

In the matter of the Police (Conduct) Regulations 2020
and in the matter of

DC Katarzyna Rozalska

Decision of Chief Resources Officer Lee Rawlinson MBE

Preliminary matters

1. I have today conducted an accelerated misconduct hearing at Unit A, GMP Force Headquarters, and have considered various breaches of the standards of professional behaviour as pertain to DC Katarzyna Rozalska.
2. The Appropriate Authority is represented by Gareth Madgwick, DC Rozalska was in attendance and was accompanied by her counsel Adam Birkby, her federation representative Judith Wright.
3. DC Rozalska does not accept that she accessed police systems for a non-policing purpose, namely she accessed the PNC system after obtaining the registration mark for the owners of the vehicle who had verbally abused her and had scratched her motor vehicle.
4. Further, she suggests that the use of the system was to undertake an investigation following the attack against her. If it was the case that this was an investigation instigated by the officer, then following access you would have expected to have a crime/incident report filed by the officer. The investigation would also need to be allotted to the officer by her supervision. The matter was not uploaded as a criminal investigation by the officer or her supervision. There was no crime number or any other document to identify as such which was served or referenced by the officer.
5. The officer then 3 days later reported the matter officially and did not reference her access to police systems; she further did not advise the officer in the case once the case was allocated. Therefore, I find it reasonable to assume that this was not an investigation but simply curiosity and an error of judgement in accessing PNC for what was not legitimate investigation whether on or off duty.

6. In determining whether it is appropriate for me to hear this case having heard the submissions along with the information in the bundle. It Is Agreed by both parties that DC Rozalska has interrogated the national police computer. The officers representative ascertains that it is not proven that there was no lawful reason for an investigation. The Appropriate Authority ascertains that the actions of DC Rozalska were not a legitimate investigation as set out in para 8 and 9 of their opening statement.
7. The AA states this was not a legitimate investigation because there was no evidence of a crime number being raised, no contact with line manager or any details of further investigation. So it is clear to me you have not followed the chief constables orders in that you did access the PNC, you have not contacted your line manager as required even if this was a legitimate investigation, there is no evidence that a legitimate investigation was pursued in the normal manner, therefore I am satisfied there are sufficient grounds to suggest you may have breached the standards for orders and instructions, honesty and integrity and discreditable conduct as outlined in the allegation.
8. As such I am satisfied it is appropriate for me to hear this case
9. In determining whether this case constitutes gross misconduct or not it is not lost on me this is a complex case with many views and opinions on the circumstances.
10. What is fact however is that there is acknowledgment that the PNC was accessed. The officer claims not to be aware of the content of the Chief Constables order. The officer acknowledges as it is in the bundle that she had undertaken the GMP professional standards training as referenced on page 56 of the bundle.
11. When determining if this case constitutes gross misconduct I refer to the college of policing guidance in police misconduct hearings paragraphs 4.36 as highlighted by The officers representative and also para 4.38 in regards to the Data Protection Act.
12. This is further referenced in the Chief Constables orders that clearly states "the force views any breach of the Data Protection Act and its data protection policy as gross misconduct for which disciplinary action will be taken under GMPs Disciplinary procedure"
13. In this case I am satisfied that on the balance of probabilities the purpose of obtaining the information was due to the officer being angry and frustrated at the confrontation and the emotion of the experience led her to look at the PNC. It is more likely in my view that her reasoning for access was between anger and curiosity and not for the reasons she has stated.
14. The officer seems to believe that it is a defence to say that she was not aware of Chief Constables order 2007/35. I am clear that it is not a defence and officers must be aware of Chief Constables Orders and lawful orders and should be up to date and aware of the same. I would Especially expect this of an officer serving for over 3 years.

15. As such I find that the Chief Constables Order has been breached and as per the order this does indeed constitute gross misconduct.
16. In coming to a determination as to the most appropriate outcome, I have taken cognisance of the submissions of the appropriate authority as contained within the bundle of evidence submitted to me prior to this hearing, with elements of the same being amplified in invited verbal submissions by the representative of the appropriate authority.
17. I have also taken into consideration the submissions of the Officers representatives contained in the bundle of evidence accompanied by the comprehensive verbal submissions given in the hearing.
18. In determining the appropriate outcome, I have had regard to the relevant provisions of the College of Policing's guidance on outcomes in misconduct hearings. I do recognise that it does not automatically follow that where breaches of the code of conduct are found to be so serious as to justify dismissal, that dismissal can be the only sanction implied. Nevertheless, it remains very powerfully the case that the principal objective in the conduct of these hearings must be to preserve public confidence in the police service.
19. At the forefront of my mind has been the purpose of misconduct proceedings - these are expressly set out in the College of Policing's Guidance. My approach has been to "adopt" the "3 stage approach" also referred to in the College of Policing's Guidance at point 4.2.
20. In terms of culpability, I have considered the submissions made by both parties including the claims that the officer was not trained and was suffering stress. I am satisfied that the conduct of DC Rozalska, although potentially suffering from stress, was adequately aware of the requirements of use of the PNC and the actions were deliberate and intentional.
21. I have considered the question of harm at length and whilst I agree with the AA's submissions that harm in this case can be considered as the loss of public trust and confidence in the profession. There is the harm to the reputation of the profession and GMP if the public were aware that officers were utilising police systems for their own personal gain and accessing personal data which they were not authorised to access. The public rightly expect that data possessed by police forces is kept securely and any misuse of the police systems will be considered serious

22. In assessing the seriousness of the misconduct found, it is a matter of fact that DC Rozalska accessed police systems for a non-policing purpose namely she accessed PNC records in respect of a vehicle regarding an altercation she had herself at a garage. I would suggest on the submissions and evidence that she did not need to be aware of the information. It is suggested that she was on duty from the point she accessed the system for a purported policing purpose. Whether on or off duty as referenced above is immaterial. The actions undertaken did not purport to be an investigation I consider DC Rozalskas actions were intentional and deliberate in that she consciously opened and viewed the record on the PNC.
23. The College of Policing Guidance at paragraph 4.34 - 4.39 deals specifically with cases of this nature. I don't intend to rehearse once again in full what this guidance states, the details of which have been highlighted by both parties, but I feel it is important to draw attention to the following;
24. 'The misuse of police computer systems or confidential police information more generally is a particular concern for the police service. Police computer and manual systems hold a significant amount of information about members of the public. Most of this is sensitive, and it is both a public expectation and a legal requirement that information obtained during the course of policing duties should be treated in strictest confidence, properly protected and used only for legitimate policing purposes
25. 4.35 goes on to state Under no circumstances should anyone access or use police information for personal benefit. Personal reasons for accessing confidential police information, such as general curiosity or a desire to check on criminal activity near an officer's home, are not acceptable'. If an officer is accessing police information not available to the general public there should always be a specific and proper policing purpose for doing so
26. Having heard submissions on the question of seriousness, I acknowledge that the conduct of DC Rozalska, could be considered to be at the lower end of the scale in comparison to some of the cases that are heard by this chair. However, I am afraid I do not agree that because it falls towards the lower end of the scale, that that equates to the conduct not being serious. The public rightly expect that data held by police forces will be kept securely and will not be accessed unless there is a lawful reason to do so. This was not the case here. Police officers need to understand that in that in times of temptation to "look" they must be professional and ensure they resist that temptation. In this case I believe the motivation was as stated, more driven by emotion from the confrontation. Officers must understand that the risk to public confidence is what is being tested as well as their own integrity. Officers must have a clear message that breaching the trust placed in them and succumbing to curiosity will have significant consequences.

27. DC Rozalska's actions whilst I acknowledge were not malicious, they did indeed place her in breach of the Standards of Professional Behaviour and brought the profession into disrepute. It will undoubtedly damage the trust that the public have a right to expect of their police service.
28. With regards to the aggravating factors of this case, I have taken on board the further submissions made by the officer's representative. I acknowledge that many of the factors referenced in the Guidance as aggravating factors are not present in this case however I am satisfied that the conduct was aggravated by the fact the actions stemmed from the officers ability to check in her view outweighed whether she should check or not. And this could constitute an abuse of the trust, position and power of authority given by the public to police officers. She did in fact gain access to records that she had no legal right to view.
29. As regards mitigating circumstances, of those set out in the College of Policing's Guidance, I have taken into account DC Rozalskas record of service and the evidence submitted in the bundle and verbally from the officer's representatives as well as character references. I acknowledge that this is a single episode and not a reflection of the officer's normal behaviour as evidenced by her clear record of service.
30. I also acknowledge the officers struggles with stress as highlighted in the hearing and have taken those into consideration.
31. Police officers are in an absolute position of trust and to abuse that trust can have wide ranging consequences in the crucial role of building and maintaining public trust in the profession as a whole.
32. I reiterate the point that the core purpose of these proceedings is to sustain public confidence in the police. As articulated above, there is no doubt that the facts of this case have the obvious potential to seriously and substantially diminish public confidence.
33. Having heard the facts of this case, I respect the position of the officer and her passion for policing and her career. However, I have once again reminded myself of the purpose of these proceedings and it is therefore my decision that regrettably it is not tenable for DC Rozalska to remain a police officer. I have considered all options including final written warning however in this case I do not feel that it would be appropriate or in the public interest for an officer who in frustration or anger breached the confidence bestowed in her and used the restricted and secure PNC for personal reasons.
34. As such I dismiss the officer with immediate effect, and I order that DC Rozalska's name be added to the College of Policing's Barred List.

35. This concludes today's hearing.

12th June 2025

A handwritten signature in black ink, appearing to be 'Lee Rawlinson', with a long horizontal flourish extending to the right.

Lee Rawlinson MBE
Chief Resources Officer