

**IN THE MATTER OF THE BRITISH TRANSPORT POLICE (CONDUCT) REGULATIONS
2020 (AS AMENDED)**

AND IN THE MATTER OF

POLICE SERGEANT IAN KOCH

**DECISIONS OF THE PANEL ON
DISPUTED FACTS, STANDARDS, AND
WHETHER MISCONDUCT OR GROSS MISCONDUCT**

Introduction

1. The misconduct hearing for Police Sergeant Koch (the Officer) was held in public on 25 and 26 November 2024 and a Notice was published to that effect in accordance with Regulation 36(1) of the British Transport Police (Conduct) Regulations 2020 (the 2020 BTP Regulations). The Regulation 30 Notice served on the Officer by the Appropriate Authority (the AA) alleged that the Officer had behaved in a manner which amounted to Gross Misconduct.
2. In brief, it was alleged that the Officer had acted in a controlling and coercive manner towards two female partners (who, pursuant to reporting restrictions imposed at a pre-hearing on 21 October 2024, were referred to throughout as Ms A and Ms B). The AA alleged that the Officer had carried out a variety of assaults, threats and abusive and humiliating acts which were physical, emotional and psychological in nature. This conduct was alleged to have caused Ms A and Ms B to each feel distressed, demeaned, intimidated and in fear.
3. The AA alleged that the Officer's conduct amounted to breaches of the Standards of Professional Behaviour (SPBs) relating to "Authority, Respect and Courtesy" and "Discreditable Conduct". These breaches were so serious that the dismissal of the Officer from the British Transport Police would be justified, and his behaviour amounted to Gross Misconduct.
4. The Officer gave a full account to Investigators from Cambridgeshire Police during a tape-recorded interview held on 13 July 2022. In this interview, he accepted having carried out some of the acts alleged but stated that these had either been carried out

with the consent or agreement of Ms A and/or Ms B, or that they had taken place in a different factual context to that suggested by his two former partners. The Officer did not accept that he had acted in a controlling or coercive manner, nor that he had been physically, emotionally or psychologically abusive in any way.

5. The Officer served a Regulation 31 response (undated in the Hearing Bundle) again setting out his denials of the allegations made. He stated that Ms A and Ms B were providing distorted views of their respective relationships with the Officer. He did not admit any breaches of SPBs, nor did he accept that his conduct amounted to Misconduct or Gross Misconduct.
6. The burden is on the AA to prove on the balance of probabilities that the Officer behaved in the manner alleged and in doing so that he breached the relevant SPBs. Further, the AA must satisfy the Panel to the same standard that the manner of the breach is of such a nature or degree that it amounts to Misconduct or Gross Misconduct.
7. The Misconduct Panel took note of the established principle that the more serious the allegation, the more persuasive the evidence would need to be to meet that standard.
8. The Panel approached its task in the following stages:
 - i) Are any of the facts admitted?
 - ii) What facts have been proved by the AA on the balance of probabilities?
 - iii) Of the admitted or proved facts, has the AA satisfied the Panel on the balance of probabilities that the relevant SPBs have been breached?
 - iv) If so, has the AA satisfied the Panel on the balance of probabilities that it is Misconduct or Gross Misconduct?

The Proceedings

9. The Panel read and carefully considered all the documentation that was submitted in advance of the hearing. In addition to the hearing bundle, the Panel also read and took account of additional material in the form of photographs, email exchanges and WhatsApp messages set out in two supplementary bundles named 'Annex 1' and

'Annex 2'. This material, which had not been included with the Regulation 30 Notice or Regulation 31 response, was admitted in the interests of justice in accordance with Regulation 41(11) of the 2020 BTP regulations.

Proceeding in the Absence of the Officer

10. The Officer did not attend his Misconduct Hearing, nor was he legally or otherwise represented. An email had been sent to the Professional Standards Department (PSD) at 12.31pm on Friday 22 November 2024 from the Officer's solicitors indicating that the Officer had tendered his resignation from the British Transport Police on 20 November 2024, and that he would not be in attendance at the hearing starting on 25 November 2024. The email confirmed that his legal representatives would not be in attendance either.
11. The AA asked the Panel to deal with the matter in the absence of the Officer, in accordance with Regulation 37(3)(b) of the 2020 BTP Regulations.
12. The Panel, having considered the matter, concluded that the Officer was aware of the proceedings taking place and that he had voluntarily waived the opportunity to attend. Adjourning the matter would not be a practical option, and there was not considered to be the risk of the Panel reaching an improper conclusion by proceeding in the Officer's absence.
13. Having regard to the wider public interest in ensuring that police misconduct proceedings are dealt with within reasonable time frames, along with the interests of the witnesses in the case, the Panel granted the AA's application. Accordingly, the hearing proceeded in the absence of the Officer.

Witnesses who gave evidence at the Hearing

14. At the pre-hearing held on 21 October 2024, a direction had been made for three witnesses to attend the hearing and give evidence. This was on the basis that it was in the interests of justice for these witnesses to attend and give evidence in respect of disputed issues in the case. These three witnesses were Ms A, Ms B, and Inspector Roderick Brown.
15. Notwithstanding the absence of the Officer, the Panel took the view that Ms A and Ms B should still attend the hearing and give evidence in respect of specific disputes of fact that the Officer had raised in his Regulation 31 response.

16. As regards Inspector Brown, his attendance had been requested on behalf of the Officer on the basis that his legal team wished to question him on matters outside of his statement. As the Panel had not been made aware of what these matters were, it was determined that his attendance was no longer required in the interests of justice.

The Panel's Assessment of the Witnesses

17. Both Ms A and Ms B gave evidence via video link, pursuant to a special measures direction that had been granted. Having confirmed the truthfulness of their respective statements, Ms A and Ms B were each questioned by the Chair on a discrete range of disputed areas (see below). Having been told what was being said by the Officer on these respective points in his Regulation 31 response, Ms A and Ms B were invited to comment as they wished.
18. The Panel recognised what a difficult experience this was for Ms A and Ms B, not least because of the highly personal nature of some of the issues upon which they were questioned. Ms A in particular became understandably distressed during parts of the questioning.
19. In the Panel's view, both Ms A and Ms B gave credible and reliable evidence. They were prepared to answer questions or to comment, notwithstanding the often sensitive nature of the subject matter, and each responded throughout in a clear and coherent way.
20. Although Ms A and Ms B were not formally tested through cross-examination on behalf of the Officer, the Panel was nevertheless able to attach significant weight to the testimony of both Ms A and Ms B.

The Admitted and Disputed Facts

21. The nature of the case was such that the factual matrix encompassed a large number of allegations over a lengthy period of time. In respect of Ms A, the relevant period of time spanned from December 2014 to March 2020. For Ms B, allegations related to incidents between November 2021 and June 2022.
22. Paragraphs 6 a) and 6 b) of the Regulation 30 Notice set out a total of 62 separate incidents or allegations. A number of these the Officer denied outright. For others, the Officer accepted they had occurred, but he said that the factual context in which they

arose was very different to that which was being portrayed by Ms A and Ms B. These were, in effect, partially admitted facts. The Officer did not fully accept any of the allegations contained in the Regulation 30 Notice.

23. There was a large amount of evidence and material to assess. The Panel did not endeavour to reach a view on each and every area of dispute that had arisen in the case, only those which it considered necessary to do so for the purpose of making its overall findings.

24. The Panel's findings in respect of each of the particularised allegations set out in the Regulation 30 Notice are set out at Appendix 1 to this ruling. The reasons for the Panel's overall findings are set out below, along with details of the Panel's assessment of some of the key themes and disputed issues in the case.

The Panel's Decisions In Respect of the Allegations Made by Ms A

25. After assessing all the evidence in the case, the Panel found all the allegations made by Ms A to have been proven on the balance of probabilities. The Panel accepted her account of how the Officer had treated her over the course of a number of years and the effect that this had had on her.

26. The Panel found that the Officer had acted towards Ms A in threatening, abusive, intimidating, humiliating and belittling ways on a large number of occasions over many years. The effect of his actions was to leave Ms A feeling isolated, fearful, degraded and powerless.

27. Whilst some of his actions – name-calling for example – may have appeared less serious in isolation, combined with the other types of behaviours the Officer displayed towards Ms A this increased the sense of how Ms A felt she was being controlled and coerced by the Officer. Although some of the name-calling may have appeared simply childish and disrespectful in nature, at other times this became far more repugnant through his liberal use of racial epithets.

28. Incontrovertible evidence of this was put before the Panel, in the form of text messages in which the Officer frequently called her a 'Paki' between 2018 and 2020. The Panel therefore found no difficulty in accepting Ms A's evidence that the Officer would also call her a 'coon'. When questioned at the hearing, Ms A said the reason that she surmised for this was that her skin would tend to darken when she had been exposed

to the sun, and also because - in the Officer's mind - the words 'Paki' and 'coon' served as terms of abuse.

29. There were also a number of other very serious specific allegations. These included the allegation made by Ms A that the Officer [REDACTED] [REDACTED] before eventually giving in to him. When the Officer's Regulation 31 response on this allegation was put to her at the hearing – that they had discussed [REDACTED] – Ms A flatly rejected this. Taken in the context of the Officer's behaviour as a whole, the Panel found this allegation made out on the balance of probabilities.
30. Another allegation from Ms A involved the Officer having a regular practice of [REDACTED] [REDACTED] in the bath despite her understandably not wanting this. Ms A rejected the Officer's explanation, namely that they would share baths frequently and that [REDACTED] [REDACTED]. The Panel found this allegation proven, a part of the pattern of behaviour designed to degrade and humiliate Ms A.
31. Ms A had also alleged that the Officer had forced her to send a demeaning email to her supervisor at work, in which she was required to confess to sexual infidelity and refer to herself as a 'whore'. The Officer claimed that this was at Ms A's own instigation arising from her remorse over an incident with a colleague at work.
32. At the hearing Ms A again refuted this suggestion. As regards the incident with a colleague at work, Ms A said that whilst a kiss had been exchanged, the Officer's controlling and overbearing behaviour had been such that she had felt forced to adopt his language and to refer to this as "cheating" and "an affair". Ms A denied the allegation made by the Officer that she had been untruthful to the Family Court in respect of this matter. The Panel preferred the evidence of Ms A on this issue and regarded the suggestion of the Officer that Ms A would have sent an email of such a nature of her own volition to be wholly implausible.
33. Details of other allegations made by Ms A against the Officer, and which the Panel found to be proven on the balance of probabilities, are set out at Appendix 1.

The Panel's Decisions In Respect of the Allegations Made by Ms B

34. Again, after assessing all the evidence in the case, the Panel found all the allegations made by Ms B to have been proven on the balance of probabilities. Although over a

shorter period of time than had been the case with Ms A, the Officer had displayed some similar behaviours that had had a significantly detrimental effect on the well-being of Ms B.

35. As had been the case with Ms A, the Panel found that the Officer did engage in the practice [REDACTED] when she was in the shower or bath. The Panel noted and accepted Ms B's rejection of the Officer's response to this allegation. [REDACTED]

36. Another allegation the Panel found proven was the frequent belittling name-calling, especially the repeated use of the word "Egg". Ms B's understanding that this term had racial undertones was entirely consistent with the manner in which the Officer had abused Ms A.

37. An allegation made by both Ms A and Ms B was that the Officer was in the habit of pulling their trousers down in public. Ms B described this as being a particularly frequent and humiliating aspect of her relatively short relationship with the Officer. The Officer denied having ever done so, suggesting in his Regulation 31 response that the most he would have done would be to rest his hand on the waistband of his partner's trousers. Ms B dismissed this explanation as being patently untrue.

38. On this type of conduct, the Panel was assisted by the provision of a photograph (duly edited for privacy reasons) within the Annex 1 bundle showing Ms B having had her trousers pulled down. This demonstrated for the Panel the untruthfulness of the Officer's denial, and provided a further manifestation of his attempts to exercise power and control over his partners, even when this had the effect of demeaning and embarrassing them.

39. In assessing the allegations made by Ms B, the Panel considered certain aspects of the Officer's Regulation 31 response, namely (i) his assertion that Ms B had contacted the Chief Constable of the BTP to complain about the Officer being late from work (this, in his words, being "strange, obsessive behaviour" on her part), and (ii) his claim that during their relationship Ms B had told the Officer [REDACTED]

40. Ms B was given the opportunity to comment on these matters when giving evidence at the hearing. In respect of the first, she gave an incredulous response, stating that she would not act in such an inappropriate manner, and that she recognised that

sometimes arriving home late from work was part and parcel of life as a police officer.

[REDACTED]

[REDACTED]

[REDACTED] In her evidence, Ms B displayed a sense of dismay that the Officer would have sought to exploit her vulnerability in such a way, and to make such unfounded allegations against her.

41. Again, on the balance of probabilities, the Panel considered that it was more likely than not that Ms B's versions of events were the correct ones.

42. Details of other allegations made by Ms B against the Officer and which the Panel found to be proven on the balance of probabilities are set out at Appendix 1.

Additional Factors Considered By the Panel

43. In coming to its overall findings in this matter, the Panel also took into account the following factors:

i) Contact between Ms A and Ms B

Within the bundle headed Annex B, it could be seen that Ms B initiated contact with Ms A via email on 28 and 29 May 2022. Their communications later switched to WhatsApp, and the Panel was also provided with details of messages exchanged regularly between the two between January 2024 and September 2024.

Whilst Ms A was perhaps understandably somewhat guarded at first, the communications did in time begin to take on a friendly tone. Within the email and WhatsApp exchanges that the Panel read, Ms A and Ms B were often referring to and discussing their respective cases (each had reported matters to the police – Cambridgeshire Police in Ms A's case and Kent Police in Ms B's case), and sharing their respective frustrations about the time taken for matters to progress, and with the eventual decisions to bring no criminal proceedings in either case.

The Panel considered whether there existed a risk that Ms A and Ms B had discussed their evidence in detail and had either directly colluded or inadvertently influenced each other's testimony. In assessing this risk, the Panel noted that Ms A's account to investigators (either the police or PSD) had been set out over the course of four separate statements between 10 June 2022 and 12 February 2024. Ms B had provided

her statement to police investigators on 21 June 2022. The issue of collusion or influence was put to Ms A and Ms B at the hearing, and both responded firmly that this had not occurred.

From the material that the Panel viewed there was no direct reference to specific allegations that either Ms A or Ms B were making. What did appear to have emerged was a mutually supportive relationship, arising as it did from the treatment that Ms A and Ms B had respectively received from the Officer. Whilst there was an overlap between certain allegations made [REDACTED] pulling down of trousers; racial name-calling), there were also a number of significant differences.

In the Panel's assessment, and having had the benefit of hearing directly from Ms A and Ms B, there did not appear to have been any direct or indirect collusion between Ms A and Ms B. Indeed, rather than undermining their respective accounts, the narratives provided by Ms A and Ms B (told in their own words), provided corroboration instead. Accordingly, the Panel did not consider that the credibility and reliability of the evidence of Ms A and Ms B had been tainted by the fact that they had been in personal contact with each other since 2022.

ii) Good character/ character witnesses

In reaching its conclusions, the Panel took note of the fact that the Officer had no previous findings against him. This was relevant with regards to assessing the credibility of his explanations (set out in his Regulation 31 response but not tested through cross-examination owing to his absence from the hearing) and also his propensity to act in the ways alleged.

Although the Panel was able to attach some weight to the Officer's good character, this was diminished by the fact that the Officer had been proven to be untruthful during the course of the misconduct investigation, as shown by the text messages revealing his use of racist language, and the photograph of Ms B having had her trousers pulled down.

Similarly, the Panel did note that a number of the Officer's colleagues – PC Lambert, PS Munday and Inspector Brown – each provided statements describing the good qualities of the Officer and explaining that they had not seen him act towards his partners in any way that would give cause for concern. Implicit in the statements of

each of these witnesses was the fact that these police colleagues of the Officer would not have been privy to his actions 'behind closed doors'.

iii) Messages between Ms A and the Officer

The Panel took account of numerous text messages between the Officer and Ms A over several years that had been included in the bundle. It was noted that in some of these, during times of conflict, Ms A adopted a certain robustness of tone in her responses to the Officer. At other times, her responses suggested acquiescence on her part in respect of the fetishised behaviour of the Officer.

These messages provided no more than a snapshot of the relationship between Ms A and the Officer. In the Panel's assessment, they did not detract from its overall findings, namely that as a consequence of the Officer's actions, Ms A was beset with feelings of inadequacy, a fear of what life without him might entail, and a consequent desire to fall in with whatever he might wish for.

Standards of Professional Behaviour

44. Having decided the disputed facts in the manner outlined, the Panel went on to consider whether any of the SPBs had been breached.

Authority, Respect and Courtesy

45. When considering the Standard relating to Authority, Respect and Courtesy, the Panel reached the view that the Officer's conduct towards both Ms A and Ms B was abusive, oppressive, harassing, bullying, victimising and offensive.

46. Public confidence and the reputation of policing would potentially be damaged by knowledge of a police officer acting in such a way within his personal relationships. Accordingly, the Panel found this Standard to have been breached.

Discreditable Conduct

47. The Officer's actions clearly had the potential to bring discredit to the police service and to undermine public confidence in policing. The public are entitled to expect the highest standards of behaviour from police officers, whether on or off duty.
48. There is understandable widespread public concern about police officers who behave violently and/or in an intimidatory way against women and girls. The public would also be clearly appalled to learn of a police officer freely bandying racist terms, even in the context of private relationships.
49. Taking account of how far the Officer had fallen short of the standards expected of him in so many respects, the Panel also found the SPB in respect of Discreditable Conduct to have been breached.

Article 8 Considerations

50. In determining that the Officer had breached two SPBs, the Panel recognised that all the behaviour complained of took place whilst he was off duty and in the context of his private life.
51. Whilst he, as any police officer, does have a right to privacy (as set out in Article 8 of the European Convention on Human Rights), this is not an unqualified right. The Panel took the view that the bringing of misconduct proceedings and the finding of breaches of SPBs were both necessary and proportionate, having regard to the damage that the Officer's actions had caused to Ms A, Ms B and the reputation of policing.

Misconduct or Gross Misconduct

52. The Panel went on to consider whether the Officer's behaviour amounted to Misconduct or Gross Misconduct. Regulation 2(1) of the 2020 BTP Regulations defines Misconduct as "*a breach of the standards of behaviour so serious as to justify disciplinary action*". Gross Misconduct is defined as "*a breach of the standards of professional behaviour that is so serious as to justify dismissal*".
53. In assessing the overall seriousness of the Officer's conduct the Panel noted Regulation 4(9) of the 2020 BTP Regulations, that provides:

“Where an appropriate authority is considering more than one allegation in relation to the same police officer, or person in relation to whom these Regulations apply by virtue of paragraph (2), the allegations may be taken together and treated as a single allegation for the purposes of any provision of these Regulations which requires a person to make an assessment, finding, determination or decision in connection with conduct which is the subject matter of an allegation.”

54. The Panel reminded itself that the purpose of the police misconduct regime is to: maintain public confidence in and the reputation of the police service; uphold high standards in policing and deter misconduct; and to protect the public.
55. The Panel regarded the Officer’s actions as having fallen significantly short in a number of aspects, including his threatening, controlling and abusive behaviour towards two separate partners, his use of racist language, and his proven lies in the context of the misconduct investigation and proceedings.
56. Taking these instances cumulatively, the Panel concluded that the breaches of SPBs were so serious as to justify the dismissal of the Officer from the British Transport Police. They therefore amounted to Gross Misconduct.

Outcome Decision

57. Having come to the view that the Officer’s conduct amounted to Gross Misconduct, the Panel went on to determine the appropriate outcome in terms of disciplinary action.
58. The Panel carefully considered all matters brought to its attention. As noted, the Officer did not attend the hearing, he was not legally represented, and he submitted no material by way of mitigation. The Panel was however provided with the Officer’s service history.
59. The Panel applied the principles set out in *R (on the application of the Chief Constable of Greater Manchester Police) v Police Misconduct Panel* [2018] 11 WL UK 822 and *R (on the application of Chief Constable West Midlands Police) v Panel Chair, Police Misconduct Panel v Officer “A” – Interested Party* [2020] EWHC 1400 (*Admin*) which emphasise the importance of following the structured approach as set out in the College of Policing (CoP) Guidance on Outcomes in Police Misconduct Proceedings.

60. In summary, the Panel:

- (i) Assessed the seriousness of the conduct and behaviour of the Officer
- (ii) Reminded itself of the purpose of imposing sanctions, namely:
 - Maintaining public confidence in and the reputation of the police service;
 - Upholding high standards in policing and deterring misconduct; and
 - Protecting the public.
- (iii) Arrived at an Outcome which most appropriately fulfilled the purpose of imposing sanctions in the light of the seriousness of the Officer's conduct.

Seriousness of the Conduct and Behaviour

61. In considering the appropriate sanction, the Panel considered the following factors in line with the guidance on assessing seriousness in the CoP Guidance on Outcomes:

- The culpability borne by the Officer for his actions
- The harm caused by the Officer's actions
- The existence of any aggravating factors
- The existence of any mitigating factors

Culpability

62. The Panel regarded the Officer's conduct towards Ms A and Ms B to have been intentional, deliberate and targeted, and the harm that ensued in respect of both these partners could reasonably have been foreseen.

63. Although decisions had been taken to not bring any criminal proceedings against the Officer, the Panel nevertheless took the view that the thrust of the allegations proven were criminal in nature. This increased the level of culpability.

64. By the panel's findings (applying the balance of probabilities standard of proof) the Officer had repeatedly and continuously engaged in behaviour towards Ms A and Ms B that was controlling or coercive; Ms A and Ms B were his partners at the time; the behaviour had a serious effect on Ms A and Ms B; and the Officer would have known or ought to have known that the behaviour would have a serious effect on Ms A and Ms B.

65. Other factors cited in the CoP guidance as increasing culpability were also present in this case – the misconduct involved sexual impropriety at times; it amounted to bullying and harassment which was at least partly driven by misogyny; [REDACTED] could be categorised as being vulnerable; discriminatory language was used repeatedly and in a conscious and deliberate way; and the overall conduct would certainly come within the commonly-understood umbrella term of violence against women and girls.
66. Taking all of the above matters into account, the Panel took the view that this was a case in which there was a high level of blameworthiness.

Harm

67. The Panel considered the harm that the Officer's actions may have caused or risked to others, along with the harm that was or risked being caused to the confidence of the public in policing.
68. It was clear that psychological distress had been caused to Ms A and Ms B. As well as this being visibly apparent when these witnesses gave evidence, both explained in some detail in witness statements the impact that the Officer's conduct had had on them.
69. Ms A explained that the experience of being constantly demeaned, humiliated and controlled by the Officer meant that her self-confidence was, in her word, 'shattered'. This had greatly reduced her sense of self-worth and impacted upon both her work and her subsequent relationships. She had therefore needed a significant amount of therapy.
70. For Ms B, loss of confidence and self-esteem had also occurred, as well as feelings of fear and anxiety. Ms B described how, as a consequence of the Officer's actions she would spend weekends crying to herself all day. She also described ongoing trust issues.
71. The Panel went on to consider the harm caused to the wider community. In considering this issue, the Panel took into account paragraph 4.60 of the CoP Guidance which states that *"how such behaviour would be or has been perceived by the public will be relevant, whether or not the behaviour was known about at the time."*

72. The Panel took note of the widespread public concern regarding interactions between male police officers and females, along with long-standing concerns with regards to any forms of racism in policing. As such, the Panel considered that public confidence in the police would be significantly diminished as a result of the Officer's behaviour.
73. Accordingly, the Panel formed the view that there was a high level of harm arising from the Officer's actions in this case.

Aggravating Factors

74. The Panel gave consideration to the list of potential aggravating factors set out in paragraph 4.67 of the CoP Guidance which worsened or increased the seriousness of the misconduct in this case. A number of aggravating factors were found to be present, albeit the Panel took care not to double-count any factors that had already been taking into account when assessing the levels of culpability and harm.
75. The Panel took the view that:
- (i) The Officer's actions were targeted and deliberate.
 - (ii) At times he had a malign intent, namely the seeking of sexual gratification.
 - (iii) The Officer sought to blame others, suggesting that it was Ms A and Ms B who were at fault and that he was the 'victim' in this matter.
 - (iv) His behaviour was repeated and sustained over a period of time, and continued after he realised (or should have realised) that it was improper.
 - (v) There were multiple victims – as well as the effect that the Officer's actions had on Ms A and Ms B, the Panel was particularly concerned about the impact that the Officer's conduct would have had on his children. The children were referred to as having been present and witnessing a number of the incidents that founded the allegations that the Panel found proven.
 - (vi) There was widespread concern about the types of behaviours involved.

- (vii) The case involved multiple proven allegations, and two of the SPBs had been breached.

Mitigating factors

76. The Panel found none of the mitigating factors as set out in paragraph 4.81 of the CoP guidance to be present, which might have reduced the seriousness of the misconduct. It was clear from his Regulation 31 response that he had no insight into how he had made Ms A and Ms B feel, and he accepted no responsibility for his actions.

Personal Mitigation

77. Having assessed the seriousness of the Gross Misconduct found proven, the Panel then went on to consider the personal mitigation on behalf of the Officer.

78. Given the purpose of police misconduct meetings, the Panel kept in mind the fact that personal mitigation will carry limited weight and less than it might do in a different context [as explained by Holroyde J as he then was in *The Queen (on the application of Williams) v Police Appeals Tribunal* [2016] EWHC 2708 (QB)].

79. Nevertheless, the Panel did take account of the content of the Officer's service history, which showed that he had not been the subject of any disciplinary findings since joining the police in 2008.

80. The Panel also took into account the evidence of the Officer's colleague PS Munday who described the Officer as being a "*very sociable, kind-hearted, and good-natured person with a fantastic sense of humour*".

Outcome

81. The Panel then went on to consider the outcome which would most appropriately fulfil the purposes of imposing sanctions in the light of the seriousness of the Officer's conduct.

82. Whilst some weight was accorded to the mitigation put forward by the Officer, the Panel also gave proper emphasis to the strong public interest in the maintenance of public confidence in policing in reaching its conclusion on outcome. The Panel kept in

mind the declaratory purpose of any decision made in terms of maintaining high professional standards, and for prevention and protection purposes.

83. The Panel considered all the available outcomes, starting with the least serious.
84. The Panel considered whether a Final Written Warning would be appropriate in this case or whether the seriousness of the case required a sanction of Dismissal Without Notice. This was not a case where reduction in rank was an available option.
85. Owing to the serious nature of the misconduct that the Panel had found, the potential impact that this would have on public confidence in policing, and the need to maintain high standards amongst officers, the Panel determined that only Dismissal Without Notice would adequately satisfy the purpose of the proceedings. The sanction imposed was therefore Dismissal Without Notice.

Right of Appeal

86. The Panel is required to notify the Officer that he has a right of appeal to the Police Appeals Tribunal. The Appropriate Authority shall provide a notice as to the procedure to be followed in that regard.

Publication of Outcome

87. In accordance with Regulations 43(1) and (6) of the 2020 BTP Regulations, the AA shall publish a report of the outcome of these proceedings on its website for a period of not less than 28 days.

Mr Arwel Jones – Legally Qualified Chair

Ms Alison Abu – Independent Panel Member

Superintendent Andrew Morgan – Police Panel Member

3 December 2024

APPENDIX 1 – PANEL FINDINGS ON REGULATION 30 ALLEGATIONS

The Officer was abusive towards his partners physically and/or emotionally and/or psychologically.

1. Physically in that:

1. He placed his hands around Ms A's throat and gave her love bites on her neck without her consent.	On the balance of probabilities, the panel found this was proved.
[REDACTED]	On the balance of probabilities, the panel found this was proved.
3. He would pull down Ms A's trousers whilst out in public.	On the balance of probabilities, the panel found this was proved.
4. He had sex with Ms A on the kitchen floor in circumstances where she only engaged as she was frightened that he would leave her. He then left her.	On the balance of probabilities, the panel found this was proved.
[REDACTED]	On the balance of probabilities, the panel found this was proved.
[REDACTED]	On the balance of probabilities, the panel found this was proved.
7. Grabbed Ms B's stomach and called her "Flabigail".	On the balance of probabilities, the panel found this was proved.
8. Pulled his trousers down and said to Ms B, "Well it's not going to suck itself."	On the balance of probabilities, the panel found this was proved.
9. Pulled Ms B's trousers down in public places to humiliate her.	On the balance of probabilities, the panel found this was proved.
10. Took a picture of Ms B with her trousers pulled down and sent it to her.	On the balance of probabilities, the panel found this was proved.
11. Took unflattering photos of Ms B without her consent.	On the balance of probabilities, the panel found this was proved.
[REDACTED]	On the balance of probabilities, the panel found this was proved.

2. Emotionally and/or psychologically in that:

1. He mocked Ms A's outfit before a Christmas party in 2014.	On the balance of probabilities, the panel found this was proved.
2. He shouted at Ms A about spending money on a nail treatment before their wedding.	On the balance of probabilities, the panel found this was proved.
3. Called Ms A "stinky".	On the balance of probabilities, the panel found this was proved.
4. Stated in front of their children "isn't mummy's bum stinky".	On the balance of probabilities, the panel found this was proved.

5. He went through Ms A's mobile telephone.	On the balance of probabilities, the panel found this was proved.
6. He insisted that Ms A provide him with the password and login details for her phone and work e-mails.	On the balance of probabilities, the panel found this was proved.
7. He checked Ms A's e-mails.	On the balance of probabilities, the panel found this was proved.
8. He forced Ms A to send an e-mail to her supervisor in which she was made to refer to herself as a "whore".	On the balance of probabilities, the panel found this was proved.
9. Continually called and text messaged Ms A to find out where she was and who she was with.	On the balance of probabilities, the panel found this was proved.
10. He mocked Ms A about the time that [REDACTED]	On the balance of probabilities, the panel found this was proved.
11. He called Ms A a "coon" and a "paki".	On the balance of probabilities, the panel found this was proved.
12. Told the children that "Mummy doesn't know what she's talking about, silly mummy."	On the balance of probabilities, the panel found this was proved.
13. Isolated Ms A.	On the balance of probabilities, the panel found this was proved.
14. Told Ms A: <ul style="list-style-type: none"> • She was "worthless". • She was "stupid". • That "no-one else would put up with her." • That it was no wonder that he would have to look elsewhere." • What she could and could not wear. • That she was a "whore." • That she was "retarded." • That she had deserved it when her father had hit her and that he wished he could do the same. • To use sex toys. • She was a "cold hearted bitch". • "God, you're so fucking retarded, I've been stood here looking at you, why couldn't you see me?" 	On the balance of probabilities, the panel found each of these were proved.
15. He called Ms B, "Egg"- a reference to cockney rhyming slang. "Egg and spoon,.... Coon".	On the balance of probabilities, the panel found this was proved.
16. Told Ms B that: <ul style="list-style-type: none"> • Her "dog should go play in traffic." 	On the balance of probabilities, the panel found that each of these was proved.

<ul style="list-style-type: none"> • She would look “fitter as a blonde.” • She was “self-obsessed, needy of people and a door mat.” • He was horny and it was “[her] duty to sort [him] out.” • That there was a “new girl on the Team, if you don’t sort me out she will.” • She was “running away to mummy and daddy at the first sign of adversity.” • She should wear heels. • “Men don’t like skinny women.” • She “reeked of insecurity.” • She was a “narcissist.” 	
17. Called Ms B “anorexic.”	On the balance of probabilities, the panel found this was proved.
18. Called Ms B “Flabigail.”	On the balance of probabilities, the panel found this was proved.
19. Called Ms B “Hag.”	On the balance of probabilities, the panel found this was proved.
20. Called Ms B “[Ms B], pants have [REDACTED]”	On the balance of probabilities, the panel found this was proved.
21. Called Ms B “pathetic.”	On the balance of probabilities, the panel found this was proved.
22. Called Ms B a liar when she had been unable to answer his telephone calls.	On the balance of probabilities, the panel found this was proved.
23. Called Ms B a “dirty bitch” during sex which she did not like.	On the balance of probabilities, the panel found this was proved.
24. Gaslighted Ms B by stating that he had already told her something when he had not. He would then tell her that she was going mad.	On the balance of probabilities, the panel found this was proved.
25. Asked Ms B, “Why are you telling people about your problems, [REDACTED] thinks you’re a spasticated flid. Don’t tell people about your problems, no one cares, but I do.”	On the balance of probabilities, the panel found this was proved.
26. Sent Ms B links to clothes that he told her she should wear.	On the balance of probabilities, the panel found this was proved.
27. Pointed at the underneath of Ms B’s arms and said, “what is this?” Suggesting she was fat.	On the balance of probabilities, the panel found this was proved.
28. Told her to “Fuck swimming with the girls, fuck your friendship bracelets.”	On the balance of probabilities, the panel found this was proved.
29. Rang Ms B 60 times in one day.	On the balance of probabilities, the panel found this was proved.

30. He isolated Ms B by asking her to work from home so that she did not have to meet male colleagues in person.

On the balance of probabilities, the panel found this was proved.