

IN THE MATTER OF THE POLICE ACT 1996
AND IN THE MATTER OF THE POLICE (CONDUCT) REGULATIONS 2020
("THE REGULATIONS")

Between:

THE CHIEF CONSTABLE OF THAMES VALLEY POLICE

Appropriate Authority (AA)

- and -

FORMER PS BENTLEY

DETERMINATION OF THE PANEL

Before: DCC PAUL MILLS QPM (Chair)

JANE CHARLTON (Independent panel member)

DOMINIC HURST (Independent panel member)

Mr Harry IRELAND (Legally Qualified Person)

Representation: Ms AMY CLARKE (Counsel for Appropriate Authority)

Mr COLIN BANHAM (Counsel for the Officer)

Date of hearing: 28 – 30 April 2026

ALLEGATIONS:

1. Between March 2024 and August 2024, it is alleged that you engaged in inappropriate and unprofessional conduct towards PC Kendra

Hobbs, as follows:

a) Regularly making contact with PC Hobbs on Snapchat, when off duty;

b) Regularly 'liking' PC Hobbs' posts/stories on Instagram, including commenting, "OMG you look amazing" on one particular story posted on the 16th June 2024, and on the 21st July 2024 indicating that you were complimenting her on her appearance;

c) Commenting that PC Hobbs would look "sexy" in a particular jacket you were discussing;

d) Making comments about having children with PC Hobbs;

e) Attempting to engage in unwanted physical contact with PC Hobbs in the workplace, and;

f) Complaining that PC Hobbs would not engage in physical contact with you.

2 The conduct as described above has breached the Standards of Professional Behaviour relating to Authority, Respect and Courtesy and Discreditable Conduct, in that you have failed to treat PC Hobbs with respect and courtesy. In treating a more junior officer in this manner, you have also abused your position as a supervisor and a Sergeant. Your conduct in this regard also brings discredit upon the police service.

3. It is alleged that such conduct, taken collectively, amounts to gross misconduct.

Background to the allegations

1. The former officer was based as a sergeant on a Neighborhood Policing Team at Wokingham South in the Thames Valley Police area. The officer had joined Thames Valley Police in March 2010 and was promoted to the rank of Sergeant in 2019.
2. PC HOBBS joined Thames Valley Police as a constable in October 2022. In December 2023, as part of her training she joined the officer's team to obtain experience within the neighborhood policing function. At the time she had just over one-year total policing experience and was still within her probationary period.
3. PC HOBBS stated that initially the officer appeared supportive and his behaviour towards her was what she would describe as normal and professional.
4. Between March 2024 and August 2024 PC HOBBS confided in colleagues that the officer was increasingly making her feel uncomfortable due to his unwanted inappropriate and unprofessional conduct towards her.
5. The nature of the alleged conduct was such that three colleagues of PC HOBBS reported their concerns to an Inspector who then contacted Thames Valley Police Professional Standards Department (TVP PSD) and an investigation was commenced into the officer's alleged behaviour.
6. During the course of the TVP PSD investigation, the officer resigned in April 2025 from the police service and attended the misconduct proceedings under the former officer regulations
7. Since the alleged conduct occurred PC HOBBS changed her name to PC ALLEN. To ensure consistency the panel refer to her as PC HOBBS as that was her name at the point the alleged conduct occurred.

Panel approach to assessment of the allegations

8. In relation to the allegations the officer faces he pleaded the following response in his Regulation 31 notice and at the commencement of the hearing:
- Allegation One (a) – Regularly making conduct with PC HOBBS on Snapchat, when off duty. The officer accepts the alleged conduct and breaches of the standards of Professional Behaviour. The officer accepted his conduct amounted to misconduct, but denied that it amounted to gross misconduct
 - Allegation One (b) – Regularly ‘liking’ PC HOBBS’s posts and stories on Instagram, including commenting, ‘OMG’ you look amazing’ on one particular story posted on 16th June 2024 and on 21st July 2024, indicating that he was complimenting her on her appearance. The officer accepted the alleged conduct and breaches of the Standards of Professional Behaviour. The officer accepted his conduct amounted to misconduct, but denied that it amounted to gross misconduct
 - Allegation One (c) – Commenting that PC HOBBS would look ‘sexy’ in a particular jacket. The officer accepted the alleged conduct and breaches of the Standards of Professional Behaviour, although asserted that he was responding to PC HOBBS stating that she would look sexy. The officer accepted his conduct amounted to misconduct, but denied that it amounted to gross misconduct
 - Allegation One (d) – making comments about having children with PC HOBBS. The Officers accepted the alleged breaches of the Standards of Professional Behaviour, although asserted that this happened after the suggestion/joke had first been made by someone else. The officer accepted he carried on with the joke on a few occasions. The officer accepted his conduct amounted to misconduct, but denies that it amounted to gross misconduct
 - Allegation One (e) – attempting to engage in unwanted physical contact with PC HOBBS in the workplace. The officer partially accepted this allegation, in so much as he stated, I did on a few occasions open up my arms and go to hug PC HOBBS. However, I deny any consistent poking or other suggested form of physical contact. I did this as a joke as I knew she would hug others and thought we were close friends, I accept this isn’t appropriate as a supervisor.
 - Allegation One (f) – complaining that PC HOBBS would not engage in physical contact with him. The officer denied this allegation as pleaded,

however in his Regulation 31 response stated, although I didn't complain that PC HOBBS would not engage in physical contact with me, I accept that I possibly made some comments about it. However, this was all part of a joke, and I didn't understand why she wouldn't hug me, given that she would hug others. I accept this was taken too far and it was not appropriate as a supervisor.'

9. During the course of the hearing the officer made further admissions in relation to allegations 1 e and f, however the panel concluded for completeness it should still make a determination on these issues. In addition, the panel noted that in relation to allegation 1 (c) there was a difference between the account of PC HOBBS and what the officer admitted, accordingly the panel concluded it needed to make a finding of fact on this issue also.

10. Accordingly the task of the panel was to:

- a. Make factual findings in relation to allegations One (c) (e) and (f) and if found proven determine the associated breaches of the Standards of Professional Behaviour.
- b. Having established the totality of the admitted and proven allegations, to establish whether they individually or collectively amount to gross misconduct or misconduct.
- c. If the panel made a finding of gross misconduct, to make a decision on the appropriate outcome and sanction

11. To reach a determination on allegations one e and f and to inform the assessment of seriousness the panel considered both the overarching evidence concerning the officer's alleged conduct and the specific evidence in relation to each of the allegations.

Overarching evidence of PC HOBBS concerning the officer's alleged conduct

12. The panel reviewed the statement of PC HOBBS and also heard live evidence from her during the course of the hearing.

13. PC HOBBS stated that initially when she joined the team the officer made her feel very welcome and she described the working environment as 'absolutely normal'. She confirmed that the officer and her initially developed a friendship both in and out of work and she had visited his home to meet and walk his dog, and they had lunch together on a couple of occasions.

14. PC HOBBS stated that overtime the officer had confided in her in relation to

matters in his personal life and it was clear that he was struggling to come to terms with these issues. She stated that initially she wanted to support him, however over time his cumulative contact towards her became 'too much', however she felt she had to continue to support him and do the right thing.

15. PC HOBBS stated that initially she believed that the officer was gay and therefore did not read much into some of his early actions, however she subsequently became aware that the officer had feelings for females and this put a different perspective on things and his associated actions left her feeling uncomfortable.
16. PC HOBBS stated over time she concluded the cumulative actions of the officer were weird and she outlined she attempted to withdraw from contact with him or be around him.
17. PC HOBBS outlined that the officer was very snappy and rude to team members at work and she was aware that her later attempts to not respond to the messages from the officer would make him visibly angry, and this meant she would then re-engage with the officer as she did not want the rest of the team to suffer.
18. PC HOBBS detailed that as the officer's behaviour became more intense and crossed acceptable boundaries, she did not know what to do. She stated in normal circumstances she would go to her Sergeant, but she could not do so as it was the officer performing this role. As a junior officer she sought out the advice of her colleagues to try and assist her in managing the situation. She stated if faced with the same situation again she would now have the confidence to deal with the situation differently, however, was not equipped to do so at the time.
19. PC HOBBS described that the ongoing behaviour made her feel very upset, angry and uncomfortable.
20. PC HOBBS detailed that during the time the officer had been her line manager, she had found the working environment had been very difficult and this was set against the context of him being her line manager and a person who should have been responsible for her welfare. She stated that the stress of the situation had meant that she had to temporarily come off the PCDA course and it had impacted upon her work performance such that her probation period could not be signed off.
21. PC HOBBS stated by the time matters had been reported by colleagues, she

was left in a position where she had 'no confidence whatsoever'.

22. PC HOBBS further added that the conduct of the officer had affected her sleep and caused her anxiety, and she did not know what to do in the circumstances.
23. The panel noted the evidence of PC HOBBS where she stated 'you can misunderstand something once or twice. If it is several times, it is now longer a misunderstanding.
24. Overall the panel found PC HOBBS to be a persuasive and credible witness.

Overarching evidence of PC Oliver WEAVER

25. The panel reviewed the statement of PC WEAVER and also heard live evidence from him during the hearing.
26. PC WEAVER was a colleague of PC HOBBS working on the same team.
27. PC WEAVER stated that the officer became overly comfortable with PC HOBBS and would constantly crew with her so he could be within her company
28. PC WEAVER stated that on one occasion he had witnessed the officer poke PC HOBBS whilst on duty in the area of her ribs. He stated that on this occasion she looked uncomfortable with the actions of the officer.
29. PC WEAVER also confirmed an incident had taken place in the smoking area where he witnessed the officer grab the hips of PC HOBBS, which he had found disturbing.
30. PC WEAVER outlined that the officer would openly say Infront of him and colleagues that he would get upset when PC HOBBS would not hug him.
31. PC WEAVER stated he was aware that the officer would send up to ten messages on Snapchat to PC HOBBS, such that she felt compelled to respond. He stated that if she did not respond the officer would message on other messaging platforms asking her what was wrong.
32. PC WEAVER stated that the officer had become obsessed and if generally team members were to push back about his generic behaviour, he would become vile and team members felt they could not challenge situations. He stated that other members of the team were worried about the behaviour but

felt they could not challenge it as the officer was an experienced Sergeant.

Overarching evidence of PC Holly SMITH

33. The panel reviewed the statement of PC SMITH and also heard live evidence from her during the hearing.
34. PC SMITH was a colleague of PC HOBBS working on the same team and the officer was her supervisor.
35. PC SMITH stated the behaviour of the officer towards PC HOBBS had made her feel uncomfortable for a number of months and detailed that her colleagues PC WEAVER and PC LANCASTER had felt the same. She stated she was unsure what to do about her concerns and collectively with her two other colleagues they sought advice from Inspector BROWN
36. PC SMITH stated that she had witnessed the officer routinely crew up with PC HOBBS rather than crewing her with other colleagues.
37. PC SMITH stated that PC HOBBS had confided in her, that she felt uncomfortable being crewed with the officer and she had asked her to help her change the crewing's so she did not have to be with him (the panel noted however that PC ALLEN stated in evidence she could not remember ever saying this). PC SMITH further stated that at the time PC HOBBS had been quite distressed by the situation.
38. PC SMITH stated that she was aware that PC HOBBS had disclosed to the officer she did not wish to be touched, however he kept asking her for hugs and would become 'aggy' if he saw her hug another colleague.
39. PC SMITH stated she witnessed the officer poke PC HOBBS in the ribs area and despite her asking him to stop he continued.
40. PC SMITH stated that the actions of the officer had left PC HOBBS upset and she had cried as she felt uncomfortable with his actions and words.
41. PC SMITH detailed that further to the conversation about the officer having babies with PC HOBBS, the officer had crewed with her and PC HOBBS and had continued the conversation. PC SMITH stated that PC HOBBS had attempted to shut down the conversation, but the officer had continued with it over a number of days and it had made her feel uncomfortable.

42. PC SMITH stated that she found the behaviour of the officer to be unhealthy, controlling and inappropriate and was aware that other colleagues felt the same. She stated that she was not ok with him touching PC HOBBS and he did not respect her boundaries. She stated the officer created an environment where it felt like everyone was walking on 'egg shells' due to the mood changes and behaviour of the officer.

Overarching evidence of PC Sam EDMONDS

43. The panel reviewed the statement of PC EDMONDS and he gave live evidence during the hearing.

44. PC EDMONDS was a colleague of PC HOBBS working on the same team and the officer was his supervisor.

45. PC EDMONDS stated that at various points PC HOBBS had spoken to him concerning the behaviour of the officer. He detailed this was often after work as they walked to their respective cars at the end of a shift. He described the intense behaviour of the officer towards PC HOBBS occurring between February 2024 to August 2024, when the officer left the team.

46. PC EDMONDS stated that he was aware that the officer would often crew with PC HOBBS and on occasions she would disclose to him the type of conversations that the officer was having with her.

47. PC EDMONDS stated that PC HOBBS had been clear to team members on a number of occasions that she was not keen on physical touch and would only hug, with people who she considered to be friends. PC EDMONDS stated that he was aware that she had made this position clear to the officer

48. PC EDMONDS detailed he was present when a colleague had brought her children/child in and a joke had been made about PC HOBBS and the officer having children together. PC EDMONDS stated he became aware that the officer had then continued to talk about this with PC HOBBS when they were crewed together.

49. PC EDMONDS stated that he was aware that the officer was using Snapchat to contact PC HOBBS in and out of work and if she did not reply he would send her another message.

50. PC EDMONDS stated that PC HOBBS had told him that the officer had issues around respecting boundaries. He stated that other officers and him were

concerned by the officer's actions and he had offered to talk to him about the impact on PC HOBBS, but she had stated she was dealing with it.

51. PC EDMONDS stated that he reflected that he felt quite disappointed and concerned about the behaviour of his supervisor and the conduct had made multiple people feel quite uncomfortable in their working environment.

Overarching evidence of PC LANCASTER

52. The panel reviewed the statement of PC LANCASTER.

53. PC LANCASTER was a colleague of PC HOBBS working on the same team and the officer was his supervisor

54. PC LANCASTER stated that he became aware from colleagues that whilst the officer was crewed with PC HOBBS, he had said to her words similar to the effect of they would have 'amazing babies together' and this had worried her and fellow colleagues.

55. PC LANCASTER stated that he also became aware from other colleagues that the officer had attempted to physically touch PC HOBBS and this had made her feel uncomfortable.

56. PC LANCASTER stated that the conduct of the officer was such that he believed PC HOBBS on one occasion had to speak to the officer concerning his behaviour and advise him not to cross personal and work boundaries.

Overarching evidence of PC Tyler EDWARDS

57. The panel reviewed the statement of PC EDWARDS.

58. PC EDWARDS was a colleague of PC HOBBS working on the same team and the officer was his supervisor.

59. PC EDWARDS could not recall specifics but remembered talking to PC HOBBS on an occasion and it was evident there were some concerns in relation to the officer and he had advised that if she needed to report things she should do so and also offered to speak to the officer about his behaviour. PC EDWARDS recalled that PC HOBBS stated that she was going to speak to the officer herself.

60. PC EDWARDS stated sometime later he became aware from other officers that the officer had said to PC HOBBS that she was cute and they would make good looking babies. PC EDWARDS stated he was concerned by these

comments and was aware that other officers on the team were looking to do something about it.

Overarching response by the officer

61. The panel reviewed the interview of the officer, his Regulation 31 response and he also gave evidence during the hearing.
62. The officer outlined that at the time of the alleged conduct he had a number of personal issues going on in his life and this impacted his performance at work. He stated in hindsight he should have taken some time out to address these issues
63. The officer stated that he was nothing more than friends with PC HOBBS and he was not sexually attracted to her and did not consider a relationship may develop between them. The officer stated that any attention he gave was not sexual in any way and he treated other colleagues in the same way.
64. The officer stated that during the friendship with PC HOBBS he had shared some of the challenges he was experiencing in his private life with her, and she had likewise shared personal information with him. The officer confirmed they had met a number of times outside work.
65. The officer stated that he had reflected since the investigation about the way he behaved at work and now acknowledged that he 'overstepped' the mark as a supervisor and should not have been so friendly with PC HOBBS or other colleagues. He stated that if in such a position again, he would not act in a similar manner and he would do things differently.
66. During the hearing the officer accepted that as a supervisor he had a responsibility to lead by example and he failed to do so. He further accepted that he should have recognised the impact of his behaviour on PC HOBBS at the time but did not do so, in his own words he accepted 'he had failed to join the dots'. The officer stated he wished to offer his apologies to PC HOBBS for his actions and the impact that they had on her.
67. During the hearing the officer, when asked, detailed that the role of Sergeant was to ensure that probationer constables were supported and their welfare needs were catered for. He further accepted that it could be a difficult time for junior officers when they first joined the service as they had to learn the role and establish themselves within the policing profession.

68. The officer detailed that he was surprised that he was not challenged about his behaviour by anyone and stated that if this had occurred, he would have changed his behaviour.

69. The officer stated that he did not accept that he had abused his position as a supervisor, instead he stated that he should have had more boundaries in place. He further stated that he viewed the conduct to be 'playground antics that go on in the police all the time and I was not the only one participating.

Overview of each allegation

Allegation 1 (a)

70. It is alleged the officer – was regularly making contact with PC Hobbs on Snapchat, when off duty

71. In relation to this allegation, the panel noted the following:

Evidence of PC HOBBS

72. PC HOBBS outlined that having joined the team in December 2023. She stated that further to attending a late Christmas event on 27th January 2024, she received a Snapchat request from the officer. She stated that she was an infrequent user of Snapchat and accordingly it took her until the beginning of March 2024 to respond to the request which she accepted, seeing no harm in it.

73. PC HOBBS outlined the officer started to message her in March 2024 and initially sent her pictures of his dog and would ask her how her day was going whilst off duty. She stated initially she would respond to the messages, and she thought nothing of it as it was routine for colleagues to be on respective social media channels.

74. PC HOBBS detailed that she was conscious that the officer was her Sergeant and did attempt to keep him at arm's length. She stated that overtime the officer started to message more frequently outside of work and if she did not respond he would send several more messages. She stated the behaviour of the officer was overly friendly towards her and it became too much.

75. PC HOBBS stated that the functionality of Snapchat is such that you get a

notification when someone is typing and on a number of occasions it would appear on the screen that the officer was typing, however a message would not then subsequently be received. She stated this behaviour added to the intensity of the situation.

76. She stated the regularity of the messages increased further and after a while she would read the messages but not reply and eventually, she turned off the notifications relating to the messages.

Account of the officer

77. In relation to this allegation, the officer admitted that he regularly made contact with PC HOBBS when off duty. The officer during the hearing accepted that he had sent a higher ratio of messages than PC HOBBS and he admitted that his messaging had become 'too much'.

Panel findings in relation to the allegation

78. The panel was not required to make a formal finding of fact in relation to this allegation. The officer accepted that he breached the Standards of Professional Behaviour and his conduct stepped over what was acceptable and it was inappropriate and unprofessional. Accordingly, the following standards were breached:

- a. Authority, Respect and Courtesy – as he had failed to act with self-control and treat his colleagues with respect and courtesy
- b. Discreditable conduct – in so much as a member of the public would justifiably be concerned that a police officer of a more senior rank had behaved inappropriately towards a junior colleague in her probation period

79. The panel concluded this was clearly inappropriate and unwanted conduct by the officer and formed part of a course of inappropriate conduct towards PC HOBBS.

Allegation 1 (b)

80. It was alleged the officer – was regularly 'liking' PC Hobbs' posts/stories on Instagram, including commenting, "OMG you look amazing" on one particular story posted on the 16th June 2024, and on the 21st July 2024 indicating that you were complimenting her on her appearance.

81. In relation to this allegation, the panel noted the following:

Evidence of PC HOBBS

82. PC HOBBS stated that in addition to using Snapchat, the officer was linked to her on Instagram. She stated that whenever she posted a photo on her Instagram story she noticed that the officer would be the first person to 'like' the post.

83. PC HOBBS stated at this time she did not think the behaviour was normal, but again thought the officer was probably just being friendly. She stated the pattern of behaviour continued for a while and she did start to think the behaviour was a bit weird and did mention it to other team members.

84. PC HOBBS provided a bundle of available screenshots, which showed various responses of the officer to Instagram posts she had generically posted (exhibit KNH/2). On 16th June 2024 PC HOBBS posted a picture of herself in a dress. In response to the post the officer replied 'OMG you look amazing. She stated as the officer had paid her a compliment she replied with a love heart emoji; however, his comment had made her feel 'nervous and anxious'.

85. PC HOBBS stated on another occasion on 21st July 2024, the officer had responded to a picture that she had posted of herself with a complimentary emoji, however on this occasion she did not reply as it made her feel 'uncomfortable' and she was struggling with the cumulative impact of his contact.

86. PC HOBBS stated that over time the intensity and the tone of the messaging increased and on a couple of occasions the officer had said she was 'fit' and had called her 'cutie'. Due to the disappearing nature of such messages, she did not have copies of these messages.

Account of the officer

87. The officer admitted that he regularly liked PC HOBBS posts/stories on Instagram, including that he posted 'OMG you look amazing' on one story posted on the 16th of June 2024. He further admitted that he commented on her appearance on 21st of July 2024. The officer during the hearing accepted that he had sent a higher ratio of messages than PC HOBBS and he admitted that his messaging had become 'too much'.

Panel findings in relation to the allegation

88. The panel was not required to make a formal finding of fact in relation to this allegation. The officer accepted that he breached the Standards of Professional Behaviour and his conduct stepped over what was acceptable and it was inappropriate and unprofessional. Accordingly, the following standards were breached:

- a. Authority, Respect and Courtesy – as he had failed to act with self-control and treat his colleagues with respect and courtesy
- b. Discreditable conduct – in so much as a member of the public would justifiably be concerned that a police officer of a more senior rank had behaved inappropriately towards a junior colleague in her probation period

89. The panel concluded this was clearly inappropriate and unwanted conduct by the officer and formed part of a course of inappropriate conduct towards PC HOBBS.

Allegation 1 (c)

90. It was alleged the officer – commented that PC HOBBS would look ‘sexy’ in a particular jacket they you were discussing

91. In relation to this allegation, the panel noted the following:

Evidence of PC HOBBS

92. PC HOBBS stated that at work the officer started to make slightly more forward comments to her. She stated on one occasion she had shown him a picture of a motorbike jacket she wanted and stated she described the garment as sexy, detailing that was descriptively how she would speak. She stated in response the officer turned around and said, ‘Yes you would look sexy in that’. She stated that the remark took her off-guard and had ‘it threw her’ and she did not know how to take it.

93. PC HOBBS stated that she had believed that the officer was gay and accordingly had dismissed some of his behaviour, however not long after he confirmed he was interested in females also. Set against this context she started to think that the officer’s behaviour was more than just friendly, and she confided in work colleagues as she was not sure what to do in the circumstances.

Account of the officer

94. The officer admitted that he said PC HOBBS would look 'sexy' in a particular jacket that they were discussing. However, stated this his comment followed her stating that she would look sexy in the jacket and he was therefore agreeing with her.

Panel findings in relation to the allegation

95. The panel noted that whilst the officer accepted he had said the comment, his admission was caveated in so much as he was agreeing with what PC HOBBS had already said. Accordingly, the panel concluded it needed to make a finding on this issue.

96. Having carefully considered the accounts of both PC HOBBS and the officer, the panel preferred the evidence of PC HOBBS. PC HOBBS was clear in her evidence to the panel that she was describing that the garment was 'sexy' and not that she would look 'sexy' wearing it. She confirmed that the officer had said 'she would look sexy, in the jacket.

97. The panel found the allegation proven in its entirety and that the officer had breached the Standards of Professional Behaviour. To that end, the panel concluded the officer's conduct stepped over what was acceptable and it was inappropriate and unprofessional. Accordingly, the following standards were breached:

- a. Authority, Respect and Courtesy – as he had failed to act with self-control and treat his colleagues with respect and courtesy
- b. Discreditable conduct – in so much as a member of the public would justifiably be concerned that a police officer of a more senior rank had behaved inappropriately towards a junior colleague in her probation period

98. The panel concluded this was clearly inappropriate and unwanted conduct by the officer and formed part of a course of inappropriate conduct towards PC HOBBS.

Allegation 1 (d)

99. It was alleged the officer – made comments about having children with PC HOBBS.

Evidence of PC HOBBS

100. In relation to this allegation, the panel noted the following:

101. PC HOBBS detailed that the officer's behaviour towards her was becoming more intense. She outlined that on one occasion a colleague had brought their children/child into the workplace. PC HOBBS stated that she was holding one of the children and had made a comment about how adorable they were and she wanted one, to which one of her colleagues made a joke that the officer had always wanted children and perhaps they should get together and have a child.

102. PC HOBBS stated in response to the comment she immediately said no and the officer who was present replied there was no hesitation in her voice and she was harsh to turn it down so quickly. She stated she again said no and attempted to change the conversation.

103. PC HOBBS stated that later in the shift she was crewed with the officer and he kept making the joke repeatedly about them having children, stating things such as 'well when we have kids' and 'when we have a house together'. She stated she continued to say no to the officer, and he asked her why she was so against it and told her she was being harsh.

104. PC HOBBS stated that she did not mind a joke around others, but she could not avoid the officer when she was crewed with him and she found his behaviour odd and it made her feel uncomfortable.

Account of the officer

105. The officer admitted making comments about having children with PC HOBBS. He stated another colleague on the team had made the initial suggestion and joke but accepted that he did carry on making comments on a few occasions.

Panel findings in relation to the allegation

106. The panel was not required to make a formal finding of fact in relation to this allegation. The officer accepted that he breached the Standards of Professional Behaviour and his conduct stepped over what was acceptable and it was inappropriate and unprofessional. Accordingly, the following

standards were breached:

- a. Authority, Respect and Courtesy – as he had failed to act with self-control and treat his colleagues with respect and courtesy
 - b. Discreditable conduct – in so much as a member of the public would justifiably be concerned that a police officer of a more senior rank had behaved inappropriately towards a junior colleague in her probation period
107. The panel concluded this was clearly inappropriate and unwanted conduct by the officer and formed part of a course of inappropriate conduct towards PC HOBBS.

Allegation 1 (e)

108. It was alleged the officer – attempted to engage in unwanted physical contact with PC HOBBS in the workplace

109. In relation to this allegation, the panel noted the following:

110. PC HOBBS outlined that from around March 2024, the officer became increasingly attached and started to ask her for hugs. She detailed that on one occasion, she had visited her grandmother in hospital who was seriously ill and she had returned to the workplace, and she was given a consensual hug by a colleague because she was crying. She stated that the officer at this point also attempted to hug her, but she told him she did not want him to hug her and he responded, “you have hugged your colleague why will you not hug me.”

111. PC HOBBS outlined that on several occasions the officer would poke her with his finger around her rib area. She stated her reaction was to try and ignore the behaviour, but on top of the messaging from the officer, she found the officer’s behaviour a bit much and she did not know what to do. She detailed on one occasion the cumulative effect of the officer’s behaviour was that she nearly ended up crying in a car on duty whilst explaining what was happening to a colleague

112. PC HOBBS stated that on another occasion she had been with PC WEAVER and the officer in the smoking area at the police station and a

random hypothetical conversation took place between PC WEAVER and her concerning the injury she could sustain if she fell down an adjacent hill. She outlined that initially unbeknown to her, the officer had come up behind her and went to put his arms around her waist and said, 'don't I will save you.'" She stated PC WEAVER later told her about the actions of the officer and that he had intentionally stepped in between the officer and her to ensure he was unable to come any closer. PC HOBBS detailed that when she became aware of this it made her incredibly angry and uncomfortable, set against the context of the officer knowing she did not want him to be in her personal space

113. PC HOBBS stated she had told him before, on an occasion where he had attempted to hug her, that she did not like it and she wished to protect her own personal space. She stated the officer was also aware that generally she did not like people being in her personal space. She stated the officer took offence to her saying no and he would bring it up constantly.

114. PC HOBBS stated on another occasion she had been knelt on the floor with her laptop and the officer came up behind her and put his hand on her head and rubbed it. She stated she immediately stood up and said to the officer words to the effect of 'Do not ever do that ever again.'

Account of the officer

115. The officer accepted that he did on a few occasions open up his arms and go to hug PC HOBBS. He stated that he did this as a joke as he knew she hugged other colleagues and thought that they were close friends.

116. The officer in his Regulation 31 response accepted that this behaviour was not appropriate as a supervisor. He, however, denied any consistent poking or other suggested forms of physical contact.

117. During the hearing the officer accepted that he had on the odd occasion poked PC HOBBS as alleged, but stated he did this as a joke

118. During the hearing the officer accepted that he was aware that PC HOBBS had stated she did not wish to be touched and him then touching her was not a joke. The officer accepted that he should not have behaved in this manner and that his conduct was inappropriate.

Panel findings in relation to the allegation

119. The panel noted that during the hearing the officer's position changed from accepting he had only opened up his arms to have a hug sometimes, to admitting that he had poked PC HOBBS on the 'odd occasion'.
120. The panel noted that PC HOBBS alleged the following incidents of attempts to touch her and actual touching:
- a. She detailed that further to visiting her seriously ill grandmother in hospital, she had returned to the office and as she was upset she was hugged by a friend and colleague. She stated at this time, the officer also attempted to hug her and she had clearly stated to him she did not want him to hug her
 - b. She stated on several occasions the officer would poke her with his finger. In evidence PC HOBBS stated that on these occasions the officer physically touched her in the rib area. She outlined that the impact of the officer's behavior on one occasion was such that she nearly ended up crying in a car whilst telling a colleague about the behavior
 - c. She stated on another occasion at the smoking area, she was told the officer had gone to put his arms around her waist but was prevented from doing so by PC WEAVER standing in the way.
 - d. She stated on another occasion she had been knelt on the floor with her laptop, and the officer had come up behind her and put his hand on her head and rubbed it. In response to this she stated that she had said to the officer words to the effect of 'do not ever do that again'.
121. The panel noted that PC WEAVER had confirmed the incident at the smoking area had taken place, although gave a differing account in relation to whether contact had actually taken place. In addition, he confirmed on one occasion he had seen the officer poke PC HOBBS in the rib area.
122. The panel noted that PC LANCASTER stated he had become aware from other colleagues that the officer had attempted to physically touch PC HOBBS and this had made her feel uncomfortable.
123. The panel noted that PC SMITH stated that the officer had been making PC HOBBS feel uncomfortable for a number of months. She stated

that the officer had poked PC HOBBS around the rib area. PC SMITH stated that the officer had cried in front of her concerning the officer's actions and how uncomfortable it made her feel.

124. The panel noted that PC EDMONDS stated that PC HOBBS had been clear to team members on a number of occasions that she did not like physical contact and would only hug people she considered to be friends. He stated that she had made this clear to the officer. PC EDMONDS stated that it was his view that the officer had issues respecting the boundaries between PC HOBBS and him and he had offered to speak to the officer about this.
125. Having considered the available evidence. The panel concluded that the officer had touched PC HOBBS on at least three separate occasions – twice by poking her and once patting her on the head. In addition, the officer had attempted to hug PC HOBBS on an unknown number of occasions and had once gone to touch her near to the smoking area.
126. The panel concluded that there was clear evidence and knowledge amongst the team that PC HOBBS wished to protect her own personal space and would only mutually hug friends where she felt comfortable doing so and she had been clear with the officer she did not wish to have physical contact or engage in hugging with him.
127. The panel concluded that PC HOBBS had disclosed some of these contacts with her colleagues and there was evidence from them that it had caused her discomfort and distress,
128. The panel found the allegation proven, alongside the alleged breaches of professional standards relating to:
 - a. Authority, Respect and Courtesy – as he had failed to act with self-control and treat his colleagues with respect and courtesy
 - b. Discreditable conduct – in so much as a member of the public would justifiably be concerned that a police officer of a more senior rank had behaved inappropriately towards a junior colleague in her probation period
129. The panel concluded that the officer had entered into a course of conduct where he intentionally touched or attempted to engage in physical contact with PC HOBBS knowing she did not consent to such and it was unwanted. Considering that PC HOBBS was an officer new to policing and within her probationary period, the panel found this element of his conduct to be an aggravating factor. Put short there was a clear power imbalance

between the officer and PC HOBBS and by engaging in such conduct he abused his position of trust as her supervisor and placed her in an invidious position.

Allegation 1 (f)

130. It was alleged the officer – complained that PC HOBBS would not engage in physical contact with you

131. In relation to this allegation, the panel noted the following:

Evidence of PC HOBBS

132. PC HOBBS stated that the officer would complain about her not giving him hugs. She stated that if he saw her choosing to give someone else a hug, he would make comments such as ‘what’s wrong with me’, ‘oh so you will hug them’ and ‘why won’t you give me a hug’.

133. PC HOBBS described that the actions and persistent behaviour of the officer made her feel incredibly upset

Account of the officer

134. The officer stated he did not complain that PC HOBBS would not engage with physical contact with him, however stated that he may have made comments about it. He stated that it was all part of a joke and he did not understand why she would hug others and not him. The officer stated that he accepted that things had been taken too far and it was not appropriate for him to act this way as a supervisor.

135. During the hearing the officer accepted that there was nothing funny in relation to the comments he had made to PC HOBBS concerning him hugging her and he should have accepted that PC HOBBS did not wish to hug him. He accepted he should have known better and his behaviour was unacceptable both as a colleague and Sergeant.

Panel findings in relation to the allegation

136. As the officer did not fully accept that he complained to her that she would not engage in physical contact with him the panel was required to make

a finding of fact in relation to this allegation.

137. The panel noted the evidence of PC HOBBS and that she stated:
- a. The officer would complain about her not giving hugs and would ask the officer why she would hug other people but not him
 - b. She had explained to the officer that she wished to protect her personal space, and the officer took offence to this and would constantly bring it up. To that end PC HOBBS stated the actions were persistent and it made her feel incredibly upset
138. The panel noted that PC WEAVER stated that the officer would openly state in front of colleagues that PC HOBBS would not hug him.
139. The panel noted that PC SMITH stated that she was aware that PC HOBBS had disclosed to the officer she did not wish to be touched, however he kept asking for hugs and would become 'aggy' if he saw her hug another colleague. PC SMITH stated that she found the behaviour of the officer to be unhealthy, controlling and inappropriate.
140. The panel concluded that PC HOBBS had clearly stated to the officer that she did not wish to have physical contact with him or be hugged and the officer took exception to this. There was clear evidence from other members of the team who were aware of PC HOBBS position and the officer made a conscious decision to repeatedly challenge her about this.
141. The officer initially stated his actions were the continuation of a joke and although conceding in the hearing this was not in fact the case, the panel were again considerably concerned that the officer only latterly understood that to even joke about such matters would not be acceptable in the workplace.
142. The panel found it also very concerning that the officer stated he could not understand why she would hug other people and not him. Whilst the officer accepted he had taken things too far, the officer only latterly accepted that as a supervisor looking to repeatedly hug a colleague in the workplace was totally unacceptable behaviour.
143. Put short at a time where the officer should have been creating a positive workplace culture, where he supported and developed his junior officers to provide an excellent service to the public, he was spending time repeatedly challenging PC HOBBS concerning why she would not engage in hugging him.

144. The panel found the allegation proven, alongside the alleged breaches of professional standards relating to:
- a. Authority, Respect and Courtesy – as he had failed to act with self-control and treat his colleagues with respect and courtesy
 - b. Discreditable conduct – in so much as a member of the public would justifiably be concerned that a police officer of a more senior rank had behaved inappropriately towards a junior colleague in her probation period
145. The panel concluded that the officer had entered into a course of inappropriate conduct where he intentionally sought to question PC HOBBS concerning why she would not allow him to hug her and this caused her to suffer considerable anxiety and distress as a result of his actions.

Assessment of whether the admitted and proven allegations amount to gross misconduct or misconduct

146. Further to all six allegations, 1 (a - f), being either admitted or found proven, the panel considered under Regulation 41(15) (b) of the 2020 Conduct Regulations whether the conduct as found in relation to the allegations amounted to misconduct, gross misconduct or neither.
147. The panel reminded itself that under Regulation 2(1) and 'Misconduct' meant a breach of the Standards of Professional Behaviour that is so serious as to justify disciplinary action. Whilst 'Gross Misconduct' meant a breach of the Standards of Professional Behaviour that is so serious as to justify dismissal.
148. The panel noted that the AA submitted that the conduct found proved overall amounted to gross misconduct. The panel noted that the officer submitted that the proven conduct amounted to misconduct.
149. The approach taken by the panel when considering seriousness was that identified by Mr Popplewell J in *Fuglers LLP v SRA* [2014] EWHC 179 (Admin) which is in these terms:

"In assessing seriousness, the most important factors will be (1) the culpability for misconduct in question and (2) the harm caused by the

misconduct.....(3) aggravating factorsand mitigating factors.....”

Culpability

150. This panel reminded itself that culpability denotes an officer’s blameworthiness or responsibility for their actions. The panel found the following to be relevant to the assessment of culpability.
151. The panel concluded that the conduct of the officer was deliberate and was targeted at PC HOBBS, however accepted that the officer’s actions were not malicious or sexually motivated (4.10). The panel found in each of the proven allegations; the officer had made a number of choices concerning his conduct and had decided to act in a certain way.
152. The panel found that it should have been obvious to the officer that his conduct was likely to create a very difficult working environment for PC HOBBS and he should have reasonably foreseen this (4.11). Accordingly, the panel noted in line with the College of Policing guidance, this increased the assessment of the officer’s culpability.
153. The panel noted the rank of the officer and has chosen to deal with this matter as an aggravating factor
154. The panel received submissions from both parties to the proceedings concerning whether the actions of the officer amounted to an abuse of his position. The panel carefully considered this issue and noted Para 4.44 and 4.45 of the College of Policing Guidance, which state:
- 4.44 – ‘The nature of the office of constable means that all police officers are in a position of trust and authority in relation to members of the public. An officer’s misconduct will be more culpable where it involves an abuse of this position...’*
- 4.45 - ‘...Within the police service, positions of responsibility may be defined in relation to rank. There may however, be other circumstances giving rise to an imbalance of power or authority – for example, a senior constable on a shift or a tutor constable in relation to their tutee or those in supervisory or senior leadership roles’*
155. The panel concluded in relation to allegations 1 a-d, the officer’s conduct fell short of an abuse of position.

156. In relation to allegations 1 e and f, the panel concluded the officer had abused his position. There was a clear power imbalance between PC HOBBS as a probationer and the officer as her Sergeant. Set against this context, in front of colleagues the officer repeatedly asked PC HOBBS for hugs when he knew she did not want such contact and then questioned her to why she would not participate in such contact. The panel concluded, this placed PC HOBBS in an invidious position, the officer was responsible for her line management and all associated matters, and she was put in a position where she had to repeatedly state she did not wish to be hugged and explain why this was the case.

157. The panel noted that the officer put forward a number of factors in relation to matters which were ongoing in his personal life which mitigated his conduct. The panel considered whether these factors reduced his culpability and concluded the accepted mitigation advanced on behalf of the officer did not materially alter the panel's assessment of culpability. The panel accepted that the officer was experiencing a difficult time in his personal life, but found that notwithstanding this, in each of the proven allegations he should have recognised that his conduct was not acceptable. In relation to the regular social media messaging (1a), the babies' comment (1d), the touching (1e) and the complaining about PC HOBBS not hugging him (1f), the panel found that within these allegations there was a pattern of repeated behaviour.

158. The panel concluded that overall, the level of culpability was HIGH

Harm

159. The panel noted that as a result of the officer's cumulative actions PC HOBBS stated she was left feeling uncomfortable, upset and angry. The panel also noted that on occasions there was evidence that she was left in tears.

160. The panel also noted that PC HOBBS stated she had suffered psychological distress (4.64) in the form of lost sleep and the situation had caused her ongoing anxiety. In evidence she stated that the situation had left her with 'no confidence whatsoever'.

161. The panel noted the actions of the officer had also impacted upon the completion of her PCDA course and probation, as she stated she struggled to concentrate at work.

162. The panel found it was also clear that as the conduct towards her was being perpetrated by her sergeant she did not know what to do and was worried if she raised matters it would impact upon on her and the wider team.

163. The panel concluded that the proven allegations, if known by the public, would be likely to have a significant and obvious impact on trust and confidence in the police service (4.66). Put clearly, if the public were aware that a police officer and leader in the police service had engaged in such conduct and created such a working environment for a junior officer, they would be rightly significantly concerned.

164. The panel also concluded that at a time of generic national public and media concern relating to standards and leadership in policing, the actions of the officer, if known, would further harm the reputation of the police service.

165. The Panel found the overall level of harm to be HIGH

Aggravating factors

166. In considering aggravating factors the Panel were careful not to double count and found the factors below to be relevant:

167. The panel found it a particularly aggravating factor that the officer as a Sergeant had a responsibility to create a positive working environment and working culture for those that he was entrusted to lead and nurture. To that end the panel concluded he created a very difficult working environment for both PC HOBBS and other constables on the team who were concerned about the officer's conduct towards her. This culminated in three of the constables approaching the Inspector as they were so concerned by the conduct.

168. The panel viewed the fact that PC HOBBS was a probationary officer, who was young in police service was an aggravating factor. PC HOBBS should rightly have expected to join a team where as she stated herself, her 'welfare' and development needs were put front and central by her Sergeant. Instead, she found herself the subject of repeated unwanted course of conduct from her supervisor, which impacted upon her wellbeing and left her unclear on what to do. In each of the proven allegations, the officer failed in his duty to be a role model (4.76)

169. The panel concluded that the course of conduct by the officer was regular, repeated and sustained over a number of months (4.76)

170. The panel found the fact that six separate allegations were proven was also an aggravating factor.

171. The panel concluded that PC HOBBS had informed him she was not

comfortable with him touching her and or talking about or engaging in physical contact, yet the officer continued to engage in such conduct long after he should have realised it was improper (4.76)

172. The panel noted that whilst the officer accepted most of the allegations against him, his language was very much that he had 'overstepped the mark as a supervisor' and that he 'should not have been so friendly with PC HOBBS.' He also described that the conduct was 'playground antics that go on in the police.' To this end the panel concluded the officer had only partially recognised how far his standards had fallen concerning his duties as a sergeant to create a positive working environment and treat colleagues with dignity and respect at all times.

173. The panel also concluded it was concerning that the officer was surprised that no one had said to him his conduct was inappropriate and if they had this would have been the trigger for him to change his behaviour. Once again, the panel found this evidenced a fundamental lack of awareness by the officer about his role and his responsibilities as both a colleague and supervisor.

174. In summary the panel found there to have been a number of aggravating factors in the proven conduct.

Mitigating factors

175. The Panel considered carefully all the factors that are detailed in paragraph 4.79 of the Guidance. The Panel was careful to remind itself of the difference between mitigating factors and personal mitigation. Mitigating factors are those that could potentially indicate a lower level of culpability.

176. The Panel considered the following to be mitigating factors:

177. The panel noted that whilst not accepting his conduct amounted to gross misconduct, the officer had ultimately accepted the allegations against him and made a number of early admissions.

178. The panel noted that the officer had a number of personal issues ongoing at that time in his life which he stated had impacted his judgement and had reflected subsequently that he should have taken some time off to address these.

179. The officer stated that he wished to convey his apologies to PC HOBBS for his actions.

Panel Finding.

180. Having listened to closing submissions and considered whether the mitigating factors reduce the seriousness of the misconduct, the Panel considered that overall, the conduct of the officer was such that the seriousness assessment was HIGH.
181. Having found six separate allegations proven, the panel reminded itself of Para 11.132 of the HOG:
“Where more than one allegation of misconduct against the officer concerned has been proven, it is for the panel to decide whether, taken together, the misconduct may amount to gross misconduct.”
182. The panel concluded that the proven allegations amounted to a course of conduct over a number of months towards PC HOBBS, and it was therefore appropriate for the panel to consider them collectively. The panel considered that as a whole the proven conduct and breaches of the Standards of Professional Behaviour were so serious as to amount to **Gross Misconduct**.

Outcome – Former Police Sergeant BENTLEY

183. In reaching their decision regarding the disciplinary outcome, the panel gave due consideration to all the evidence and information put before them. The panel also considered the following:

- The officer’s record of service
- The officer’s training record
- Nine-character references
- Submissions made on behalf of the AA
- Submissions of mitigation on behalf of the officer.
- The nature of the allegations
- The interests of the public
- The interests of Thames Valley Police.

184. In coming to its conclusion as to the appropriate outcome, the panel had regard to the Guidance, the HOG and relevant legal authorities.
185. The Guidance made it clear that there was a 3-stage process, which the panel was required to adopt when deciding upon the correct sanction in misconduct proceedings. Case law, the panel knew, is unequivocal that the 3-stage process should be adopted by it in police misconduct proceedings.

The panel adopted the 3-stage process.

186. For clarity the 3-stage process, (the Guidance (4.2)), originates from the **Fuglers** case which had already been mentioned and required the panel to:

- a) assess the seriousness of the misconduct
- b) keep in mind the purpose of imposing sanctions; and
- c) choose the sanction which most appropriately fulfils that purpose for the seriousness of the conduct in question

Seriousness Assessment

187. When assessing the seriousness of the misconduct, the panel were assisted by the Guidance, which emphasises that there are 4 elements that the panel were required to consider: culpability, harm, aggravating and mitigating factors.

188. The Panel re-assessed the criteria for seriousness at the '**Outcome**' stage, having made a finding of Gross Misconduct at the '**Findings of fact**' stage. In considering seriousness again and applying the **Fuglers** test the Panel considered their preliminary assessment of seriousness in relation to culpability, harm and aggravating factors. The Panel was extremely mindful, cautious and careful, not to engage in double counting when assessing the seriousness of the misconduct found proven. The Panel found that their overall assessment had not changed in respect of the outcome determination and overall, the seriousness assessment remained high.

189. The panel considered wider personal mitigation which had not been fully considered at stage one:

- The panel reviewed the three PDR's of the officer and noted that he was assessed by his supervisors to be well regarded and operationally effective. It was also of credit to him that he had performed effectively in his restricted role whilst under investigation
- The panel reviewed the nine-character references submitted by a mixture of friends and colleagues and noted they had common themes across them concerning:
 - The officer had undertaken voluntary additional duties as a Police cadet leader and had received a Superintendents commendation in relation to this

- Those providing statements detailed in their own personal and where relevant professional experience, they had not seen the officer act inappropriately. Accordingly, in their view his conduct was out of character
- That they found him to be a professional and dedicated police officer during his period of service
- He had worked effectively and collaboratively in a partnership setting

190. The panel reminded itself that due to the nature and purpose of disciplinary proceedings the weight attributed to this material was necessarily limited, particularly having found serious misconduct. (the Guidance para 6 and *Salter v Chief Constable of Dorset* [2012] EWCA Civ 1047 Para 23).

The purpose of imposing sanctions

191. Having assessed seriousness, stage 2 of the structured approach required, the panel to reminded themselves of the purpose for which sanctions are imposed.

192. The purpose of the police misconduct regime is unequivocally identified in the Guidance (2.1):

“Police officers exercise significant powers. The misconduct regime is a key part of the accountability framework for the use of these powers. Outcomes should be sufficient to demonstrate individual accountability for any abuse or misuse of police powers if public confidence in the police service is to be maintained. They must also be imposed fairly and proportionately.”

193. The three-fold purpose of sanctions is explained in the Guidance (2.3) is:

- Maintaining public confidence in and the reputation of the police service
- Upholding high standards in policing and deterring misconduct
- Protecting the public

194. The panel considered the first two of these purposes to be particularly relevant to its findings and considerations on sanction and the facts of this case.

Availability of outcome sanctions upon a Panel finding of Gross Misconduct.

195. The Panel, having reminded itself of the purpose of misconduct proceedings, were required to determine, given their finding of Gross Misconduct, the sanction that most appropriately met the purpose of the regime.
196. The Panel reminded itself of the Guidance at paragraph 2.7 that misconduct proceedings are not designed to punish officers.
197. Equally the panel reminded itself of paragraph 2.8 of the Guidance, which states:
“However, the outcome imposed can have a punitive effect, which should therefore be no more than is necessary to satisfy the purpose of the proceedings. Consider less severe outcomes before more severe outcomes”
198. As this was a case concerning a former officer, the panel reviewed paragraph 3.31 of the College of Policing Guidance on Outcomes in Police Misconduct Proceeding referred to above. This section deals with former officers. The Panel noted that where the Panel has concluded that the conduct amounted to Gross Misconduct, it can only consider two outcomes: disciplinary action or no disciplinary action. Where the finding is Gross Misconduct and disciplinary action is imposed, this can only be that the former officer would have been dismissed if still serving. No other sanction can be enforced. If the finding is Gross Misconduct but the Panel determines that dismissal is not justified, then no action will be taken, and the Gross Misconduct will be recorded.
199. To establish what the sanction would be if the former officer was still serving, the panel referred themselves to the Guidance, at paragraph 2.8 and considered the following in ascending order:
- (i) A final written warning
 - (ii) Reduction in rank
 - (iii) Dismissal without notice.
200. The panel noted the submissions of the AA and counsel for the officer concerning outcome. The AA submitted that if still serving the appropriate sanction would have been dismissal without notice, whilst counsel for the officer submitted that a reduction in rank would fulfil the purpose of the misconduct regime.

Written warning

201. The panel considered very carefully whether a Final Written Warning would be an appropriate sanction in the case, set against the findings which it made in relation to the serious proven conduct. The panel concluded that based upon the collective seriousness of the proven conduct the imposition of a final written warning in this case would not fulfil the purpose of police misconduct proceedings.

Reduction in rank

202. The panel then went onto consider whether reduction in rank would be appropriate in the circumstances. The panel carefully considered the relevant sections of the HOG and specifically sections 11.133 through to 11.143. In consideration of whether the imposition of reduction in rank would be appropriate in these circumstances had the officer still been serving, the panel sought the view of the AA. The AA in open session, confirmed that if the panel reached such a conclusion that if still serving such a sanction would have been viable for the organisation.

203. The panel considered the seriousness of the proven conduct and the factors set out in 11.136 of the HOG:

- a. The panel in line with its findings of fact and seriousness assessment concluded that the proven conduct was a poor leadership example and had brought the rank of Sergeant into disrepute. The panel then considered if this was limited in extent and concluded the fact that the officer had entered into a course of conduct over a period of five months meant it was not
- b. The panel then considered the nature of the aggravating factors, the panel noted that the proven conduct did not contain malign intent, operational dishonesty or premeditation. The panel, however, weighed this against the serious high harm assessment that it had reached and the scale and seriousness of the aggravating factors it had found. Accordingly, the panel concluded that the nature of the aggravating factors was such that they outweighed the mitigating factors detailed.
- c. The panel considered the mitigating factors that it had found, but concluded that these were not so significant as to weigh against full dismissal

204. The panel therefore concluded that reduction in rank would not be a suitable outcome and sanction in this case and would not fulfil the purpose of the police misconduct regime.

205. The panel considered that the threefold purpose of the misconduct regime could only be satisfied, by the imposition of a sanction that if the officer was still serving that he would be dismissed without notice from Thames Valley Police.

In summary.

206. The panel having considered all the issues, including the three principles highlighted and the serious nature of the misconduct, imposed a sanction that if the officer was still serving, he would have been dismissed from the police service without notice.

207. The panel considered the sanction as a proportionate means of achieving the legitimate aims of the proceedings, which are the purposes of the police disciplinary process as set out in the Guidance.