

GREATER MANCHESTER POLICE

WRITTEN DECISION OF GROSS MISCONDUCT HEARING AND APPEAL NOTIFICATION.

(Regulation 43 Police (Conduct) Regulations 2020)

OFFICER DETAILS

Name	AB
Pin	
Warrant No	
File Ref	CM/00220/21

Background

1. This is a case involving the alleged misconduct of PC AB,
 2. The officer faced the allegations as outlined in the Regulation 31 Notice.
- If proved, it is contended that your actions amounted to gross misconduct.

Police Constable B, it is alleged that you have breached the Standards of Professional Behaviour, and in particular the Standards relating to:-

- **Honesty and Integrity:** Your conduct as set out within the background facts above has breached this standard in that you failed to act with honesty or integrity by engaging in a relationship with YZ under false pretences, including the use of a false name. You failed to inform GMP at any time that you had changed your name to 'C'. You produced your warrant card without having a policing purpose to do so. Your conduct led to YZ and her extended family to engage in financial transactions knowing that you would not be able to make payment or repay those finances. You became engaged to, and fathered a child with YZ despite already being married to and residing with another person. You provided details of your work commitments and rank, which you knew to be false to maintain your relationship with YZ.
- **Authority, Respect, and Courtesy:** Your conduct as set out within the background facts above has breached this standard in that you failed to act with self-control by engaging in a relationship with YZ. You deprived YZ with the ability to make an informed choice relating to entering a relationship with you. Your conduct led to the emotional harm caused to YZ, and her extended family. You used your role as a police officer to maintain the relationship with YZ and your wife. You further attended the home address of YZ, whilst on duty, without a policing purpose to do so. You have also maintained differing households during the national Covid-19 pandemic, without a policing purpose, failing to comply with Covid-19 regulations.
- **Discreditable Conduct:** Your conduct as set out within the background facts above has breached this standard in that an ordinary, well-informed member of the public would regard your conduct as falling far below that expected of a Police Officer, particularly in respect of the repeated and consistent dishonesty and lack of integrity shown in the relationship with YZ. Members of the public would expect a Police Officer to be honest relating to their rank, their identity, and to only use their police warrant card for a policing purpose.

It is alleged that these matters either individually or cumulatively amount to gross misconduct, namely a breach of the Standards of Professional Behaviour that if proved, is so serious that you should have been dismissed from the police force.

The Evidence

3. The evidence was put forward in a 251 page, digital bundle.
4. The panel had the benefit of an Opening Note received by the panel on the 9th May 2024, which outlined how the AA put its case.
5. The panel considered the bundle in its entirety.
6. Ms Ravenscroft opened the case and made reference to the Opening Note and the digital bundle.

The Findings

7. The panel adopted the “3 stage approach”: -
 - (a) Ascertain the facts on the balance of probabilities.
 - (b) Decide whether, on the facts found proved, the officer’s conduct has breached the Standards of Professional Behaviour and;
 - (c) Whether that breach amounts to misconduct or gross misconduct or neither.

The Facts

8. The AA opened this case making the appropriate references to the bundle.
9. Within the Officer’s Regulation 31 Response he took issue with a number of issues alleged by the AA.
10. However, during the course of submissions the officer conceded those issues, and specifically chose not to give any evidence to the panel. These findings are made on the basis not only that the officer has conceded the allegations against him, but also that the panel found that the allegations individually and collectively amount to misconduct.
11. In July 2019, the Officer entered into a personal relationship with ‘YZ’, having met through an online dating platform. The Officer had provided his name as ‘Mert’ to YZ, being a false name.
12. At the outset of the relationship, the Officer informed YZ that he was single and had a daughter from a previous relationship. However, the Officer was engaged in a 14 year relationship with his wife. The Officer resided with his wife within the matrimonial home when he commenced the relationship with YZ.
13. On 13 July 2019, the Officer arranged to meet YZ for a ‘date’. On 21 July 2019, the Officer attended the family home of YZ to meet her family. On 23 July 2019, the Officer introduced his daughter to YZ. On 31 July 2019 the Officer married his wife. It would appear that on the day he was married, the officer met YZ for a coffee.
14. Throughout this time, the Officer maintained that he was single and separated from his wife, despite knowing this to be untrue.
15. The Officer further confirmed to YZ that his name was ‘AC’, providing another false name. The Officer knowingly entered the relationship with YZ and provided false details regarding his personal circumstances, depriving

YZ of the opportunity to fully assess whether she would wish to form a relationship with the Officer in the full knowledge of the circumstances.

16. The Officer informed YZ that he was a Traffic Sergeant, based at AS. At the time of the alleged misconduct, the Officer held the rank of Constable and was operating from LS. The Officer later informed YZ that he had undertaken his Sergeant's exam and been promoted to the rank of Inspector. The Officer had never undertaken the Sergeant exams and had not been promoted to any rank above the role of Constable.
17. The panel found that this was clear evidence of the officer using his position as a Police Officer in order to pursue a sexual or improper emotional relationship with any member of the public.
18. In August 2019, the Officer invited YZ to fly from Italy where she had been visiting for a family wedding, to Portugal. The Officer informed YZ that he was on holiday with his daughter alone. The Officer asked YZ to leave her family holiday early and the Officer informed YZ that he had rearranged her flights on her behalf.
19. On the day YZ was due to fly to Portugal, the Officer informed YZ that his daughter was upset and did not wish her to join them in Portugal. This was after YZ had flown from Italy and was at the airport ready to catch the flight to Portugal. However, at the time, the Officer was in Portugal with his wife on their honeymoon, and would not have been able to holiday with YZ.
20. The Officer's conduct caused YZ to incur the loss of £150 for the changes made to her flights, as well as the loss of time with her family. YZ had no other reason to leave the family holiday early. The Officer knowingly misled YZ to believe she would be able to travel to Portugal to spend time with him.
21. The panel found this behaviour to be particularly concerning. There was never any prospect of YZ joining the officer on his honeymoon. The panel found on the balance of probabilities that the only reason for his behaviour was that he did not wish for YZ to be in Italy without him. The panel found this to constitute controlling behaviour on the part of the officer.
22. In or around December 2019, the Officer encouraged YZ to have a baby. The Officer took YZ to Blackpool for a 'baby making holiday' with the intention of conceiving a child. YZ discovered that she was pregnant towards the end of December 2019. This was within 6 months of meeting YZ, and whilst YZ was completely unaware of the officer's true identity, his true marital status, and his rank, role and history as a police officer.
23. Whilst in Blackpool, the Officer informed YZ on 23 December 2019 that his brother-in-law had collapsed and was undergoing neurosurgery. On 24 December 2019, the Officer informed YZ that his brother-in-law had died. However, the Officer was aware that this incident had not occurred and his brother-in-law was alive and well.
24. The panel found this to be a particularly distasteful lie to tell, presumably to cover for the reality that he couldn't spend Christmas with YZ without provoking suspicion on behalf of his wife.
25. On 4 January 2020, the Officer proposed marriage to YZ, which she accepted, despite continuing to be married to his wife and without initiating

divorce proceedings. An engagement party was held at the end of January 2020 for the future '*Mr and Mrs C*', with the Officer maintaining his false name. The panel noted that the officer even invited his daughter to that party.

26. The panel was acutely aware that the evidence within the bundle is only a fraction of the true level of the officer's deception. The panel found, on the balance of probabilities that the officer must have also regularly deceived his wife and daughter throughout this period of time. However, for the purpose of these findings the panel took account only the evidence it had before it.
27. As YZ's pregnancy progressed, the panel found that the Officer placed pressure upon YZ to leave her employment, providing her with reassurance that he would look after her financially. The Officer made those assurances knowing that he continued his marriage with his wife, and had ongoing financial responsibilities within that marriage. In fact the officer now pays £250 per month to YZ which must represent all that he can actually afford, and nothing like what YZ must have been earning. YZ stated that she felt pressured by the Officer to hand in her notice, which she subsequently did in May 2020.
28. In July 2020, YZ waters broke prematurely, requiring her admission to hospital. On 28 July 2020, YZ required an emergency caesarean section to deliver the baby.
29. In or around August 2020, whilst his newly born daughter was in hospital, and while YZ was caring and worrying for her, the Officer sent a picture to YZ of a marked police vehicle that had been involved in an accident. The Officer informed YZ that he had been in a high speed car crash and was waiting for an ambulance. However, the Officer had not been in an accident. The picture used by the Officer is available from open source searches on the internet. The Officer intentionally misled YZ to believe he had been in an accident.
30. The panel note that no explanation for this sophisticated, unnecessary and distasteful lie.
31. From August 2020, the Officer informed YZ that he was required to work away in London in respect of cases relating to human trafficking. The Officer knew this was untrue having not being tasked or instructed to attend London, and having no policing purpose to attend London.
32. The Officer used Covid-19 to mislead YZ into believing he was working longer shifts, in different teams, in different locations. The Officer would mislead YZ to believe that paternity leave, annual leave, and rest days had been cancelled or refused by GMP to maintain his deception, knowing this to be untrue.
33. The panel found these clear lies to represent Discreditable Conduct and a breach of the standards relating to Honesty and Integrity and Authority, Respect, and Courtesy

Use of false name

34. Throughout the relationship, the Officer informed YZ and her family that his name was 'AC', knowing this to be untrue.
35. In or around January 2020, the Officer proposed for YZ and her family to

go on a holiday to Riga. The holiday was booked by YZ's sister for the family to travel between 16 and 19 January 2020. The booking for the Officer was in the name of 'AC'.

36. The Officer has stated that he booked a separate seat in the name of B. He has produced no evidence to support that contention. He has had a significant period of time to substantiate his account.
37. In the circumstances, and in light of YZ's evidence of the officer's behaviour at the airport and his story about being afraid of flying, the panel found that the officer must have in some way deceived Border Control in relation to his name.
38. Due to the difficulties the Officer had experienced in travelling under a false name, he changed his name by deed poll in January 2020 to 'AC'.
39. However, the Officer continued to use the name 'B' at work, within his relationship with his wife, and other personal arrangements. Again, the panel were particularly concerned about this misconduct. What name did the officer use on witness statements within which he would certifying the truth of the statement's contents. His warrant card was incorrect. Various checks required to be carried out by the force may not reveal the true and accurate outcomes. Had he notified DVLA? Was he insured to drive Police Vehicles?
40. In fact, following the birth of their baby in July 2020, the Officer continued to use the name of 'AC'. Health Visitors undertaking checks on the baby informed YZ that there was no record of anyone called 'AC' on health care records or computer systems.
41. The panel found that the officer's failure to notify GMP of his new name represented discreditable conduct and a breach of honesty and integrity.

House purchase

42. In or around September 2019, the Officer suggested to YZ that they should purchase a home together. To support the assertion that the Officer was in a financial position to purchase a home with YZ, he produced a bank statement displaying a balance of £400,000 in the name of 'AC'.
43. The Officer knew that the bank statement was inaccurate and was in a false name. The Officer knowingly misled YZ that he was in possession of £400,000 in a bank account. The officer now concedes this to be the case.
44. In or around December 2019, YZ and the Officer paid a deposit of £1,000 on a home and commenced selecting items for the property. At this time, the Officer led YZ to believe that they would be moving into the premises together.
45. Due to the Covid-19 pandemic, the house move was delayed. In May 2020, the Officer informed YZ that the house purchase had fallen through. The Officer did not allow YZ to speak to the solicitors or estate agents dealing with this purchase.
46. Following the birth of their baby in July 2020, the Officer returned to the discussion of house purchases with YZ. At this time, the Officer suggested that YZ buy out her ex-husband of her former matrimonial home. YZ was very clear that this was the officer's idea. The Officer

reassured YZ that he had the funds available to make this purchase and would take responsibility for making the payment.

47. YZ entered into a court order to pay her ex-husband £70,000 under the false assurance of the Officer that he would provide her with the money to discharge the order. The court order required payment to be made by 13 April 2021. Failure to discharge the court order would result in YZ being held in contempt of court. However, the Officer repeatedly provided his assurance that he would provide the £70,000 payment.
48. However, the Officer failed to provide the money placing YZ at risk of being held in contempt of court. YZ's father, XZ, made the payment to discharge the court order depleting his retirement fund. The Officer again repeated that he would refund XZ, but this payment was never provided by the Officer.
49. The Officer never had the means to pay YZ. At the time, the Officer was earning the salary of a Constable and was in debt. The Officer had informed YZ and her family that he was earning a higher wage, in addition to having £400,000 available in his bank account, despite knowing this to be untrue.
50. The panel found that this was another example of the officer misleading YZ about his true position as a police officer.
51. The panel found this behaviour to represent a breach of Honesty and Integrity; Authority, Respect, and Courtesy and Discreditable Conduct.

Visits to YZ's address whilst on duty

52. During the course of his relationship with YZ, the Officer attended the home address of YZ whilst on duty and wearing police uniform. The home address of YZ was 5.2 miles away from the Officer's place of work.
53. On 23 November 2019, the Officer was photographed by YZ inside her home at 23:01. On this date, the Officer was on duty between 16:00 and 02:00. The Officer had not been instructed or tasked to attend the home address of YZ and had no policing purpose to visit YZ at her address.
54. On 4 December 2019, the Officer was photographed by YZ inside her home at 16:47. The Officer was wearing Sergeant's epaulettes, despite holding the rank of Constable. On this date, the Officer was on duty between 15:00 and 23:00. The Officer had not been instructed or tasked to attend the home address of YZ and had no policing purpose to visit YZ at her address.
55. On 2 March 2021, the Officer was photographed by YZ inside her home at 21:30. The Officer was wearing Inspector epaulettes, despite holding the rank of Constable. On this date, the Officer was on duty between 15:00 and 23:00. The Officer had not been instructed or tasked to attend the home address of YZ and had no policing purpose to visit YZ at her address.
56. The panel accepted the evidence of YZ in this and in all other regards. The officer visited YZ's address whilst on duty for no policing purpose.

Breach of Covid-19 Regulations

57. The panel found that although there was no doubt that the officer had not followed the tenor of the advice and/or Regulations relating to Covid

during the relevant time period, it was not satisfied, on the balance of probabilities, and on the evidence provided that any specific instance as outlined represented misconduct or gross misconduct.

58. The panel found that the lies told by PC B were not just untruths told to YZ that “*snowballed out of control*”. The officer had sought out a relationship by joining a dating app 3 weeks before he was due to get married. When he went on their first date, or shortly thereafter, he must have had his alter ego prepared. This was deliberate behaviour. The lies in relation to the invitation to Portugal, the deceased brother-in-law, his rank and role, the £400,000 were all fantasy, all unnecessary and all deliberate, and in some cases well planned and sophisticated lies.

Breaches of the Standards of Professional Conduct

59. In relation to the allegations that the officer failed to meet the following Standards:

- **Honesty and Integrity:** The Officer failed to act with honesty or integrity by engaging in a relationship with YZ under false pretences, including the use of a false name. He failed to inform GMP at any time that he had changed his name to ‘C’. He misled Border Control at the Airport in January 2020. His conduct led to YZ and her extended family to engage in financial transactions knowing that he would not be able to make payment or repay those finances. He became engaged to, and fathered a child with YZ despite already being married to and residing with another person. He provided details of his work commitments and rank, which he knew to be false to maintain his relationship with YZ.
- **Authority, Respect, and Courtesy:** The Officer’s conduct breached this standard in that he failed to act with self-control by engaging in a relationship with YZ. He deprived YZ with the ability to make an informed choice relating to entering a relationship with him. His conduct led to the emotional harm caused to YZ, and her extended family. He used his role as a police officer to maintain the relationship with YZ and his wife. He further attended the home address of YZ, whilst on duty, without a policing purpose to do so.
- **Discreditable Conduct:** The Officer’s conduct has breached this standard in that an ordinary, well-informed member of the public would regard his conduct as falling far below that expected of a Police Officer, particularly in respect of the repeated and consistent dishonesty and lack of integrity shown in the relationship with YZ. Members of the public would expect a Police Officer to be honest relating to their rank, their identity, and their marital status.

60. The panel found that these matters individually and cumulatively amount to gross misconduct, namely a breach of the Standards of Professional Behaviour.

Gravity of Misconduct

61. In relation to the findings of the breaches of standards of dishonesty and integrity and excessive use of force and discreditable conduct, the panel found that the officer's conduct represented gross misconduct.

Outcome

62. The Panel took account of all the evidence:

- a) the bundle of documents,
- b) the Submissions on Outcome
- c) PC B's record of service and character evidence

63. In determining outcome the panel have adopted the structured 3 stage approach outlined in the section 4.2 - Guidance on Outcomes in Police Misconduct Proceedings.

The Seriousness of the Misconduct

64. The panel reminds itself that it found that PC B breached the standards of professional behaviour that all police officers must adhere to, and that the misconduct was so serious that it amounted to gross misconduct.

Culpability

65. The panel found that PC B's conduct was deliberate, repeated and intentional. The misconduct lasted for approximately 3 years. The panel accepted the AA's submission that his conduct represented a complete violation of the trust and integrity expected of a police officer.
66. The panel found that PC B had repeatedly acted dishonestly in his relationships with his wife, YZ and her family.
67. Further, the panel found that PC B had deliberately put himself into a position where it was inevitable that he would have to lie in order to maintain his extra marital relationship with YZ.
68. The panel found that although PC B did not act with the intention of causing significant harm, he was reckless as to what harm was actually caused. The panel found that YZ suffered substantial emotional distress as a result of the unintended consequences of PC B's actions, and that those unintended consequences could easily have been foreseen as a result of his conduct.
69. The panel did not accept PC B's submission that he "...intended to leave his wife to have a relationship with YZ," or that he "... accepts that he told untruths to YZ that snowballed out of control." PC B had plenty of time and opportunity to be honest to all concerned about his situation. It is not for this panel to pass judgment upon whether the officer should have got married or whether he should have left his wife. However, it is entitled to reject his assertion that he intended to leave her. When YZ became pregnant, he proposed to her shortly thereafter. This was a time when he could and should have done 'the right thing'. Similarly, when WZ was born, or when YZ bought her ex-husband's share of their house. These were all significant turning points – but the officer maintained his lies, not

'untruths, but lies over which he had control, so that he could maintain his 'double life'.

70. Even when YZ discovered his deception, the officer told her not to phone the police and not to 'ruin' his family, as if any consequences of his actions were now the responsibility of YZ.
71. The panel found that PC B had on numerous occasions used his position as a police officer in attempt either to impress YZ or to convince her that he could be trusted. He had gone out of his way to obtain epaulettes indicating a higher rank, and deliberately worn them in photographs. He had obtained traffic officer equipment, and he had attempted to portray himself as an important decision making officer in press worthy cases.
72. The panel did accept that the officer's behaviour represented operational dishonesty in that the officer continued to be known as PC B despite having changed his name to C.
73. All of these factors led the panel to a finding that PC B was highly culpable for his behaviour. The panel also found that as PC B's conduct, whilst acting in a position of authority as a police officer, involved deliberate and intentional behaviour.

Harm

74. The panel found that YZ has suffered substantial emotional harm as a result of PC B's conduct. YZ articulately explained her feelings in her interview:
*"If I'm honest I just feel like I've lost my life, you know. I love WZ to pieces and I'd never change her for the world but I just...I feel like I deserved somebody to be there with me going through the hard times not being sat there on my own.
And even now going to appointments and I sit there when they're talking about, you know, stuff and they're like 'Have you got anyone that can come with you' and it's always been like 'Well no' because he's always been like too busy or something has always come first. I think WZ deserves more than that and I feel like I've - this might sound mad when I say this - I feel like I've been tricked into having WZ because how is this ever going to work, you know.
He knew he had a wife he knew he had a family but yet again he proposed to me and actively ensured that we got pregnant and I just think he always knew I was going to be a single mum because there was no way this was ever going to go any other way and I feel like he's taken that right away from me to decide if I wanted to be a single mum or not.
But that was my right, my choice to make and he's taken that away from me by having this...we've had this fictitious life that never existed, everything has been based on a lie, everything. And as awful as that sounds when I look at WZ and I just think everything about you has been a lie, everything."*
75. The panel found, on the balance of probabilities, that PC B's wife will also have suffered significant harm. The panel has no evidence in that regard, other than the conversation as reported by YZ of their meeting.
76. There is evidence of the harm suffered by XZ, YZ's father, of both emotional and financial harm. He stated that his retirement and family life had been greatly affected by PC B. XZ spoke of his pride in the fact that his daughter

was going to marry an officer. He recalled washing the officer's car and polishing his work boots one evening, saying "*I'm not having an Inspector going into work with dirty boots*".

77. The panel found that PC B's misconduct would inevitably have an extremely negative impact upon the standing and reputation of the police force as a whole, particularly in the light of national concerns about male officers abusing their position with female members of the public.

Aggravating Features

78. The panel found that there aggravating features in addition to the points raised above, in that the deception was sophisticated, carried out over a long period of time and affected several people.

Mitigating Features

79. PC B has accepted that his conduct represented gross misconduct.
80. The consequence of this was that no witnesses had to give evidence. At the outset of this hearing the officer effectively conceded the evidence against him. He has not continued his deception before this panel.

Personal Mitigation

81. The panel took account of PC B's record of good service.
82. The panel also took account of the character references provided. In particular Sgt Cresswell, who described him as one of the finest officers he has worked with. Supt Spurgeon described him as 'a great asset'. Other officers describe his honesty and integrity as 'second to none'. He is regularly described as hard working and professional.
83. The panel did not accept that the character references contained 'the bare minimum' or 'nothing exceptional'. The references show that PC B was a highly regarded officer.
84. The panel took account of the potential personal impact upon PC B in respect of each of the potential outcomes the panel was required to consider.

The Purposes of Imposing Disciplinary Action

85. The panel reminds itself that the primary purpose of imposing disciplinary action is to protect the public confidence in the reputation of policing. The panel has found that PC B's misconduct will have damaged public confidence in the reputation of the police force.
86. The panel understands its duty when imposing disciplinary action in police misconduct proceedings, which is to maintain high professional standards by demonstrating to other officers that misconduct of a certain kind and /or of certain seriousness will be dealt with by disciplinary action and with a certain severity.

87. The panel has to consider whether or not the public requires protecting from PC B committing similar misconduct again by excluding him from the police service.

Appropriate Disciplinary Action in this Case

88. The panel find that the gross misconduct as found can only be described as very serious.
89. The Panel found that PC B was highly culpable for his misconduct.
90. The Panel considered the mitigation put forward on PC B's behalf and weighed it against its findings in relation to the misconduct as found, bearing in mind the purposes of imposing an Outcome in police misconduct proceedings.
91. The panel considered the less serious sanction of a final written warning and then considered whether the gross misconduct was such that immediate dismissal was necessary. However, the panel found that there were no exceptional circumstances, which justified stepping back from the usual Outcome, when dealing with a finding of operational dishonesty.
92. In light of all of the above, the panel find, after applying the criteria outlined above and demanded by the Guidelines, that the only disciplinary action that most appropriately fulfils the purposes of imposing disciplinary action, is dismissal without notice.

The Conduct is found **Proven *** and **Constitutes Gross Misconduct.**
(*delete as appropriate)

Live Written Warning or Final Written Warning Existing / **No**

The Decision of the Panel is (please check box):

- ☐ **The conduct is found not proven as Misconduct or Gross Misconduct. The Panel direct that the matter is referred to be dealt with under the Reflective Practice Review Process.**
- ☐ **Written Warning. (18 Months)**
- ☐ **Final Written Warning. (2 yrs. or a period extended by the panel up to a maximum of 5 yrs. Reg 42(9) and (10))**
- ☐ **Reduction in rank.**

X **Dismissed Without Notice**

This constitutes your Dismissal Notice for the allegation outlined above.

The Reasons are Shown Below:

As Above

Presiding LQC: Warren Spencer

Signature: <i>WP Spencer</i>

Superintendent: L Hughes

Signature:

Independent Member: Susan Knowles

Signature:

Date: 14.05.24
