 10 August 2023. The report came to the conclusion that based on their messages; they did not meet in August. However following Ms P's visit to Essex, the report set out that Ms P sent the following message "… Just a little appreciation message because I forgot sometimes how lucky we are to be friends, especially when circumstances shouldn't have really allowed it too but you took a risk on me and yh I just love you and feel like I don't tell you enough… and you've stuck with me all my life phases so far… now you get to see the happy… After our call I just wanted to give you a hug, sometimes the distance does not bother me and sometimes it hits me that you're not just a drive away, but I love anytime I get to spend with you…"

58. In her reply amongst other things. PC A said "… Not ever been in that position before for how we clicked but it's no risks people come into your (sic) lives for the right reasons a the right times and you have brought just as much if not more on the table in how you are. You are like my kindred spirit. I just love how amazing you are…"

59. The report which dealt with the visits chronologically, set out that Ms P was due to visit Essex on 13 October and that it was her expectation that she would meet up with PC A.

60. On that same day PC A messaged Ms P to say that something had come up at work, and that she was unable to get away, her message concluded as follows "…Did you still want to come over for 5 on the Saturday not sure what time you said you were going on the Sunday? Sorry, it's all fucked and chaos here. Let me know otherwise will try and take 5 & give you a call later." In reply, Ms P messaged to say that she had a feeling something would come up "… Don't want you to feel like you have to have me over because you're gonna be wiped out from work so probably best to leave it…"

61. Following that message, sometime later, it is reported that PC A Whatsapped to say that she was going to come over to Ms P's [REDACTED TEXT] house where Ms P was staying.

In the message, she offered to either meet her at her [REDACTED TEXT] house or somewhere else.

62. The report set out that after their meeting, on the following day, further messages were exchanged. In the communication PC A messaged to find out whether Ms P was alright. Ms P responded "… Hi heads scrambled tbh not been ok I've managed to pick up a session today but just thought I'd let you know I need to speak about you in it. It's the only way I'm going to cope." Following the exchange of a few more messages in which they discussed other support for Ms P. In response, said "…It's not the case effecting (sic) me it's me and you. All I've done is cry and I'm sick of crying."

63. The report provided information that on 18 October 2023, PC A disclosed the inappropriate relationship that she had with Ms P to her sergeant.

64. The panel had been provided with a report from [REDACTED TEXT], which dealt with this disclosure on 18 October 2023.

Report of DS [REDACTED TEXT]

65. In his report, DS [REDACTED TEXT] set out details of his meeting with PC A and the account that she had given him, he stated that [PC A] came into the office at [REDACTED TEXT] and requested to speak to me…She went on to say that she had an investigation involving a victim , his report provided the following information-: "…Around 0900 on 18th October , PC A came into the office at [REDACTED TEXT] and requested to speak to me… She went on to say that she had an investigation involving a victim…The victim reported the incident in November 2022 and was initially unsupportive as she had received a bad service from another force. PC A explained that the victim lived in [REDACTED TEXT], but the incident occurred in [REDACTED TEXT]. Due to the victim's location, she contacted the victim via WhatsApp video call. PC A used her personal mobile to do this… The victim wanted to travel to Essex to complete the interview with PC A as she did not want her local force involved… PC A completed a CARA referral however it was difficult to get her the appropriate support due to her living in [REDACTED TEXT] and the offence occurring in [REDACTED TEXT]… PC A went on to say that the victim would travel down to [REDACTED TEXT] to visit her [REDACTED TEXT] and whilst she was in the area, she would contact PC A on her private mobile. She confided in PC A that she could not move forward as she had not been entirely honest in the ABE. She went on to disclose that she had also been abused by [REDACTED TEXT] however she did not want to pursue this matter. The victim did not disclose details of this abuse and as such PC A states that she recorded this on the investigation however it was not crimed. PC A was concerned that the victim could not stay at her [REDACTED TEXT] house in [REDACTED TEXT] following this disclosure, the victim had no money and PC A was worried about her. At the time PC A was due to go on holiday and offered for the victim to stay at her house whilst she was away. PC A explained that she left a key out for her, and the victim stayed one night at her address… PC A admits that she crossed the lines of a professional relationship at the point, and it became a friendship between her and victim…PC A stated that she has seen the victim outside work. The victim stayed at her house again during the summer of 2023 overnight and she gave the victim a lift to Gatwick. PC A stated that the victim had been to [REDACTED TEXT] house in [REDACTED TEXT]…

[PC A] stated that the suspect was arrested last week and on her last duty she went to see the victim to give her an update in person. During this meeting PC A explained to the victim that

she thought the victim had developed an attachment to her that was not appropriate. The victim did not take this well and was upset…"

66. In their report they stated that following this disclosure, he had visited the victim at [REDACTED TEXT] around 1300 hrs with DI [REDACTED TEXT].

67. He reported that Ms P had disclosed that she stayed at PC A's address on 3 occasions staying 3-4 days at a time. She had met PC A's [REDACTED TEXT] mother, father, sister, nephew and uncle. In his report he recorded that the victim had stated that PC A told her at the beginning that she was not to tell anyone about their friendship. Ms P had stated that she had told PC A that she had "…an obsessive personality and warned her that if the friendship wasn't permanent that they should not enter into it." Ms P reported feeling like "…she was grieving now that she could have no contact with PC A".

68. The panel also considered a witness statement from [REDACTED TEXT]

Witness Statement of [REDACTED TEXT]

69. In her witness statement she set out that when she met PC A -: "…she seemed really lovely, but I recall her saying she had never met someone like Ms P before and wished she had a daughter like her. She also said what a wonderful person Ms P was. I thought it was a bit over friendly." Later in the statement she stated "… I had red flags straight away about PC A's behaviour as it wasn't professional and there were no boundaries in place."

70. She stated that she considered that "…Ms P connected so deeply with PC A" as they had "…both [REDACTED TEXT], and it seemed like PC A was same age level as Ms P and they were both as desperate as each other to speak to one another. PC A invited Ms P to stay with her a second time, this was 4th April for a week. It was like they were obsessed with each other."

71. Ms P's [REDACTED TEXT] provided details concerning her conversation with Ms P about the last occasion on which PC A met with Ms P.

72. She recorded in her statement that PC A had told Ms P at this point that "…it was morally wrong for Ms P to stay with her." In her statement she set out that "… [Ms P] called me after this conversation in floods of tears. I think what was actually happening was that PC A was getting more serious with her boyfriend and didn't have time for [Ms P]. I think she got fed up with the relationship with [Ms P] and the type of effort she was putting into it..."

Statement of DS [REDACTED TEXT]

73. DS [REDACTED TEXT] made a statement dated 15/08/24, in her statement she provided details of PC A's service history in [REDACTED TEXT], her pattern of work and her overall health including details of her [REDACTED TEXT] and her training. She stated that "… In terms of training, that covers professional boundaries. I can confirm that PC A completed Sexual Offences Training Officer (SOTO) in February 2023, which I have subsequently been advised covers professional boundaries with victims."

ABE Interview with Ms P

74. The panel had regard to an interview with Ms P, which took place on 6 February 2024.

As well as confirming her contact with PC A and providing supporting information which confirmed the accuracy of the WhatsApp messages, Ms P also set out the impact that this had on her and her subsequent dealings with Essex Police.

75. In her interview she stated that after PC A disclosed the nature of her contact with Ms P to her Sergeant she felt "like she was the problem". She further stated that-: "…When Essex Police came and spoke to me I literally sat there and said to her, I just don't like how… they were saying you're getting a new caseworker. You won't be staying at their house; you won't be doing this you won't be doing that like it completely flipped on me… If I sat back and … was in a good head space… I could see that you shouldn't do that that's wrong, but there were no boundaries like to start off with…I don't like lying. I don't like breaking rules I don't like doing anything that will get me into trouble…"

76. Ms P was asked about the support she had been provided with from the Police after her contact with PC A ended. She stated "…I've got a new caseworker, but she barely contacts me… I didn't get given contact details because I got told that she was gonna get in contact with me. She got told that they'd passed on her details to me and so she didn't reach out to me, so there was no contact for ages… Then when there is contact its just very blunt and I come off the phone and I feel deflated. And like oh kind of like for a sec, for a minute I thought, do you know what, I just wanna retract it all, Like I just don't even want a case with them like I just want to not be involved with them at all…"

Additional documents

77. The panel was provided with the following additional documents-:

- The Crime Report for Ms P.
- A transcript of the WhatsApp messages within the hearing bundle which comprised 469 pages,
- Witness statement of DC [REDACTED TEXT]
- The record of interview of PC A dated 23 October 2023 and two written statements.

78. The panel has considered the interview together with two written accounts further below.

The Respondent's Case

79. The panel noted that PC A had not set out her case in a Regulation 31 response. It reminded itself of the need to carefully consider the evidence that was available. As such evidence may assist PC A and provide her account of what had occurred.

80. In her interview, PC A explained how from the initial crime report and contact with Ms P the relationship had developed. PC A set out that Ms P had reported [REDACTED TEXT] and that there had been a lack of support which had led her to taking the actions that she had, which she now accepted, were inappropriate. Within her statement she dealt with Ms P coming to [REDACTED TEXT] in March 2024 and how it came about that Ms P stayed at her house. She stated-: "… I would say she invited herself…she said that she was coming down. This is the frustrating thing because I got to a point where I couldn't mentally I just couldn't. I just had to, I needed to disengage from all of it and I deleted her contact because a message…If a message came through or something I would respond very basically, do what was needed and then I would be done with it and that's been the case for a number of months." The panel has considered the interview together with two written accounts further below.

81. In her written statement, PC A set out that during the three-hour interview, she was honest, transparent and forthcoming. However, she did not feel fit for the interview, [REDACTED TEXT]

82. She also set out that her cognition was poor, and her recollection of things was muddled. This was due to [REDACTED TEXT]

83. PC A also disclosed details of [REDACTED TEXT]. She set out that her line manager was aware of the frequency and intensity of her contact with Ms P and the reason for it.

84. She set out that during the course of her contact with Ms P, Ms P had expressed [REDACTED TEXT]and that this was "very triggering for me." In PC A's written account, she stated that-: "… I believe it was from that point on that there was a change, there was a power imbalance in our contact and interactions, but that power was (Ms P) and I was very much at the whim if she needed anything..."

85. PC A, in her statement, dealt with the impact that her relationship with her partner appeared to have on Ms P, she stated that she believed that Ms P may have become disgruntled when she could not see her and resentful of her relationship with her partner.

86. PC A stated that notwithstanding this she was still progressing Ms P's case and that "… nothing of my contact with (Ms P) ever influenced the way in which I managed her case…"

The Panel's findings on each of the charges

87. The Panel carefully considered the documentary evidence which was set out in the hearing bundle of 854 electronic pages, the addendum of 18 pages, as well as the video evidence. In respect of this evidence, the panel has considered all of the evidence, even if it has not reference certain parts of it, the panel took all of it into consideration when making its decision.

88. The panel was assisted by the Investigation Report of the IOPC. However, the panel has carefully cross- referenced that report with the information in the bundle. It was also careful to ensure that the conclusion it arrived at was not unduly influenced by the terms of reference of the report or the analysis of the evidence.

89. The panel found that, notwithstanding the lack of oral evidence, there was clear detailed evidence, which was contained within the bundle and has referred to above.

The Burden and Standard of Proof

90. The panel noted that the burden of proof was on the Appropriate Authority, and that the standard of proof to be applied was the balance of probabilities. The panel noted that PC A was of good character, and that this was a factor to take into account in weighing the evidence. However, it noted that there was no substantial dispute on the facts, and that there was credible evidence from Ms P which was supported by the WhatsApp transcript and the video evidence.

The Allegations

91. The panel decided to consider each of the allegations in turn. In respect of allegation 1 Between December 2022 and October 2023, you formed an improper emotional relationship (which was non-sexual in nature) with a complainant (Ms P) in a case of alleged historic sexual abuse in which you were acting as officer in the case.

92. The panel firstly decided to consider the other limbs of the allegations in paragraph 2, as it considered that it needed to satisfy itself of the underlying conduct before it could find that PC A had formed an improper emotional relationship. In respect of allegation 2(a) The panel firstly considered whether there was a high volume of text message and if so whether PC A was a mere recipient or was also exchanging messages.

93. The panel considered the report of the Lead Investigator for the IOPC, which included a table showing the amount of WhatsApp messages exchanged between the officer and Ms. P across different time periods. The table showed that between January to October 2023 there was an exchange of over 3,000 messages. In February there was 1,127 and March there was 1,025. On 12 February 2023 over 150 messages were exchanged. The panel found, based on the content, that this was a mutual exchange as alleged. The panel accepted that this amounted to a high volume of messages which were exchanged by both PC A and Ms P.

94. The panel considered the allegations as follows:

2. The improper emotional relationship included the following behaviours:

(a) Exchanging a high volume of text messages which had the purpose and/or effect of developing a personal friendship with Ms P and were inconsistent with the maintenance of professional boundaries. Examples include the following:

Repeatedly using the term "hun" to address Ms P [first used on page 186 and thereafter regularly]

Repeatedly ending your messages with "x..." [first used on page 282, thereafter repeatedly 297, 350, 376]

- **Repeatedly referring to Ms P as your friend and, on occasion, your "bestie" [first used on page 248, thereafter 250, 259 etc. Examples of "bestie" at 379, 389, 409, 414, 438]**
- **Using emotive language such "I adore you. xxx",[517] "I miss you too. Hun.xxx" [518] "I think the world of you" [572] and "you are like my kindred spirit; I just love how amazing you are…" [607]**
- **Regularly using profanities [e.g. 195, 213, 214]**
- **Sharing images/videos which were unrelated to work. [263, 307, 324]**
- **Sharing details of your family [246-247, 324]**
- **Planning/discussing actual and potential social visits [540, 625, 631]**

95. The panel considered the screenshots entered into evidence which demonstrated that the messages were sent as described above.

96. In respect of charge 2 (a) and (c) the panel looked at the charge in the round.

97. In respect of the messages exchanged, the panel noted that PC A admitted using the word 'Hun.' At page 212 of the bundle, the panel noted that on 12.02.23 PC A wrote to Ms P "I am pained to say that "hun" is featuring too frequently in my world too!" On 14.02.23 at 8.42 PC A, started the conversation with the words "Hey Hun", she also did the same on 16.02.23.

98. On 23.02.23 in response to a message from Ms P with a x (kiss) she wrote I "will get her sorted and then be in touch" (Kiss).

99. The panel also found examples of her using emotive language which was directed at Ms P and that there was a regular use of profanities. One such example was on 24.02.2023 where PC A messaged to say; "Well & truly taking the piss Mines got a seriously fucking poor sense of humour too!" The panel also found that in response to a message from Ms P in which she stated "…I'm not dead yet so that's something." PC A replied at 7.21pm. "…And best you fucking remain that way!"

100. The panel, in considering the messages, did not seek to set out the entirety of the WhatsApp messages, or the context in which the message was sent or to refer to each occasion on which emotive language was used. It was assisted by the comprehensive report of the IOPC in which many examples were highlighted. The panel is satisfied that the allegation was proved and has chosen to use some specific examples in its findings.

2 (b) Participating in social visits in which Ms P travelled to Essex and met with you in March, April and May 2023. [see analysis of the evidence in the investigation report at pages 29-33]

(d) Hosting Ms P as a guest in your house on at least one of the above occasions, during which you also shared the same bed on at least one occasion. (See description of interview para 132 of the investigation report [40] and video footage supplied separately to panel].

101. The panel next considered the ABE of Ms P who stated in her interview that she got attached to PC A and travelled down to see her after her (PC A's) birthday and ended up staying for a week. She also stated that she had spoken to [REDACTED TEXT] on the phone and spent time with them during her visits to PC. A. At page 750 of the main bundle, she described being out with PC A at [REDACTED TEXT] when she was asked by [REDACTED TEXT]

102. The panel accepted the evidence of Ms P which was consistent with the WhatsApp messages which the panel had seen.

103. The panel also noted that PC A, during her interview, admitted to hosting Ms P and to meeting up with her on at least three occasions.

104. The panel had regard to two videos provided in evidence. One video showed Ms. P and PC A in bed together and subsequently embracing in a hug initiated by PC A. The other video, taken by Ms P, shows PC A rowing a boat with her. The panel took account of this evidence which was supported by PC A's admissions at interview that she had hosted Ms P in her home, and by the WhatsApp messages, and the account given by Ms P at her interview.

105. Accordingly, the panel are satisfied that allegation 2 (a) (b) and (c) are proved.

106. Having found the facts proved in allegation 2, the panel then went back to consider whether those facts amounted to PC A "having developed an improper emotional relationship" as set out in allegation 1.

107. In this regard, the panel considered the evidence of PC A, in which she set out details of how the relationship had come about. The panel noted from the outset that PC A used her

personal mobile phone to contact Ms P, rather than using her work phone to message and official tools, such as Police Microsoft Teams and Police email accounts, to communicate with Ms P.

108. In her interview at page 652 of the bundle PC A, explained that she was "horrific with technology" and although she could have "…got help with a teams call" was trying to make it better for Ms P, and was just trying to make it "as easy and as comfortable as possible for Ms P."

109. However, PC A acknowledged that using her own personal mobile to make the initial WhatsApp video call, was the wrong judgement on her part. She was asked in the interview whether she was aware that it was against Essex Police's policies and procedures to use WhatsApp. In answer to that question, she stated that although she did not know the specifics, however, she would "be stupid to think that is was normal process". PC A sought to explain the approach she used with Ms P as "…building a bit of a rapport… except that it was the wrong method". The panel did not consider it credible that PC A would not have been aware that communicating with Ms P in this manner, who was a complainant [REDACTED TEXT], was very inappropriate.

110. In answer to the question about 'when the relationship crossed the line' addressed in her interview at page 659 of the bundle, PC A accepted that she had acted unprofessionally. However, she did not accept that she had a friendship with Ms P or that it had 'crossed the line'. This directly contrasts with evidence that PC A accepted during her interview, for example that she had invited Ms P to stay at her family home on more than one occasion and to stay at a rental house [REDACTED TEXT]

111. The panel found that PC A assertions that she had not "crossed the line as far as professional boundaries were concerned", was not borne out by the evidence before it, by PC A's own admission or by reference to normal policing practice.

112. The panel was also careful to consider the context of the relationship from Ms P's perspective.

113. In Ms P's interview she stated that she was "quite low" and PC A "wanted to make sure I was Okay. Then she kept contacting me regularly on WhatsApp … Like that where we would talk, it just started like she was keeping up with me to make sure I was alright then it ended up being a bit more. I remember her saying something like you've got a friend in me when this is done."

114. It was clear that Ms P became emotionally dependant on PC A, through no fault of her own and which was encouraged by PC A.

115. Ms P referred to PC A becoming a lifeline (748) "I got attached. She was a lifeline I took it I got used to it". At page 750 Ms P referred to PC A as building her up. "Like made herself fit int all aspects of my life like became the person that I spoke to…" She referred to the negative impact that this had on her relationship with her mother; that she no longer confided in her mother and relied on PC A instead. Of the ending of the relationship, Ms P said that [REDACTED TEXT] and then become this big part in my life and then all of a sudden you're like she just switched and was like oh well I had to do what I had to do so. like just made me feel rubbish."

116. The panel noted that the WhatsApp messages were sent and received at various hours of

the day and night without regard to normal policing practice. The panel in its findings, noted that this was not the normal exchange with a witness and went way beyond that. The panel was satisfied that this amounted to the development of an improper relationship in which there was a power imbalance and that this created an unhealthy dependency, which is something PC A could and should have realised. Accordingly, the panel found that this was an improper emotional relationship as alleged in allegation 1.

117. Having determined that this was an improper emotional relationship, the panel next went on to consider allegation three:

3. The above improper emotional relationship

(a) had the potential to compromise your ability to discharge your duties as officer in the case in an objective manner and/or

(b) created an actual or potential conflict of interest between your responsibilities to Ms P as a friend and your duties as a police officer and/or

(c) Had the potential to compromise the quality and/or integrity of the criminal investigation and/or

(d) By reason of the above conflict of interest, had the potential to harm Ms P, who was vulnerable.

118. The Panel considered paragraph 3, of page 847 in the main bundle which includes guidance on 'Maintaining professional boundaries between police and members of the public' published by the College of Policing and the National Police Chiefs' Council.

119. This guidance states that an officer should take care that any relationship does not create actual or an apparent conflict of interest. The panel found that the relationship had the potential to compromise the quality of the investigation, and that there was evidence that the personal relationship clouded PC A's impartiality and judgement.

120. The panel considered that the nature and extent of the relationship created a conflict of interest. PC A was aware of Ms P's vulnerability and that she, PC A, had allowed an emotional attachment and inappropriate trust to build, which had the ability to compromise the investigation into a serious crime. Also, the potential investigation into another crime which Ms P had informally disclosed to PC A which appeared not to have been investigated.

121. On the evidence before the panel allegation 3 is proved.

122. Having found the allegations proved, the panel went on to consider whether this amounted to a breach of the 2014 College of Policing Code of Ethics as set out in allegation 4:

Standards of behaviour

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.

123. The panel found that the allegations found proved against PC A would cause a breakdown of trust between the police and the public, as any reasonable person would consider PC A's behaviour to be inappropriate, in that she allowed a "highly improper emotional dependant relationship" to develop between herself and Ms P.

124. The panel, in its findings, considered that PC A was a specially trained officer who dealt with victims of [REDACTED TEXT] on a regular basis. Even if this was not the case, as a serving police officer [REDACTED TEXT]. The panel found that PC A knew, or ought to have known the relationship had crossed a professional boundary, and that she had, for inexplicable reasons, caused Ms P to develop an emotional dependency on her. The panel had regard to the evidence of Ms P's [REDACTED TEXT] that this affected her trust and confidence in the police. The panel reflected on whether the proven allegations would if known affect trust and confidence in the police.

125. The Panel accepted that it would negatively impact the reputation of the police force. Accordingly, it found that her behaviour toward Ms P amounted to discreditable conduct.

Honesty and Integrity

Police officers are honest, act with integrity and do not compromise or abuse their position

126. The panel considered whether PC A's behaviour was a breach of the standard of behaviour in respect of honesty and integrity. The panel was invited by the AA to consider integrity only, which was a failure to do the right thing.

127. Although not specifically invited to make a finding in respect of honesty, the panel also found that there was a lack of honesty on the part of PC A, as she sought to minimise the relationship between herself and Ms P when she spoke to her sergeant on 18 October 2023. The panel also found that PC A tried to downplay the part, she had taken in promoting this improper relationship with Ms P and tried to shift the blame of the inappropriate nature of the relationship to Ms P.

128. With regards to Integrity, PC A, compromised and abused a relationship with a member of the public in which there was a power imbalance. In doing so, she failed to do the right thing. Officers within the [REDACTED TEXT] needed to act with the utmost integrity due to the extreme vulnerability of victims, and the fact that the impact of any abuse of power on the victims had the potential to cause serious harm.

129. PC A was not dependable and failed to act as a role model. PC A knew that her relationship was inappropriate, and this was communicated to Ms P. One example was when she requested that Ms P did not 'like' PC A's Facebook posts in case PC A's colleagues saw that they were interacting personally. Ms P communicated her concern to Officer A in a WhatsApp message in which she stated that "I forgot we can't be friends in public." The panel consider that Ms P would only have formed that impression from her conversations with PC A.

130. Accordingly, the panel found the breach of this standard of behaviour proved in relation to integrity.

Authority, Respect and Courtesy

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.

131. The panel considered that, in particular, the relationship that PC A formed with Ms P directly contravened guidance set out in the College of Policing's Code of Ethics (2014) which on page 6 states:

Relationships

2.3 According to this standard you must:

- ensure that any relationship at work does not create an actual or apparent conflict of interest
- not engage in sexual conduct or other inappropriate behaviour when on duty
- not establish or pursue an improper sexual or emotional relationship with a person with whom you come into contact in the course of your work who may be vulnerable to an abuse of trust or power.

132. The panel considered whether the evidence provided shows that PC A failed to treat Ms P with respect and courtesy.

133. PC A clearly did not demonstrate self-control, in that she did not stop her relationship with Ms P from becoming personal. She used her position of trust to develop a strong personal relationship with Ms P, that was emotionally dependant.

134. For all of the reasons set out the panel find that PC A failed to treat Ms P with respect and courtesy.

Assessment of Seriousness

135. The panel then went on to consider whether PC A's conduct, in the allegations found proved, amounted to misconduct. The panel did so by assessing seriousness as set out in the College of Policing Guidance on Outcomes in police misconduct proceedings, in regard to Culpability and Harm.

Culpability

136. In respect of culpability, the panel considered the paragraphs below, from the College of Policing Guidance on outcomes in police misconduct proceedings most relevant:

4.9 Culpability denotes the officer's blameworthiness or responsibility for their actions. The more culpable or blameworthy the behaviour in question, the more serious the misconduct and the more severe the likely outcome.

4.10 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.

137. The panel found that PC A, by her actions, showed intentional disregard for proper practice by trying to conceal the nature of her relationship with Ms P. Particularly by

minimising the extent to which she had developed a personal relationship with Ms P and trying to shift the blame on to Ms P during PC A's conversation with her sergeant on 18th October 2023. The panel found that she was solely responsible for her actions.

138. The panel considered that PC A would have foreseen the risk of harm from the training that she received, notwithstanding her claim that she lacked training.

139. The panel considered that her conduct was so self-evidently wrong, regardless of training or lack thereof, she ought to have known it was inappropriate. PC A was in a position of trust in relation to Ms P, and in a policing role in which it was necessary to act with the utmost care.

140. Therefore, the panel found that PC A's culpability for the behaviour was high.

Harm

141. The panel considered paragraphs 4.44 and 4.46 4.48 and 4.50 of the Outcomes guidance were engaged.

142. Abuse of position of trust or authority

4.44 The nature of the office of constable means that all police officers are in a position of trust and authority in relation to members of the public. An officer's misconduct will be more culpable where it involves an abuse of this position. The abuse of position for a sexual purpose (APSP) is a form of serious corruption, defined as any behaviour by a police officer, whether on-duty or off-duty, that takes advantage of their position as a member of the police service to misuse their position, authority or powers in order to pursue a sexual or improper emotional relationship with any member of the public. Such conduct can cause substantial damage to public trust and confidence in the police and is particularly serious where the subject of the officer's behaviour is a vulnerable person.

4.46 An officer may also assume a specific responsibility to a person by performing a particular role – for example, as a family liaison officer, personal protection officer or cadet leader. In the aforementioned roles, and other such roles in situations of express responsibility towards a particular person or group of people, the need for scrupulous professionalism is greater

4.48 Criminal investigations, prosecutions and any appeal period following conviction can span a significant period of time – often years – while the requirements of the Criminal Procedures and Investigations Act 1996 are engaged. Wherever an investigation, prosecution or the potential to appeal is engaged, sexual or improper relationships with victims, witnesses and suspects is a serious risk to the integrity of the criminal justice process.

4.50 Officers must not, under any circumstances, use their professional position to initiate or pursue a sexual or improper emotional relationship with a vulnerable person.

143. The panel found that PC A's behaviour was so serious and so improper that it had the potential to cause serious harm. She used her position to develop a highly inappropriate relationship with a very vulnerable person for her own gain, whatever her motivation was.

144. The Panel found that this behaviour was even more serious because there was a very real possibility that such a relationship with Ms P could have jeopardised the legal process and

securing justice for Ms P in relation to the allegation she had made, which PC A was handling.

145. Therefore, the panel found that the actual harm and potential harm caused by Ms P's behaviour was high.

Whether the Misconduct found proved amounted to Gross Misconduct

146. Having assessed seriousness, the panel noted that the definition of Gross Misconduct was conduct so serious that it would justify dismissal. As the panel found both a high level of culpability and harm, the panel was satisfied that PC A's proven conduct amounted to Gross Misconduct.

The Appropriate Authority's submissions on Sanction

147. The panel was referred to a copy of PC A's s record of service which had been given earlier and invited to consider this in reaching its decision on sanction.

148. The panel heard from Mr Waite, who submitted that given the panel's finding of Gross Misconduct , the only appropriate and proportionate sanction was that, had PC A not resigned, she would have been dismissed from the Police Force.

149. He told the panel that no other sanction would have the effect of upholding standards and protecting members of the public and the reputation of the Police.

150. Mr Waite adopted the finding of the panel in relation to its assessment of seriousness using the guidance issued by the College of Policing, in section 4 of the Guidance.

151. He asked the panel to also take account of paragraphs 5.2 of the Guidance and the passage of judgment to R v Chief Constable of Dorset -v- Police Appeals Tribunal [2011] [Salter] which referred to the damage done by a lack of integrity; he respectfully invited the panel to take account of this passage.

152. In respect of the factors set out in the Guidance, Mr Waite addressed the factors of culpability, harm, and aggravating features. Although he acknowledged that any mitigation should also be taken account of. He was unable to find any mitigation other than just personal mitigation. He submitted that any "little expression of remorse" shown in interview was negated by PC A's written statement.

153. He submitted any personal mitigation, would be insufficient to effect an outcome which was considered otherwise appropriate and proportionate.

154. In respect of the amendments to the Police (Complaints and Misconduct) Regulations, he confirmed that they had no effect on this hearing due to the date the Regulation 30 Notice was served.

155. The panel heard and accepted the advice of the Legally Qualified Person.

The Panel's decision on Sanction:

156. In reaching its decision the panel took account of PC A's record of employment, [REDACTED TEXT]. However, other than that, her record was unremarkable. The panel considered the factors in assessing seriousness, as set out in the Guidance given by the College of Police.

157. The panel had already identified the factors which it took account of in assessing seriousness at the misconduct stage. It determined that they were of equal relevance at the sanction stage and has therefore not repeated them in its decision on sanction, although it kept its findings in mind on Culpability and Harm in reaching its decision. It also considered Aggravating and Mitigating Factors.

Aggravating factors

158. The panel found the following factors to be engaged from the Guidance Concealing the wrong -doing and attempting to blame others.

- Regular and repeated and sustained behaviour over time.
- Serious psychological impact on the victim.
- Vulnerability of the victim.
- Significant deviation from instructions.
- Failure to raise concerns.
- There was a scale and depth caused by high profile cases, which give members of the public cause for concern that police officers consistently breach boundaries. This has impacted adversely on the reputation of the police.
- A course of conduct involving the same victim.
- The fact that her behaviour was a significant departure from the expected standards of behaviour was also an aggravating factor.

159. Mitigating factors

- The Panel acknowledged that there were stressors in PC A's life. However not sufficient to reduce her culpability.
- Mitigation- PC A had not attended the hearing, and although the panel did not make any adverse findings against her, it meant that there was no opportunity to hear evidence from her concerning any insight and remorse which she has had, and [REDACTED TEXT], and whether it had been a factor at the time of the misconduct.
- It acknowledged the submissions made by PC A's solicitor on her behalf, that PC A and her family members had [REDACTED TEXT] stressors which may have impacted her behaviour at the time.
- However, it accepted that there was no detailed medical evidence to support the personal mitigation other than the letter from the solicitor sent prior to the hearing.

The purpose of the Misconduct Regime

160. The panel next considered the purpose of the misconduct regime. Paragraph 2.4 of the guidance required the panel to "assess the seriousness of the misconduct and keep in mind the purpose of imposing sanctions, choose the sanction that most appropriately fulfils that purpose for the seriousness of the conduct in question."

161. The panel reminded itself of the case of Bolton -v- Law Society, and the guidance given by the College of Policing. The panel noted that whilst a sanction might have a punitive effect, this was not the purpose and there was a need to act proportionately, and to also consider any evidence which was available concerning the impact of the sanction on PC A.

162. It noted that the purpose was to:

(i) maintain public confidence

(ii) declare and uphold standards of behaviour

(iii) Protect members of the public.

163. It agreed with the submissions made by Mr Waite concerning the factors in Salter, which it found were applicable in this case.

164. Salter involved operational dishonesty on the part of a police officer, in that case, Mr Justice Burnett confirmed that: '…The damage done by a lack of integrity in connection with the investigation of an alleged offence may be enormous. The guilty may go free. The innocent may be convicted. Large sums of public money may be wasted. Public confidence in the integrity of the criminal justice system may be undermined. The conduct of a few may have a corrosive effect upon the reputation of the police service in general.'

165. The panel then considered the available sanctions, which were limited. The panel acknowledged the need to act proportionally and consider the sanctions in a similar way as it would if the officer were still employed. It decided that if the officer were employed, given the seriousness of what it had found proved, the starting point would have been no lower than a final written warning, as this was the starting point for the seriousness of the misconduct it had found proved.

166. The panel found that PC A's actions were so serious as to undermine the instinctive trust that members of the public should have in the police force.

167. It considered that were PC A 's actions known about, members of the public, would be rightly perturbed.

168. The panel reminded itself of the words of Ms P in her ABE interview when she was asked whether the incident with PC A had affected her confidence in the police. She stated the following-: "… Massively ..I think since it's all come out, Essex Police are just not really bothering with me, and when they do I just feel like shit because I can quite clearly tell that you know, they know that this has happened and I don't know, I just think they are waiting for me to do it again..."

169. It was apparent to the panel that as well as impacting the trust that Ms P should be able to have in the police force, because of the actions of PC A, Ms P wrongly felt that the Police Force blamed her for what had happened which impacted the trust and confidence she was entitled to feel in the Police.

170. The panel has also considered Guidance on Outcomes as stated at [4.70] that, where applicable, panel's should consider the scale and depth of local or national concern about the behaviour in question. The panel drew reference to [4.74] of the Guidance on Outcomes which states "where gross misconduct has been found and the behaviour has caused – or

could have caused – serious harm to individuals, the community and/or public confidence in the police service, dismissal is likely to follow. A factor of the greatest importance is the impact of the misconduct on the standing and reputation of the profession."

171. Having taken all of the circumstances into account the panel found that if PC A was still employed, her actions were so serious, that the only appropriate and proportionate sanction was dismissal from the Force.

The Outcome

i. The panel's decision is that PC A had she not resigned, she would have been dismissed from the Force without notice.

ii. Regulation 43 (9) A (5). The panel also make a recommendation for publication of the dismissal to be placed on the Police disclosure and barring list.

172. Appeal

173. You have the right to appeal against the finding or outcome to the Police Appeals Tribunal, should you consider that the disciplinary outcome imposed by the Chair was unreasonable, that there has been a breach of the procedures as set out in the Police (Conduct) Regulations 2020 or that you have further evidence which has not been brought to the attention of this Tribunal.

174. Any request for an Appeal should be made within ten working days beginning with the first working day after you were supplied with the written copy of the decision of this Tribunal. It should be accompanied by the written grounds of your appeal.

175. The Presenting Officer will assist you with any Appeal and the Regulations and Home Office Guidelines will be made available to you.

Signed:
Assistant Chief Constable
Date: 16/12/2025