IN THE MATTER OF POLICE
(CONDUCT) REGULATIONS 2020(as amended)

Case Number: CM/66/23

GLOUCESTERSHIRE CONSTABULARY

-v-

FORMER PC X

1. The Panel sat on October 8th and 9th at Gloucestershire Police Headquarters.
2. The Panel was chaired by Former DCC Julia Debenham, sitting with Sarah Lane and Richard Dixon (Independent Panel members) assisted by Mr Peter Cadman, the Legally Qualified Person.
3. Mr Stephen Morley, counsel, represented the Appropriate Authority (AA).
4. The former Officer did not attend and was represented by Inspector Tom Ford of the Police Federation. He explained that his role was to observe the proceedings but he was not going to ask any questions or present any evidence.
5. The former Officer faced the following allegations:

NOTICE under Regulation 30 of the Police (Conduct) Regulations 2020:

Rank	Number	Name	Area/Department
FPC		X	
Details of the conduct that is alleged may have breached the Standards of Professional Behaviour are set out below: 1. At all material times you were a police officer working as a Cover and Welfare Officer.			

2. As a Cover and Welfare Officer you had particular responsibilities pursuant to the Regulation of Investigatory Powers Act 2000 ('RIPA'); the College of Policing Authorised Professional Practice ('APP'); and the College of Policing Competency and Values Framework ('CVF').

3. At all material times you were the Cover and Welfare Officer for DC B, an undercover officer, with responsibility for his safety and well-being.

Allegation 1

1. On 5th August 2023, you were off duty in attendance at a wedding of a colleague in Bristol.

2. During the evening you inappropriately touched Officer A, by:

    a. Cupping or grabbing his penis through his clothing; and

    b. Pushing your bottom into Officer A whilst dancing.

3. This contact was sexual in nature, unwanted and uninvited.

4. Touching Officer A in this manner:

    a. Breached the 'Authority, Respect and Courtesy' Standard of the Standards of Professional Behaviour because touching Officer A's penis and pushing your bottom into him without his consent was disrespectful and inappropriate; and

    b. Breached the 'Discreditable Conduct' Standard of the Standards of Professional Behaviour because touching Officer A's penis and pushing your bottom into him without his consent was likely to bring discredit upon the police service.

Allegation 2

1. On a date unknown around August 2023, you were off duty in attendance at the birthday party of a colleague taking place at a restaurant in Portishead.

2. During the evening you inappropriately touched Officer A by touching his bottom as he was bending over washing his hands and saying "*you have a tight arse*" or similar words.

3. Both the physical contact and comment were inappropriate and sexual in nature and were unwanted and uninvited.

4. Treating Officer A in this manner:

    a. Breached the 'Authority, Respect and Courtesy' Standard of the Standards of Professional Behaviour because touching Officer A's bottom without his consent and making a lewd comment was disrespectful and inappropriate; and

    b. Breached the 'Discreditable Conduct' Standard of the Standards of Professional Behaviour because touching Officer A's bottom without his consent and making a lewd comment was likely to bring discredit upon the police service.

Allegation 3

1. On a date unknown in the summer of 2023 you were on duty and at work.

2. When you saw that Officer A was wearing a pair of shorts you made an inappropriate and sexual comment to Officer A , telling him "*your dick looks good in those shorts*" or similar words.

3. Treating Officer A in this manner:

    a. Breached the 'Authority, Respect and Courtesy' Standard of the Standards of Professional Behaviour because making a lewd comment was disrespectful and inappropriate; and

    b. Breached the 'Discreditable Conduct' Standard of the Standards of Professional Behaviour because making a lewd comment was likely to bring discredit upon the police service.

Allegation 4

1. On or about 25th August 2023 you received a telephone call from a male who told you that he loved you. You believed at the time that the male was Officer A and given your role and responsibilities as Officer A's Cover and Welfare Officer you should have reported the telephone call to supervisors.

2. After the telephone call from the male, you telephoned a colleague, Officer F and told her what had happened. Officer F advised you to inform a supervisor, but you did not.

3. On or about 7th September 2023 Officer F told you again to report the matter to a supervisor, but you did not.

4. On or about 11th September 2023, and given your failure to inform a supervisor about what had happened, Officer F reported the matter to a supervisor herself.

5. Your failure to disclose the telephone call to supervisors:

    a. Breached the 'Honesty and Integrity' Standard of the Standards of Professional Behaviour because your failure to notify a supervisor about the telephone call demonstrated a lack of integrity and meant that a supervisory assessment of Officer A's welfare was not undertaken;

    b. Breached the 'Orders and Instructions' Standard of the Standards of Professional Behaviour because your failure to notify a supervisor about the telephone call breached your obligations as a Cover and Welfare Officer, as set out in RIPA, APP and CVF; and

    c. Breached the 'Duties and Responsibilities' Standard of the Standards of Professional Behaviour because your failure to notify a supervisor about the telephone call was a failure in your duties as a Cover and Welfare officer responsible for Officer A's wellbeing.

Allegation 5

1. In October 2023 you were served with a Regulation 17 Notice informing you that you were under investigation by Professional Standards.

2. In December 2023 you were served with a further Regulation 17 Notice informing you that the investigation was also looking into your failure to disclose the August telephone call (referred to in Allegation Four) to supervisors.

3. On 15th January 2024 Officer F made a statement to Professional Standards to assist them in their investigation, setting out what she knew about your involvement with Officer A.

4. On 3rd February 2024 you sent an unpleasant and malicious message to Officer F on the messaging platform Signal.

5. Your message to Officer was rude and overbearing in nature and may be interpreted as an attempt to influence Officer F, who was a witness in the investigation into your behaviour.

5. Sending this text message to Officer F:

    a. Breached the 'Honesty and Integrity' Standard of the Standards of Professional Behaviour because contacting a witness in the investigation demonstrated a lack of integrity;

    b. Breached the 'Authority, Respect and Courtesy' Standard of the Standards of Professional Behaviour because the tone and content of your message was disrespectful and inappropriate; and

    c. Breached the 'Discreditable Conduct' Standard of the Standards of Professional Behaviour because sending a disrespectful message to a witness was likely to bring discredit upon the police service.

Severity

Taken together your breaches of the Standards of Professional Behaviour were so serious that they amount to gross misconduct.

PRE-HEARING ISSUES

6. The Chair had directed that the Officer A, would be anonymised and give evidence.

7. The Former Officer had filed a Regulation 31 Response.

8. The Panel proceeded on the basis of the Officer's Regulation 31

9. The hearing was in public.

EVIDENCE

10. All evidence was considered by the Panel including all the written witness statements and documents in the hearing bundle together with the oral evidence of Officer A.

11. The Panel was helped in identifying the contested issues by the Regulation 31 Notice and the AA's Opening Note.

12. The following paragraph (Paragraph 13) is a summary of the evidence heard and not a complete record. All evidence heard was considered by the Panel, as were all the written witness statements and documents in the hearing bundle.

13. PC A

PC A confirmed that the witness statement that he made on November 29th 2023 was 100% accurate. At the time he was working as an undercover officer and has been a police officer for 22 years.

At the time of these events former PCX was his Cover and Welfare Officer(CWO).

(1)With regard to allegation one he attended the wedding and drank one pint of lager during the evening. Former PC was intoxicated and unsteady on her feet and very loud. She insisted on dancing with him even though he doesn't like dancing. On the dance floor she did a "slut drop". This made him very uncomfortable and he ran away from the dance floor.

She also cupped his penis. He can't recall whether this was at the bar on the dance floor. He has tried to block if this memory out. She was in a supervisory role. He remembers telling Officer D and that officer's partner who showed her disgust. He went outside and said his goodbyes and left.

(2) With regard to the second allegation this was the birthday party of Officer C Who was his line Manager. Former officer X was intoxicated but not as drunk she had been at the wedding. He was totally sober and not drink any alcohol at all. She linked arms with him while they were upstairs in the bar and this made him uncomfortable. When he was in the toilet area, he was washing his hands when former officer X walked past him and patted him on his bum saying that his bum was "tight" or worse words to that effect. Although former officer X was with two other officers it was former officer X that touched him and at the same time said the words.

(3) With regard to allegation 3 he was wearing smart shorts . He had come into work and she said " your dick looks good in those shorts." Those are absolutely the words that she had said. He was shocked as the words were said by a police officer in the workplace.

The behaviour had a significant impact on him. Former Officer X has supervisory responsibilities over him. Her behaviour was detrimental to his work as a police officer.

APPROACH.

14. The Panel carefully approached its task by:

    a. First deciding the facts;

    b. Second determining if any professional standards have been breached, and if so;

    c. Third deciding at what level the Panel assessed the seriousness of those breaches.

15. The Panel considered all the evidence contained within the bundle, the evidence of the witness together with the points raised in submissions.

16. The Panel applied the following principles:

    a. The burden of proving any allegation rests with the Appropriate Authority. The Officer does not have to prove anything, let alone his innocence from Misconduct.

    b. The standard of proof in establishing any fact is the balance of probabilities.

    c. The Panel does not have to decide every matter in dispute; only those which assist in making a decision as to whether or not a particular allegation is proved.

    d. The Panel is required to consider and where possible determine factual matters not specifically alleged within the Regulation 30 notices, but which are nonetheless relevant to an allegation.

    e. The Panel can draw inferences from the evidence adduced, meaning the Panel can reach common sense conclusions arising from that evidence, but the Panel must not cross into speculation. Any conclusions reached must be reached fairly.

    f. The Panel must not find that the conduct of the Officer amounts to gross misconduct unless:

        (i) The Panel is satisfied on the balance of probabilities that this is the case, or

        (ii) The Officer admits it is the case.

17. The panel has heard from one live witness, Officer A. The panel found him to be a credible witness whose evidence was clear and consistent with all of his earlier accounts. The panel found him to be thoughtful and measured. He did not speculate on matters outside his recollection.

18. Other witness evidence that was presented in the bundle was not contested and was accepted by the panel.

19. The panel did not hear evidence from the former officer who did not attend the hearing. The panel drew no inference from her lack of attendance. The panel reviewed the detailed Regulation 31 response that was provided by the former officer. The panel was not able to question or test that but took it into account when coming to its findings.

FINDINGS OF FACT

20. As alleged in the Regulation 30 notice.

1. At all material times you were a police officer working as a Cover and Welfare Officer.

2. As a Cover and Welfare Officer you had particular responsibilities pursuant to the Regulation of Investigatory Powers Act 2000 ('RIPA'); the College of Policing Authorised Professional Practice ('APP'); and the College of Policing Competency and Values Framework ('CVF').

3. At all material times you were the Cover and Welfare Officer for Officer A, an undercover officer, with responsibility for his safety and well-being.

ALLEGATION 1

1. On 5th August 2023, you were off duty in attendance at a wedding of a colleague in Bristol. **Accepted fact.**

2. During the evening you inappropriately touched Officer A, by:

   a. Cupping or grabbing his penis through his clothing; and

   b. Pushing your bottom into Officer A whilst dancing.

Officer A described that he attended the wedding and was driving. Throughout the evening, he consumed one pint of lager. He remained sober.

Officer A, along with other witnesses, describe former Officer X as being extremely drunk.

Former Officer X described herself as being very drunk. She could not remember anything after 6pm. She texted Officer F the next day saying that she had got "steaming" and made a "twat of herself."

Whilst Former Officer X agreed that she could not recall the events, she did not believe that she would have behaved as alleged.

Turning to the allegation in relation to cupping Officer A's penis, Officer A was unclear whether that had occurred on the dance floor or at the bar. He said that he had tried to block it out. He said that he was shocked and said that he had frozen at the time. Officer A described telling Officer D and his partner what had happened. Officer D, in his statement, corroborated that Officer A had told him that evening that "*X had been handsy.*"

The panel preferred the evidence of Officer A who was sober at the time and who made an early disclosure to his colleague. The panel found this proved.

Turning to the allegation in relation to Former Officer X pushing her bottom into Officer A whilst dancing, the panel preferred the clear recollection of Officer A who described how he ran out of the dance floor and found this proved.

3. This contact was sexual in nature, unwanted and uninvited.

The panel found that 2a was clearly sexual in nature and was unwanted and uninvited. The panel found that 2b was inappropriate, unwanted and uninvited but was not necessarily sexual.

4. Touching Officer A in this manner:

a. Breached the 'Authority, Respect and Courtesy' Standard of the Standards of Professional Behaviour because touching Officer A's penis and pushing your bottom into him without his consent was disrespectful and inappropriate; and

The panel found that touching Officer A's penis and pushing her bottom into him without his consent was a breach of authority, respect and courtesy.

b. Breached the 'Discreditable Conduct' Standard of the Standards of Professional Behaviour because touching Officer A's penis and pushing your bottom into him without his consent was likely to bring discredit upon the police service.

The panel found that touching Officer A's penis and pushing her bottom into him without his consent was a breach of Discreditable Conduct as the public would not expect an officer to act in this way.

ALLEGATION 2

1. On a date unknown around August 2023, you were off duty in attendance at the birthday party of a colleague taking place at a restaurant in Portishead. **This is an agreed fact.**

2. During the evening you inappropriately touched Officer A by touching his bottom as he was bending over washing his hands and saying “you have a tight arse” or similar words.

The panel found Officer A’s evidence to be credible and compelling. He described the layout of the stairs and basin area and described the sequence in which the three other officers came down the stairs in a line, one after the other, with Former Officer X leading.

Former Officer X denied touching Officer A or making any comment. Officer X was described by many as intoxicated.

Officer G did not see or hear the comment or the touching. She was described as very drunk by Officer A.

Officer K could not remember going to the toilets at all and did not witness anything.

Officer A was driving that evening and had consumed no alcohol. When questioned, Officer A provided an account as to how he knew that it was Officer X who had touched him, and made the comment. The panel found his account plausible. The panel recognised that the matters had not been witnessed by others but accepted Officer A’s explanation for this. The panel accepted Officer A’s account that former Officer X patted him on the bottom and at the same time as saying words to the effect of “you have a tight arse”.

3. Both the physical contact and comment were inappropriate and sexual in nature and were unwanted and uninvited.

The panel found that the physical contact and comment were inappropriate, sexual, unwanted and uninvited.

4. Treating Officer A in this manner: a. Breached the ‘Authority, Respect and Courtesy’ Standard of the Standards of Professional Behaviour because

a. touching Officer A’s bottom without his consent and making a lewd comment was disrespectful and inappropriate; and

The panel found that touching Officer A’s bottom without his consent and making a lewd comment was a breach of this standard

b. Breached the 'Discreditable Conduct' Standard of the Standards of Professional Behaviour because touching officer A's bottom without his consent and making a lewd comment was likely to bring discredit upon the police service.

The panel found that touching Officer A's bottom without his consent and making a lewd comment was a breach of this standard

ALLEGATION 3

1. On a date unknown in the summer of 2023 you were on duty and at work. **This is accepted**

2. When you saw that Officer A was wearing a pair of shorts you made an inappropriate and sexual comment to Officer A, telling him "your dick looks good in those shorts" or similar words.

When giving evidence to the hearing, Officer A was very clear that these were "absolutely the words said". He described his shock at the comment, particularly when said in the workplace. Former officer X accepted that she made an inappropriate comment, and that he looked "very proud" in his shorts. Officer K was present at the time of the comment but is not clear on what was said. The panel preferred Officer A's account which was clear and consistent and finds this proved.

3. Treating Officer A in this manner:

a. Breached the 'Authority, Respect and Courtesy' Standard of the Standards of Professional Behaviour because making a lewd comment was disrespectful and inappropriate; and

The panel found that this lewd, disrespectful and inappropriate comment was a breach of this standard that had a negative impact on Officer A.

b. Breached the 'Discreditable Conduct' Standard of the Standards of Professional Behaviour because making a lewd comment was likely to bring discredit upon the police service.

The panel found that the public would not expect police officers to make such comments to each other and found that this comment breaches the standard of Discreditable Conduct.

ALLEGATION 4

1. On or about 25th August 2023 you received a telephone call from a male who told you that he loved you. You believed at the time that the male was officer A and given your role and responsibilities as Officer A's Cover and Welfare

Officer you should have reported the telephone call to supervisors. **This is accepted by former Officer X and is proved.**

2. After the telephone call from the male you telephoned a colleague, Officer F, and told her what had happened. Officer F advised you to inform a supervisor, but you did not.

Former Officer X accepted that she phoned Officer F on the evening of the telephone call. Former X agrees that she had been drinking at home (about 5 doubles) that evening. Officer F's account is that, when they had received a phone call from Former Officer X that evening at about 9pm, she told former Officer X to report the call to a supervisor.

Former Officer X denied this account. The panel recognised that she had been drinking that evening and the panel prefers the account of Officer F. This is proved.

3. On or about 7th September 2023 Officer F told you again to report the matter to a supervisor, but you did not.

Former Officer X denied this account. On balance the panel prefers the account of Officer F. It is more likely than not that Officer F did remind former Officer X of her responsibilities to report the matter. Officer F's account was consistent with what was later recorded by her supervisor, Officer I.

4. On or about 11th September 2023, and given your failure to inform a supervisor about what had happened, Officer F reported the matter to a supervisor herself. **This is factual and proved.**

5. Your failure to disclose the telephone call to supervisors:

a. Breached the 'Honesty and Integrity' Standard of the Standards of Professional Behaviour because your failure to notify a supervisor about the telephone call demonstrated a lack of integrity and meant that a supervisory assessment of officer A's welfare was not undertaken;

The panel noted that the alleged breach related only to Integrity, not Honesty. The panel found that the officer knew that she should report the call, she had been reminded that she should do so and that she failed to do so. The panel did not find her explanation that she was trying to protect Officer A plausible. The panel found that she knowingly failed to do the right thing. The panel found this a breach of integrity.

b. Breached the 'Orders and Instructions' Standard of the Standards of Professional Behaviour because your failure to notify a supervisor about the telephone call breached your obligations as a Cover and Welfare Officer, as set out in RIPA, APP and CVF; and

The panel carefully considered the clear obligations of a Cover and Welfare Officer as set out in relevant Legislation and APP. The panel considered the evidence provided by Officer I and Officer C who are clear that they would have expected the telephone call to be reported as a serious conflict of interest. The panel found this standard is breached.

c. Breached the 'Duties and Responsibilities' Standard of the Standards of Professional Behaviour because your failure to notify a supervisor about the telephone call was a failure in your duties as a Cover and Welfare officer responsible for officer A's wellbeing.

The panel carefully considered the clear obligations of a Cover and Welfare Officer as set out in relevant Legislation and APP. The panel considered the evidence provided by Officer I and Officer C who are clear that they would have expected this to be reported as a serious conflict of interest. The panel found this standard is breached.

ALLEGATION 5

1. In October 2023 you were served with a Regulation 17 Notice informing you that you were under investigation by Professional Standards.

2. In December 2023 you were served with a further Regulation 17 Notice informing you that the investigation was also looking into your failure to disclose the August telephone call (referred to in Allegation Four) to supervisors.

3.On 15th January 2024 Officer F made a statement to Professional Standards to assist them in their investigation, setting out what she knew about your involvement with Officer A.

4. On 3rd February 2024 you sent an unpleasant and malicious message to Officer F on the messaging platform Signal.

5. Your message to Officer F was rude and overbearing in nature and may be interpreted as an attempt to influence Officer F, who was a witness in the investigation into your behaviour.

Former officer X accepted that she sent the message.

She denied that this was in order to influence Officer F. She said that she didn't appreciate the fact that Officer F was a witness at this stage. The panel has not been provided with evidence in the bundle to confirm that former Officer X knew that Officer F was a witness. Former Officer X described it as an "*impulsive and emotional*" message for which she was sorry.

The panel found the fact that she sent the message proved.

The panel found that the message was unpleasant and malicious.

The panel accepted former Officer X's account that she sent this message impulsively and without the intention of influencing Officer F. The panel did not interpret this as an attempt to influence Officer F.

5. Sending this text message to Officer F:

a. Breached the 'Honesty and Integrity' Standard of the Standards of Professional Behaviour because contacting a witness in the investigation demonstrated a lack of integrity;

The panel has not found that former Officer X was attempting to influence Officer F as a witness. The panel found this standard has not been breached.

b. Breached the 'Authority, Respect and Courtesy' Standard of the Standards of Professional Behaviour because the tone and content of your message was disrespectful and inappropriate; and

The panel has found that the message was unpleasant and malicious. It did amount to a breach of the standard but a lower level only.

c. Breached the 'Discreditable Conduct' Standard of the Standards of Professional Behaviour because sending a disrespectful message to a witness was likely to bring discredit upon the police service.

Whilst the message that was sent was unpleasant and malicious, it was at a lower level and the panel did not believe that it was such as to bring discredit upon the police service.

21. Assessing Seriousness - Misconduct or Gross Misconduct

In assessing seriousness, the panel found the breaches, taken together amount to Gross Misconduct.

OUTCOME

22. Following the conclusion of evidence presented to the misconduct hearing on 8th and 9th October 2026, the panel found former Officer X had breached the standards of professional behaviour in relation to Honesty and Integrity (Integrity only), Authority, Respect and Courtesy, Orders and Instructions, Duties and Responsibilities and Discreditable Conduct.

The panel found the seriousness of those breaches to be at the level of Gross Misconduct.

23. In determining the appropriate outcome to impose, the panel was guided by the *College of Policing "Guidance on Outcomes in police misconduct proceedings"* to remember the purpose of the police misconduct regime which is threefold:

1.1. To maintain public confidence in, and the reputation of, the police service
1.2. To uphold high standards in policing and to deter misconduct
1.3. To protect the public

24. The panel considered submissions made by the Appropriate Authority that an order be made that Officer X would have been dismissed if she were still a serving officer.

25. The panel recognised that the College of Policing Guidance on Outcomes directs them to consider the least severe sanction in the first instance before moving to a more severe outcome. The panel was reminded that, as this case related to a former officer, there are only two outcomes available.

26. The panel reviewed the former officer's service record.

27. Culpability

In relation to allegation 1 and 2. On both occasions, the panel found that the former officer was drunk. The panel did not consider that this reduced her culpability.

The panel found there was a pattern of behaviour towards Officer A.

He panel found that former Officer X's behaviour was deliberate.

The panel found the following factors that make culpability more serious:

(a) Former Officer X was in a position of trust as a cover and welfare officer.

(b) The behaviour at 1-3 relates to sexual impropriety.

Overall, the panel found Culpability to be high

28. Harm

The panel found that Officer A had suffered distress and harm as a result of these behaviours. It was apparent, from his evidence, that it had had a significant impact on him. Harm to the officer was high.

The panel noted Officer A's perception that it is particularly difficult for men to come forward and make allegations in relation to these behaviours. The public would expect

these behaviours to be treated seriously regardless of gender. Knowing that these behaviours had taken place would undermine public confidence in the police.

Overall, the panel finds harm to be medium to high

29. Aggravating factors

The panel was careful not to double count. Additional aggravating factors were found:

- Former Officer X was aware of Officer A's poor health
- Owing to the nature of the work, the lack of action regarding the telephone call is an aggravating factor when considering the potential operational risks.
- In relation to non-disclosure, continuing the behaviour when she knew that she should disclosed.
- There was a significant deviation from instructions
- There were multiple instances of misconduct

30. Mitigating factors

In relation to mitigating factors, the panel carefully reviewed the information contained within the former Officer's Regulation 31 response relating to her personal circumstances at that time. The panel did not find this to be mitigation but was sympathetic to the former officer's circumstances.

The panel found that the former officer had made limited admissions.

Overall, the level of seriousness was high and the assessment remained at Gross Misconduct.

31. Personal Mitigation

The panel reviewed the service record and noted there were no previous findings of misconduct for this officer.
There were no character references provided.

32. Outcome

The panel reminded itself that this is a former officer and that the options were to take disciplinary action or to take no disciplinary action.

33. The panel finds that the need to protect public confidence in and the reputation of the police service along with the need to maintain high professional standards

and prevent misconduct can only be served by the imposition of a disciplinary sanction.

In respect of former Officer X the panel found that the appropriate sanction is that, had she still been a member of the Police Force, she have been **dismissed without notice.**

34. As a consequence of this outcome former Officer X's name will be placed on the College of Policing Barred List.

35. The former officer has a right to appeal and will be served the Regulation 43 notice in due course.



Julia Debenham

Chair

19th October 2026