

Case 8 | Issue 40 – Abuse of Position for Sexual Purpose (APSP)

Published May 2022

For archived issues, learning reports and related background documents visit www.policeconduct.gov.uk/learning-the-lessons

**LEARNING
THE LESSONS**

✉ learning@policeconduct.gov.uk

🌐 www.policeconduct.gov.uk/learning-the-lessons

PCSO maintains inappropriate contact with vulnerable women

PCSO's inappropriate contact with vulnerable women, raising issues about:

- *Maintaining professional boundaries*
- *Making contact with the public via social media channels*

This case is relevant to the following areas:

Professional standards



Public protection



Overview of incident

Ms A called police as she was receiving abuse from a neighbour.

PCSO B visited the woman in response to the call.

PCSO B started to contact Ms A at regular intervals, offer advice and assistance, and arranged numerous visits to her house. Ms A said she had never given PCSO B her mobile number so assumed he must have got it from police records.

When PCSO B visited Ms A she said they talked about everyday stuff, and he talked about his relationship.

Ms A said that after one visit, PCSO B sent her a text message saying he could see her breasts through her top. She said she was “horrified” and said so in her reply. Ms A said PCSO B replied with something like “Are you shocked, you know, that I’m telling you this?” Ms A replied she was pleased he had told her so that next time she could wear something underneath the top. PCSO B replied with something like “well I enjoyed looking”.

Ms A described herself as vulnerable due to medical issues. PCSO B was aware of this as it was detailed in Ms A’s initial report to police.

After a few months the contact between PCSO B and Ms A switched to WhatsApp.

In one text exchange Ms A offered PCSO B coffee. PCSO B commented “I just noticed that my message earlier on sounded like I said I don’t want coffee but I’ll have sex.” Ms A replied “Your

OFFICIAL

not unappealing to me as I find you attractive and I like being in your company. I don't have casual sex not willingly anyway x". PCSO B replied "Not willingly" followed by laughing emojis. Ms A went on to explain via WhatsApp she had been hurt by men in the past.

The next day PCSO B messaged Ms A to say it was probably best Ms A did not mention to anyone that she had his personal number.

A few days later, PCSO B and Ms A were exchanging messages on WhatsApp. PCSO B described his relationship problems and said "Do I find you attractive in that. Of course I do. But if you don't want to that's fine. I've not made any advances towards you which shows I'm genuine." Ms A replied asking PCSO B to visit her so they could talk face to face.

Ms A told officers that one evening PCSO B came to her house in the evening in uniform. After sitting for a while in the lounge, PCSO B took his cup into the kitchen and Ms A followed him. PCSO B ushered Ms A's dog into another room so they were alone in the hallway.

PCSO B kissed Ms A. PCSO B disputes this version of events and says Ms A initiated the kiss. Ms A described her whole body as tensing up, and she tried to pull away. She described how after the kiss, PCSO B removed his jacket and she tapped him on the forehead and told him to "get this thoughts straight." Ms A said PCSO B kept pressuring her, even though he said he was not going to. He left soon after.

When questioned by IOPC investigators, PCSO B said Ms A was not vulnerable despite her medical conditions and living circumstances. He maintained his relationship with Ms A was professional until the kiss, which he agreed was not professional or appropriate.

Ms A reported that after PCSO B left he sent her messages saying he was back at the police station and aroused. He said he could drop everything and come back and have sex.

Some time later Ms A emailed the force's professional standards department (PSD) to detail concerns about PCSO B. In her email Ms A wrote "It has concerned me as the PCSO asked me for sex even though I had given him no reason to suspect that I would be a willing participant". She added that "I feel that this officer has taken advantage of the situation . . . as I had divulged the fact that I suffer with depression and anxiety."

The next day Ms A was interviewed by officers from the PSD about her contact with PCSO B.

Following Ms A's complaint, an audit of PCSO B's activity on force systems was conducted. A second woman, Ms C, who had been the victim of harassment and stalking, was identified as having contact with PCSO B. She was spoken to by staff from the Counter Corruption Unit.

Ms C had been diagnosed with a borderline personality disorder and had depression and anxiety. PCSO B was aware of this.

While there are some similarities with the interaction with Ms A, PCSO B had also sent Ms C pictures of male genitalia and a video of a man masturbating, which she assumed was PCSO B. PCSO B and Ms C had met and talked about having sex, and subsequently had sex while PCSO B was on duty and in uniform. Ms C continued to text PCSO B but he did not reply.

When asked by investigators about whether he knew Ms C was vulnerable, PCSO B said he did know, but did not feel that he had taken advantage of her.

OFFICIAL

Following the receipt of the complaint from Ms A, Sergeant D spoke to staff he supervised regarding PCSO B. He was subsequently approached by PCSO E, who made an allegation that PCSO B had previously touched her bottom. This formed part of the investigation.

Type of investigation

IOPC independent investigation

Findings and recommendations

1. There were no organisational learning recommendations issued during this investigation.

Outcomes for officers and staff

PCSO B

1. PCSO B was found to have a case to answer for gross misconduct, but resigned before a hearing could take place.
2. PCSO B pleaded guilty to two counts of misconduct in public office. PCSO B was sentenced to eight months in prison, and 12 months on license upon release.
3. The Crown Prosecution Service did not progress the charge of sexual assault in relation to the allegation PCSO B had touched a colleague's bottom through the courts.

Questions to consider

Questions for policy makers and managers

1. Where members of the public allege an officer has abused their position for sexual purpose, does your force routinely examine the officer's contact with other members of the public, or make contact with colleagues to see if they are aware of any concerns?
2. What steps has your force taken to support staff to report any concerns they might have about the behaviour of colleagues?
3. How do supervisors in your force stay informed about the daily activities being undertaken by single-crewed staff?