



In the matter of the British Transport Police (Conduct) Regulations 2020;

APPROPRIATE AUTHORITY FOR  
THE BRITISH TRANSPORT POLICE

V

Former PC Andrew Forster [5006]

[CASE REF CM/125/23]

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**Regulation 43 Outcome Report**

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**Location:** PSD Offices, 2<sup>nd</sup> Floor, 10 Toft Green, York, YO10 6JT

**Date:** 20-22 October 2025 and 19-20 February 2026

**Legally Qualified Chair:** Ian Comfort

**Independent Panel Member:** MS Amanda Harvey

**BTP Superintendent:** Darren Malpas

**Outcome:** Gross Misconduct

**Sanction:** Dismissal Without Notice (Former Officer)

## British Transport Police

### Regulation 43 Outcome of Police Misconduct Hearing

In the matter of :

Former PC Forster [5006]

**Panel:** Ian Comfort (Legally Qualified Chair), Superintendent Darren Malpas, Ms Amanda Harvey.

#### **INTRODUCTION**

1. The misconduct hearing for Former PC Forster (the “Officer”) was held in public on 20-22 October 2025 and 19-20 February 2026. A notice of hearing was published in accordance with the British Transport Police (Conduct) Regulations 2020 (‘the Regulations’).
2. The British Transport Police Service (“BTP”), as the Appropriate Authority (“AA”), was represented by Mr Alexander dos Santos, Counsel.
3. The Officer attended the October hearing but did not attend the February hearing and was not represented. At the October hearing he was represented by Ms Laura Bayley, Counsel.

#### **PROCEEDING IN ABSENCE**

4. The Panel was advised that the Officer had applied for this hearing to be adjourned.
5. The application was considered by the Legally Qualified Chair in accordance with Regulations 29 and 37 of the British Transport Police (Conduct) Regulations 2020 (the “Regulations”). The application was refused and is attached as annex1.
6. Regarding procedural fairness, the legally qualified chair advised that the Panel should not draw any adverse inference from the Officer’s non-attendance . To ensure the proceedings remained as fair as possible, the Panel should carefully considered all written representations made by the Officer, including his Regulation 31 response and any prepared statements.

## **BACKGROUND**

7. The Officer started as a Police Community Support Officer (“PCSO”) with BTP in February 2017. He became a constable in March 2020.
8. The Officer was provided with a BTP mobile phone device for use at work. He was also provided with the policy and guidance relating to use of this device.
9. Following an audit of the use of BTP mobile phone devices, data was obtained from the Officer’s device for the period December 2021 to August 2023. The phone data included verification notifications from a dating website and sexualised messages.
10. On 19 October 2023, the Officer was served with Regulation 17 notices regarding the misuse of his mobile phone device.
11. On 7 December 2023, allegations of inappropriate conduct were raised. These were alleged to have occurred whilst the Officer was a response officer at Liverpool Lime Street police station
12. On 20 December 2023, the Officer was served with a Regulation 17 notice containing further allegations.
13. A hearing commenced on 20 October 2025 to consider the allegations of misconduct. That hearing was adjourned to allow the AA to investigate some matters that had been raised in evidence. The hearing reconvened before the same panel on 20 February 2026.

## **ALLEGATIONS**

14. The allegations made against the Officer are set out in the Regulation 30 notice:

***“(A) RECEIPT OF VERIFICATION NOTIFICATIONS FROM DATING SITE ON BTP ISSUE PHONE***

*1. PC Forster was issued with a telephone number and BTP issued mobile device when he became a police officer on the 30th of March 2020. Although there have been changes of device, this number has remained constant. Data obtained for this BTP issued device number served with this notice contains more than 160 separate verification notification from the dating website “Plenty of Fish”. PC Forster admits receiving such verifications on his work issue*

phone. This amounted to a breach of the BTP "Use and Management of I.T and Communication System" policy and guidance which provides that a BTP issued device be used for official purposes and legitimate business purposes only. Occasional personal use, where appropriate, is permitted. The use described above breached these provisions.

2. If proven this allegation would be contrary to Standards of Professional Behaviour, Orders and Instructions and Discreditable Conduct.

**(B) INAPPROPRIATE MESSAGING ON BTP ISSUE PHONE**

3. Phone data (exhibit GJS/01 served with this notice) has been obtained from PC Forster's work issue mobile device for the period between the 15th of December 2021 and August 2023. This phone data contains multiple message exchanges on PC Forster's BTP issue mobile device. Several of the message exchanges contain inappropriate contact of a romantic nature, some of which is of a graphic sexual nature. PC Forster stated in interview that most inappropriate message exchanges were a direct consequence of contact arising from the "Plenty of Fish" dating site.

The messages were inappropriate and in breach of the BTP "Use and Management of I.T and Communication System" policy and guidance which provides that a BTP issued device be used for official purposes and legitimate business purposes only. Occasional personal use, where appropriate, is permitted. The guidance specifically provides that inappropriate messages should not be sent. Access to personal mail via the web is also prohibited.

4. The inappropriate messages received or sent by PC Forster included the following amongst others:-

(a) 'Well I just got into bed naked, shame you not joining me' which was sent by PC Forster at 8.15 on 13/1/22.

(b) At 08:31 on 13/1/22 a message was sent to PC Forster stating, "It's time of the month to messy xxx". Further messages were exchanged and at 19:19 PC Forster's sent a message "Is it bad even tho ya have come on that I still wanna be deep inside ya?". The sexualised message exchange continued and at

19:19 PC Forster's messaged 'I'd love to pick you up right now. Go down the prom. Have you suck me dry'.

(c) At 11.49 on 15/5/23 PC Forster sent a message stating 'You regularly wear a dress with nothing underneath?'

(d) At 12:27 on 15th May 23 PC Forster's device received a message stating "I'm very good with my hands." PC Forster replied, 'Well I can be a bigger tease when I handcuff you and use my tongue to edge you closer n closer'.

(e) On the 2nd of July 2023 a series of flirtatious messages were exchanged on PC Forster's work issue phone device. At 22:08 PC Forster's sent an outgoing message "You like a good massage then?" and the reply sent stated "hahaha good boy."

(f) The Appropriate Authority relies upon the full content of exhibit GJS/01.

5. If proven this allegation would be contrary to Standards of Professional Behaviour, Orders and Instructions and Discreditable conduct.

**(C) INAPPROPRIATE BEHAVIOUR AND TOUCHING - SPC A**

6. It is alleged that between September 2021 and May 2022, PC Forster sexually pursued and inappropriately touched SPC A. The particulars are as follows.

7. SPC A joined BTP in September 2020 and was posted to Liverpool Lime Street police station. She became acquainted with PC Forster, who began to take a particular interest in her.

8. On one occasion SPC A and SPS Dixon were walking back with him from St Anne's police station. SPC A stated that she suffered heartburn whereupon PC Forster touched her back and bottom which caused her to move away. PC Forster's behaviour was inappropriate.

9. On another occasion SPC A was sitting on a desk in the report writing room, when PC Forster approached her and touched her left lower inner thigh near the knee. The touching lasted two to three seconds, which shocked SPC A and caused her to get off the desk. PC Forster's behaviour was inappropriate.

10. *On the final occasion SPC A was in the report writing room, where she sat at a desk writing up a statement. SPC A asked PC Forster for advice and this led to him approaching her from behind. He then leant forward with his upper body over her's and in very close contact which made SPC A feel vulnerable and uncomfortable. PC Forster's behaviour was inappropriate.*

11. *If proven these allegations would be contrary to Standards of Professional Discreditable conduct and Authority, Respect and Courtesy.*

***(D) INAPPROPRIATE COMMENTS AND BEHAVIOUR TOWARDS FEMALE VICTIM OF SEXUAL ASSAULT***

12. *In 2021 on the 11th July 2021 PC Forster acted inappropriately towards Ms X, a female victim of a sexual assault. PC Forster spoke to Ms X at Lime Street station where she alleged that she had been the victim of a sexual assault by a male who had kissed her without consent. At one point PC Forster said to Ms X 'Ah well, if this did not happen then you would not have met me.' These words were inappropriate.*

13. *Pc Forster accompanied Ms X to a police station to take a statement. They entered a room to do this, and PC Forster placed a chair at a desk in close proximity to Ms X which made her feel uncomfortable. At one point PC Forster facetimes his partner and turned the camera towards Ms X to see if his partner recognised Ms X, PC Forster having earlier established that they lived on the same street. Ms X found the turning of the camera an invasion of her privacy. PC Forster also asked Ms X to come round for dinner which made her feel uncomfortable. All of this behaviour was inappropriate.*

14. *If proven this allegation would be contrary to Standards of Professional Behaviour, Discreditable conduct and Authority Respect and Courtesy.*

*The allegations listed at paragraphs 1 to 14 above are so serious that, separately and jointly, they amount to gross misconduct and are so serious as to justify your dismissal if proved."*

15. The Officer accepts allegations A and B , although he does not accept that the content of the messages as set out in paragraph 4 was inappropriate as it was

a consensual exchange between two adults. However, he does accept that it was inappropriate to send these messages from his BTP issue mobile phone.

16. The Officer denies allegations C and D, although he does accept some of the context.

## **EVIDENCE**

17. The Panel was provided with a hearing bundle comprising 216 electronic pages.
18. The Panel received oral evidence on behalf of the AA from:
- i) Special Police Constable (“SPC”) A;
  - ii) PS Powell; and
  - iii) Ms X.
19. Written statements were provided from:
- i) PC Melissa Howard;
  - ii) PC Kevin Jones;
  - iii) SPS Shawndelle Dixon;
  - iv) Inspector Lakhveer Singh
  - v) PC Lynsey Kjervold;
  - vi) PC Luke Mulvaney;
  - vii) PC Ben Bradley.
20. These statements were agreed by the parties.
21. The Officer did not give oral evidence but provided written submissions. The Panel has given careful consideration to these submissions alongside the Officer’s :
- i) Regulation 17 responses;
  - ii) Regulation 31 response;
  - iii) Transcript of interview held on 16 November 2023;
  - iv) Response to caution on 24 August 2024

## THE PANEL'S APPROACH

22. In reaching its decision, the Panel has borne in mind that the burden of proof rests entirely on the Appropriate Authority and that the Officer does not need to prove anything.
23. The standard of proof is that applicable to civil proceedings, namely the balance of probabilities, which requires the Panel to determine whether it is more likely than not that the events occurred.
24. The Panel had regard to a framework of regulations and guidance, including:
  - (1) the Regulations and the Standards of Professional Behaviour set out at Schedule 2;
  - (2) the Home Office Guidance – Police Officer Misconduct... (July 2018) (the "HOG"), particularly Chapter 1 which provides guidance on the Standards of Professional Conduct;
  - (3) The Code of Ethics 2014;
  - (4) the College of Policing's Guidance on Outcomes in Police Misconduct Proceedings (2023 edition) (the "Guidance"); and
  - (5) any relevant policies and procedures that apply.
25. Under Regulation 3(1) of the Regulations, misconduct is defined as a breach of the Standards of Professional Behaviour. Gross misconduct is defined at Regulation 3(1) as a breach of the Standards of Professional Behaviour so serious that dismissal would be justified.
26. The Panel took account of the legal threshold for Discreditable Conduct established in *Chief Constable of Wiltshire v Police Appeals Tribunal [2012] EWHC 3288 (Admin)*. It noted that it need only be satisfied that the officer's actions had the potential to damage the reputation of the police service, rather than requiring proof of actual reputational harm.
27. The Panel adopted a four-stage approach when considering the allegations:
  - i) first, to consider the facts of the case and to make its findings of fact in relation to each of the allegations;

- ii) second, to determine whether those findings of fact found constitute a breach of the relevant standards;
  - iii) third, to determine whether the conduct found proved amounted to misconduct or gross misconduct; and finally,
  - iv) dependent on those findings, to decide what the outcome should be.
28. In making its determination, the Panel listened carefully to all oral evidence and considered the totality of the other evidence and submissions presented. While this determination states the main conclusions reached by the Panel, it does not deal with each and every aspect of the evidence or submissions made.

## **FINDINGS OF FACT**

### *Allegation A (paragraphs 1-2)*

#### *Receipt of verification notifications from dating site on BTP issue phone*

30. In reaching its findings of fact, the Panel has considered the evidence that the Officer was issued with a BTP mobile device and telephone number upon joining BTP on 30 March 2020. Data obtained for this device number revealed more than 160 separate verification notifications from the dating website "Plenty of Fish". The Officer admits to receiving these messages on his work-issued phone. Consequently, the Panel finds it proved on the balance of probabilities that the officer utilised his work device for purposes that were not related to official or legitimate business. This usage exceeded the "occasional personal use" permitted under the British Transport Police "Use and Management of I.T and Communication System" policy and guidance.

### *Allegation B (paragraphs 3-5)*

#### *Inappropriate messaging on BTP issue phone*

31. Data obtained from the Officer's work-issued mobile device for the period between 15 December 2021 and August 2023 revealed multiple message exchanges of a graphic sexual nature. The Officer stated in an interview that these exchanges were a direct consequence of contact arising from the "Plenty of Fish" dating site. The Officer admits that sending these messages on a work device was inappropriate. However, he contends that the sexual content itself

was not inappropriate because it was consensual between himself and the other party.

32. The Panel finds it proved that the officer utilised his BTP-issued device to send and receive graphic sexual communications. While the Panel acknowledges the Officer's submission regarding consent, it finds that the consensual nature of the content does not mitigate the fact that such material was transmitted using a police-issued communication system. This usage directly breached the BTP "Use and Management of I.T and Communication System" policy, which strictly prohibits the sending of inappropriate messages and the use of work devices for anything other than official or limited, appropriate personal use.

*Allegation C (paragraphs 6-11)*

*Inappropriate behaviour and touching SPC A*

33. In considering this allegation the Panel has taken paragraph 6 "*that between September 2021 and May 2022, PC Forster sexually pursued and inappropriately touched SPC A...*" as the stem of the allegation with paragraphs 7-10 as sub paragraphs.
34. There was no dispute that the Officer and SPC A met when they were both posted at Liverpool Lime Steet police station.
35. SPC A describes walking back to St Anne's police station after involvement in an arrest. She was with the Officer and SPS Dixon. She started to feel unwell. She said she had heartburn and thought she was going to vomit. She says that the Officer asked if she was OK. She said that she felt the Officer's hand on her back. She describes: "*... he started between my should blades, moving up and down.... I felt his hand lowering and lowering... he touched my ass.*"
36. She said that at the time she just brushed this off as she thought it was an accident. She said "*... it was a gentle rub on my ass, a couple of seconds*"
37. SPC A said that SPS Dixon was in close proximity; however, SPS Dixon does not say that she saw what happened. SPC A said that she thought that she had spoken with SPS Dixon about this incident at the end of their shift as they were walking home. She said that she cannot recall what was said. SPC A said that she did not make any complaint about this.
38. The Officer denies this aspect of the allegation.

39. SPC A said that on another occasion she was sat on a desk in the report writing room when the Officer approached her and touched her left inner thigh above the knee. The touching lasted two to three seconds, which shocked her causing her to get off the desk. She said that she thought more than 5 other officers were present in the room, but nobody challenged the Officer.
40. The Officer denies this aspect of the allegation.
41. SPC A states that a third incident occurred in the report writing room, where she was sat at a desk writing up a statement. She said that she had asked the Officer for advice and this led to him approaching her from behind and he leant forward with his upper body over hers. She said that the Officer was in very close contact, to the point that she could smell his aftershave. She said that she felt vulnerable and was very uncomfortable with his actions.
42. PC Jones provides evidence of one occasion where the Officer was assisting SPC A, whilst she was sat working on a computer. He says that the Officer was leaning over SPC A and that the Officer had his Lycra top zipped all the way down, exposing his chest. PC Jones felt that the Officer's actions were inappropriate and unprofessional. PC Jones says that he challenged the Officer and said, "*Lad, what are you doing*".
43. The Officer says:  
*"I accept that I may have leant over SPC A when she was writing a statement, however I do not accept that I behaved inappropriately or with any sexual motivation. If any contact was made, it was unintentional. I am now more aware of how close physical presence could make colleagues feel uncomfortable...I do not accept that I leant over SPC A with my chest exposed, however I accept it is possible that have at some point leant over SPC A, if I was assisting her with writing a statement, with my zip slightly lowered if it was warm. I do not recall PC Jones saying "Lad, what are you doing?". I do recall an occasion when PS McCormack told me that SPC A had complained that I deliberately leant over her when assisting her with a statement."*
44. The Panel finds the account provided by SPC A to be credible and consistent. Although the Officer denies aspects of the allegations, the Panel prefers the evidence of SPC A for several reasons.

- (i) SPC A provided specific and consistent details regarding the physical contact, such as the "gentle rub" on her bottom and the "two to three seconds" of contact on her inner thigh.
  - (ii) In both the thigh-touching and the leaning-over incidents, SPC A described an immediate and believable physical reaction, such as getting off the desk out of shock or feeling "vulnerable and uncomfortable".
  - (iii) The Panel considers that as a more junior colleague, SPC A's initial attempt to "brush it off" as an accident is entirely consistent with a junior officer trying to maintain a professional working relationship.
  - (iv) The Panel notes that while some officers did not witness the specific contact, the evidence provided by PC Jones supports the underlying pattern of the Officer's behaviour and the nature of his interest in SPC A.
45. Finally, the Panel finds that the repeated and escalating nature of these uninvited actions collectively demonstrates that the Officer sexually pursued SPC A.
46. The Panel is satisfied that these three incidents occurred as described. The Officer's actions in touching SPC A's bottom, touching her inner thigh, and leaning over her in close physical contact were unsolicited and over-familiar. This behaviour was inappropriate. We find this allegation proved.

*Allegation D (paragraphs 12-14)*

*Inappropriate Comments and behaviour towards female victim of sexual assault*  
*paragraph 12*

47. There was no dispute that on 11 July 2021 the Officer spoke to Ms X at Lime Street station where she alleged that she had been the victim of a sexual assault by a male who had kissed her without consent.
48. The Officer was on duty with three other officers: PC Lynsey Kjervold, PC Luke Mulvaney and PC Benjamin Bradley.
49. PC Kjervold says:  
*"I heard PC Forster speaking to the female, he said something like, "If this never happened, you wouldn't have met me." .. I can't remember the female having any reaction to the comment. He was laughing when he said it, and they were both jovial. I feel that the comment he made was inappropriate and*

*over familiar, it was also ill judged, but I don't think it was said with any other intent, I think it was just a stupid comment and he didn't think before he spoke."*

50. PC Mulvaney says:

*"At some point PC Forster was interacting with a female and I can recall him making a single comment to the effect of "if it didn't happen you wouldn't have met me".*

51. PC Bradley has limited recollection of the incident and was not in a position to overhear any conversation between the Officer and Ms X.

52. Ms X says

*"DC Sellers asked me whether the officer had said to me something like "if this hadn't have happened then you wouldn't have met me". I immediately recalled they did say word this effect. At the time I felt that he said this because I was upset, crying and the said it in a jokey way to cheer me up."*

53. In his Regulation 31 response the Officer said:

*"I accept that I may have said words to the effect of "Ah well, if this did not happen then you would not have met me", however I deny that this was said with the intention of making Ms X feel uncomfortable or to flirt with her. My intention was the opposite. Ms X was upset and crying and I was attempting to reassure her, lighten the mood and cheer her up. I accept that this could be perceived as too casual and over-familiar."*

54. Having considered the evidence, the Panel was satisfied that the Officer had said words to the effect of *"Ah well, if this did not happen then you would not have met me"*.

55. The Panel has considered the context of this incident. Ms. X was distressed and crying following an alleged sexual assault. In these circumstances, the Panel finds that the Officer's comment was over-familiar and ill-judged. Both the victim and the Officer's colleague noted the remark was intended to be "jovial" or "jokey," but his fellow officer also considered it to be inappropriate. Making light of a traumatic event is a failure to acknowledge the seriousness of the situation. The Panel finds that regardless of the Officer's intent, the remark was inappropriate.

56. With regard to paragraph 13, Ms X says:

*“Upon entering the room, he moved a chair so that we were sat side by side at the desk. I recall that we were very close and I wasn’t sure why we needed to be seated together and again I felt uncomfortable... Whilst taking the statement I provided my address details and he said that he lived on the same street. Whilst in the room, the officer then made a “facetime” type call to what I believe was his partner and young child. He was saying that would be home soon and asking about tea they were having for tea. This officer then turned the camera towards me to show his partner child and I believe that this was to see if they recognised me. I did not provide permission for him to do this and it was a breach of confidentiality and an invasion of my privacy.”*

57. In her oral evidence Ms X said that the Officer asked her to wave to his partner who was cooking at the time. She confirmed that the Officer had invited her around for dinner.

58. The Officer says that:

*“...I took her into the reception area, which is a small cramped area, like a galley way with two desks and a computer. It was a tight fit to get two chairs around the desk. All the chairs are on wheels and Ms X was free to move away from me. I was unaware that my presence made Ms X feel uncomfortable and I am genuinely sorry if she felt uncomfortable.”*

*I think I turned the phone slightly to show Ms X my daughter, but I did not turn the phone enough for Ms X to be seen. In hindsight, I should not have FaceTimed my partner when I was taking a statement from Ms X. I understand that this had the potential to make Ms X feel uncomfortable and I regret making the call. I apologise to Ms X for making her feel that way. I deny putting Ms X on the screen, or breaching her privacy and confidentiality. I deny inviting her for dinner”*

59. The Panel finds the account provided by Ms X to be credible and consistent. It is noted that the Officer accepts a significant portion of the factual context. Where their accounts diverge, the Panel prefers the evidence of Ms X for several reasons:

- (i) Ms X described feeling uncomfortable when the Officer moved a chair to sit side-by-side with her. While the Officer contends the reception area was cramped and Ms X was "free to move away" on her wheeled chair,

the Panel notes that it is the professional responsibility of the Officer, not a vulnerable victim giving a statement.

- (ii) Ms X provided clear evidence that the Officer turned the camera towards her, without permission, to see if his partner recognised her, asked her to wave, and invited her round for dinner. The Officer's assertion that he only turned the phone slightly to show his daughter, and not enough for Ms X to be seen, is rejected by the Panel. Initiating a personal video call while taking an official statement from a victim is a clear breach of confidentiality. Furthermore, using a victim's personal details (living on the same street) to facilitate an unsolicited dinner invitation demonstrates a profound lack of professional judgment.

- 60. The Panel is satisfied that these events occurred as described by Ms X. The Officer's actions in sitting unnecessarily close, conducting a personal video call during an official victim statement, exposing the victim to the camera without consent, and inviting her for dinner were entirely unprofessional, over-familiar, and a clear invasion of her privacy. Consequently, the Panel concludes that all of this behaviour was inappropriate

## **MISCONDUCT**

- 61. Having found these facts proved, the Panel proceeded to determine whether this conduct constitutes a breach of the relevant standards.
- 62. In his submissions, the Officer accepts that allegations A and B amount to a breach of the standards and should be assessed as misconduct.

### *Paragraph A2 – use of BTP telephone*

- 63. The Panel finds that the admitted conduct is contrary to the Standards of Professional Behaviour relating to Orders and Instructions, as it breached specific BTP policy regarding IT usage. Furthermore, the Panel determined that this conduct constitutes a breach of the standard of Discreditable Conduct. The Panel was satisfied that using a police-issued device to facilitate extensive activity on a dating website has the clear potential to damage the reputation of the police service and undermine public confidence.
- 64. The Panel considered the nature of the breach, noting that the Officer received over 160 separate verification notifications from a dating website on a device

strictly intended for official and legitimate business purposes. The Panel determined that this was not a case of "occasional personal use" but rather a sustained failure to comply with specific BTP policy and a disregard for the professional standards expected of a police officer.

65. Taking into account the totality of the circumstances, the Panel determined that this breach was so serious that it justified a finding of gross misconduct, as it represented a fundamental failure to adhere to the core requirements of the profession and the specific orders of the BTP.

*Paragraph B5 – messaging on BTP issue phone*

66. The Panel determined that this conduct constitutes a breach of the Standards of Professional Behaviour relating to Orders and Instructions and Discreditable Conduct. By transmitting graphic sexual material on a police device, the officer failed to follow clear instructions regarding IT usage. Furthermore, the Panel finds that the use of official police equipment for the exchange of graphic sexual messages has the clear potential to bring the police service into disrepute regardless of whether the communication was consensual.
67. The Panel noted that the Officer's actions involved a sustained misuse of police property for highly unprofessional purposes over an extended period. The transmission of sexually explicit material on a work device represents a significant departure from the professional standards expected of a police officer.
68. Consequently, the Panel determined that this breach is so serious that dismissal would be justified. The conduct is therefore found to amount to gross misconduct.

*Paragraph C11 – inappropriate behaviour towards SPC A*

69. The Panel determined that these findings constitute a breach of the Standards of Professional Behaviour relating to Authority, Respect, and Courtesy, as well as Discreditable Conduct. The officer's behaviour involved repeated, unwelcome physical contact and the creation of an intimidating environment for a more junior colleague.

- 70. The Panel concluded that such conduct by a serving officer has the clear potential to damage the reputation of the police service and undermine public trust in how officers treat one another.
- 71. The Panel found that this was not an isolated lapse in judgment but a pattern of sexual pursuit and inappropriate physical touching of a colleague within a police station. Given the predatory nature of the behaviour and the impact on the victim's sense of safety and professional dignity, the Panel found the conduct to be a fundamental breach of professional standards. Accordingly, the Panel determined that the proven conduct amounts to gross misconduct

Paragraph D14 – inappropriate behaviour towards Ms X

- 72. The Panel finds that the proven conduct breaches the Standards of Professional Behaviour relating to Authority, Respect and Courtesy and Discreditable Conduct. The Officer failed to maintain professional boundaries by sitting unnecessarily close to Ms X, initiating a personal video call during an official statement, turning the camera towards her, and inviting her to dinner. He abused his position of authority and failed to treat a vulnerable victim with the required respect and professional distance. Furthermore, exposing a victim to a family member without her consent is a clear invasion of privacy that has the obvious potential to damage the reputation of the police service and undermine public confidence.
- 73. Taking into account the totality of the circumstances, the Panel determined that these breaches were so serious that they justified a finding of gross misconduct, as they represent a fundamental failure to adhere to the core requirements of the profession.

**OUTCOME**

[REDACTED]

[REDACTED]

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- 84. Having determined the facts and associated misconduct, the Panel heard submissions from the parties regarding outcome. The Panel had sight of the Officer's service record. There were no testimonials provided.
- 85. Mr dos Santos took the panel through the Guidance and identified aggravation and mitigating factors. He advised the Panel that the appropriate outcome should the Officer still have been serving would have been one of dismissal.
- 86. The Panel took account of the Officer's written submissions.
- 87. In considering the outcome, the panel bore in mind the purpose of the police misconduct regime:
  - i) To maintain public confidence in, and the reputation of, the police service.
  - ii) To uphold high standards in policing and deter misconduct.
  - iii) To protect the public by preventing an offending officer from committing similar misconduct again by excluding them from the police service.
- 88. In determining the appropriate disciplinary action, the Panel had regard to the Guidance including the need to
  - (i) assess the seriousness of the misconduct by reference to:
    - (a) the officer's culpability for the misconduct;
    - (b) the harm caused by the misconduct;
    - (c) the existence of any aggravating factors; and
    - (d) the existence of any mitigating factors;

- (ii) keep in mind the purpose of imposing disciplinary action; and
- (iii) choose the disciplinary action which most appropriately fulfils that purpose for the seriousness of the conduct in question (that is, to act proportionately).

89. As the Officer is no longer a serving officer the Panel could only take no further action or decide that had the officer been in service he would have been dismissed.

### **Culpability and Harm**

#### *Allegation A: Receipt of Dating Site Notifications on BTP Phone*

90. Culpability: High. The Officer deliberately and repeatedly used a police-issued device for personal, non-business purposes.
91. Harm: Moderate. While there is no direct physical harm to an individual, this prolonged misuse of public resources damages the reputation of the police service and undermines the professional standards expected of its officers.

#### *Allegation B: Inappropriate Messaging on BTP Phone*

92. Culpability: High. The Officer actively engaged in sending and receiving highly explicit and sexualised messages on a work-issued device over an extended period.
93. Harm: High. The content of the messages is highly inappropriate for a professional setting. Such conduct brings the police service into serious disrepute and risks causing significant reputational harm.

#### *Allegation C: Inappropriate Behaviour and Touching of SPC A*

94. Culpability: High. The Officer engaged in a deliberate, repeated, and escalating sexual pursuit of a junior colleague over several months.
95. Harm: High. The Officer caused direct distress to SPC A, leaving her feeling shocked, vulnerable, and uncomfortable in her own workplace. . The issue of inappropriate behaviour by police officers is a matter of both local and national concern. It is causing significant damage to the confidence that the public, and in particular women and girls, have in police officers.

#### *Allegation D: Inappropriate Behaviour Towards a Vulnerable Victim (Ms X)*

96. Culpability: High. The Officer was in a position of complete trust, dealing with a vulnerable victim who had just reported a sexual assault. His actions—making an over-familiar comment, sitting unnecessarily close, invading her privacy with a personal FaceTime call, and making an unsolicited dinner invitation—were a severe abuse of his authority. However, the Panel has carefully considered the evidence regarding the Officer's health condition. Accepting that this condition impacted his impulse control, the Panel determines his behaviour amounted to a reckless disregard for professional boundaries and the victim's vulnerability, rather than a calculated or deliberate abuse of position. This medical mitigation reduces his culpability from very high to high.
97. Harm: High. The Officer caused direct harm by invading the privacy of a vulnerable victim and making her feel uncomfortable during a formal investigative process. This conduct causes profound harm to public confidence, as it fundamentally undermines the trust victims place in the police to protect and respect them when reporting sexual offences.

### **Aggravating and Mitigating factors**

#### *Allegation A: Receipt of Dating Site Notifications on BTP Phone*

98. Aggravating Factors:
- (i) Sustained behaviour: The misuse of the police-issued device was not a single lapse in judgment but a regular practice over a significant period, resulting in over 160 separate notifications.
  - (ii) Multiple breaches: The volume of notifications demonstrates a routine disregard for the BTP "Use and Management of I.T. and Communication System" policy.
99. Mitigating Factors:
- (i) Early admissions and acceptance of responsibility: The Officer admitted to receiving the verifications on his work issue phone at an early stage.

#### *Allegation B: Inappropriate Messaging on BTP Phone*

100. Aggravating Factors:
- (i) Sustained behaviour: The inappropriate messaging took place over an extended period between December 2021 and August 2023.

- (ii) Sexualised behaviour: The messages sent and received were of a highly graphic and sexual nature, representing a severe departure from the standards expected when using a police-issued device.
- (iii) Continued use despite awareness: The Officer continued to engage in this inappropriate messaging after instance of being drunk and explicitly realising that he should stop, demonstrating a deliberate and conscious disregard for BTP policy and his professional obligations.

101. Mitigating Factors:

- (i) Early admissions: The admitted sending and receiving these messages and took responsibility for his actions.

*Allegation C: Inappropriate Behaviour and Touching of SPC A*

102. Aggravating Factors:

- (i) Targeting and malign intent: The Officer specifically targeted a junior colleague, demonstrating malign intent in his sexual pursuit of her within the workplace.
- (ii) Repeated behaviour: The conduct was not an isolated lapse in judgment but involved repeated and escalating uninvited physical contact over several months.
- (iii) Abuse of position and vulnerability: The Officer exploited his seniority and experience to inappropriately touch a vulnerable junior Special Constable navigating her early career.
- (iv) Violence Against Women and Girls (VAWG): The Officer's predatory and unsolicited sexual behaviour towards a female colleague directly contravenes the police service's commitment to tackling VAWG. Such conduct creates an unsafe environment for female staff and severely damages public trust in the force's internal culture.

103. Mitigating Factors:

- (i) Health condition: The Panel considered the evidence regarding the Officer's health condition. However, given the deliberate and targeted nature of the sexual pursuit and inappropriate touching of a colleague, the Panel attaches limited weight to this as a mitigating factor.

*Allegation D: Inappropriate Behaviour Towards a Vulnerable Victim (Ms X)*

104. Aggravating Factors:

- (i) Extreme vulnerability: Ms X was highly vulnerable, having just reported being the victim of a sexual assault.
- (ii) Abuse of position: The Officer was in a position of complete authority and trust as the investigating officer taking her statement.
- (iii) Psychological impact: The Officer's actions—sitting too close, invading her privacy via FaceTime, and making social invitations—caused direct distress and made a vulnerable victim feel unsafe in a police station.
- (iv) Impact on Violence Against Women and Girls (VAWG): The Officer's exploitation of a female victim reporting a sexual offence represents a fundamental betrayal of trust. Such behaviour actively undermines national policing priorities to protect women and girls, and has a devastating potential to deter other female victims of sexual violence from coming forward to the police.

105. Mitigating Factors:

- (i) Health condition: The Panel has carefully considered the evidence regarding the Officer's health condition and has applied this to his culpability.

**Disciplinary action**

106. Having considered the seriousness of this matter the panel determined that the Officer's conduct was too serious for no action to be taken.

107. The panel, therefore, decided that had the Officer still been a serving officer the appropriate, proportionate and necessary disciplinary action to uphold standards, maintain confidence in the police service and mark the seriousness of the misconduct would have been dismissal without notice.

**Right of appeal.**

108. In accordance with Regulation 43(2), the Appropriate Authority shall provide the officer with a copy of this report and a notice of the right of appeal. The officer is reminded he has a right to appeal to the Police Appeals Tribunal ("PAT"). The PAT may increase or decrease any penalty or overturn our decision.

**Ian Comfort**

**Panel Chair**

**20 February 2026**

## **Appeal Notice**

You have a right of appeal to the Appropriate Authority, but may only appeal on the following grounds:

- The finding or disciplinary sanction imposed was unreasonable;
- There is critical new evidence that could not have reasonably have been considered at the misconduct hearing; or
- There was a serious breach of the procedures set out in the British Transport Police (Conduct) Regulations 2020 or other unfairness which could have materially affected the finding or decision on disciplinary action

If you wish to appeal you must do so in writing to the British Transport Police Authority. Please email [btpa-enquiries@btp.police.uk](mailto:btpa-enquiries@btp.police.uk) within 10 working days of receipt of this letter. Your letter should state the grounds for appeal, whether you require a transcript of the hearing in whole or part and whether or not you consent to the appeal being dealt with without a hearing.