

# Conduct matter Operation Turton 4

Investigation into the actions of MPS officers at the scene of and following a sudden death and whether officers gained an unfair advantage in a police driving examination.

> Independent investigation report

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|--|---------------|
| Investigation name:                            | Op Turton 4   |
| IOPC reference:                                | 2020/139742   |
| Investigation type:                            | Conduct       |
| IOPC office:                                   | Croydon       |
| Lead investigator:                             | [redacted]    |
| Case supervisor:                               | Steven Foxley |
| Director General delegate<br>(Decision maker): | Tom Milsom    |
| Status of report:                              | Final         |
| Date finalised:                                | 18/10/2021    |

**Please note this report contains details of a graphic nature**

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## > Introduction

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### > The purpose of this report

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1. I was appointed by the IOPC to carry out an independent investigation into allegations officers may have shared images of a deceased person (Mr Roy John Brunt) via WhatsApp and test papers, with the answers, to a police driving exam. This came to the attention of the IOPC on 20 July 2020 as a conduct referral.
2. Following an IOPC investigation, the powers and obligations of the Director General (DG) are delegated to a senior member of IOPC staff, who I will refer to as the decision maker for the remainder of this report. The decision maker for this investigation is Regional Director Tom Milsom.
3. In this report, I will provide an accurate summary of the evidence and attach or refer to any relevant documents. I will provide sufficient information to enable the decision maker to determine whether to refer any matter to the Crown Prosecution Service (CPS).
4. I will also provide sufficient information to enable the decision maker to form a provisional opinion on the following:
  - a) whether any person to whose conduct the investigation relates has a case to answer for misconduct or gross misconduct or no case to answer;
  - b) whether or not disciplinary proceedings should be brought against any such person and, if so, what form those proceedings should take (taking into account, in particular, the seriousness of any breach of the Standards of Professional Behaviour);
  - c) whether the performance of any person to whose conduct the investigation related is unsatisfactory and whether or not performance proceedings should be brought against any such person; and

- d) whether or not any matter which was the subject of the investigation should be referred to be dealt with under the Reflective Practice Review Process (RPRP).
5. I will also provide sufficient information and evidence to enable the decision maker to identify whether a paragraph 28ZA recommendation (remedy) or referral to the Reflective Practice Review Process (RPRP) is appropriate.
  6. I will also provide sufficient information to enable the decision maker to determine whether to make a recommendation to any organisation about any lessons that may need to be learned.
  7. The IOPC will then send a copy of this report and the decision maker's provisional opinion to the Metropolitan Police Service. If the appropriate authority provides comments, then they must do so within 28 days. Where the appropriate authority disagrees with the content of the report or the decision maker's provisional opinion, the appropriate authority should set out the reasons in their response as fully as possible and provide any supporting information. Having considered any views of the appropriate authority, the decision maker is required to make the final determination and to notify the appropriate authority of it.
  8. The decision maker may also make a determination concerning any matter dealt with in the report. This may include a decision that a matter amounts to Practice Requiring Improvement (PRI) and as such should be dealt with under the Reflective Practice Review Process (RPRP) or a recommendation under paragraph 28ZA (remedy).
  9. Where Articles 2 or 3 of the European Convention on Human Rights (ECHR) are engaged, this investigation is also intended to assist in fulfilling the state's investigative obligation by ensuring as far as possible that the investigation is independent, effective, open and prompt, and that the full facts are brought to light and any lessons are learned.

## > Other investigations

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10. On 22 June 2020, the IOPC arrested PC Deniz Jaffer and PC Jamie Lewis over allegations they took non-official and inappropriate images of two deceased women at the scene of their murder and shared them via WhatsApp.
11. Following these arrests, on 23 June, PC Bonnie Murphy disclosed to a supervisor PC Jamie Lewis previously sent her an image of a deceased man taken at a crime scene and the answers to a driving exam before she took the test. This investigation concerns these allegations.

## > The investigation

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### > Terms of reference

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12. Graham Beesley approved the terms of reference for this investigation on 8 September 2020. The terms of reference can be seen in full at appendix 2, however, in brief they are

To investigate:

- a) The conduct of PC Bonnie Murphy, PC Jamie Lewis and PC Q, specifically whether the actions of the officers in relation to the sudden death of Mr Roy John Brunt complied with legislation, local and national policies and guidelines.
- b) Whether PC Bonnie Murphy, PC Jamie Lewis, PC S, PC R and PC T knowingly obtained, shared and/or used the answers to an MPS driving exam in order to gain an unfair advantage in the exam for themselves or another.

## > Subjects of the investigation

There was an indication that persons serving with the police listed below may have:

- (a) committed a criminal offence, or
- (b) behaved in a manner which would justify the bringing of disciplinary proceedings.

Where there is such an indication for any police officer, police staff member or relevant contractor, they are categorised as a subject of the investigation. All subjects are served with a notice of investigation, informing them of the allegations against them.

They are also informed of the severity of the allegations. In other words, whether, if proven, the allegations would amount to misconduct or gross misconduct, and the form that any disciplinary proceedings would take.

The following person/people have been categorised as subjects of this investigation:

| Name          | Role | Severity         | Interviewed           | Were criminal offences investigated? If so, please list these below |
|---------------|------|------------------|-----------------------|---|
| Bonnie Murphy | PC   | Gross Misconduct | Statements requested. | No  |
| Jamie Lewis   | PC   | Gross Misconduct | Statements requested. | No  |
| PC Q          | PC   | Gross Misconduct | Statements requested. | No  |
| PC S          | PC   | Gross Misconduct | Statements requested. | No  |
| PC R          | PC   | Gross Misconduct | Statements requested. | No  |

|      |    |                  |                       |    |
|------|----|------------------|-----------------------|----|
| PC T | PC | Gross Misconduct | Statements requested. | No |
|------|----|------------------|-----------------------|----|

17. **PC Bonnie Murphy**

On 14 August 2020, PC Murphy was served with a notice of investigation which alleged she may have:

- Been aware that her colleague PC Jamie Lewis held a sensitive image from the scene of a death on his personal mobile phone, without a valid policing purpose, and failed to report or challenge his improper conduct between 27 January 2020 and 24 June 2020;
- Received and viewed the image of the deceased victim without a legitimate policing purpose and subsequently failed to report or challenge PC Lewis' improper conduct in sharing this image with her between 27 January 2020 and 24 June 2020;
- Failed to show diligence as a police officer by requesting a sensitive photo of a deceased victim from a colleague without a valid policing purpose;
- Failed to show diligence by sharing a photograph from the scene of a death, and therefore potential crime scene, with a member of the public, without a valid policing purpose;
- Failed to show diligence as an officer by requesting the answers to a driving exam from PC Lewis on 24 March 2020 in order to cheat in the exam;
- Acted dishonestly and without integrity by requesting the answers to a driving exam from PC Lewis on 24 March 2020;
- Made a knowingly false, misleading or inaccurate oral statement to a manager regarding the circumstances surrounding the photograph of a deceased victim being disclosed to her by PC Lewis;
- Acted dishonestly and without integrity by utilising the answers provided by PC Lewis to cheat in a driving exam on 26 March 2020;



- Acted dishonestly and without integrity by failing to notify her manager that she used the answers provided by PC Lewis to cheat in a driving exam on 26 March 2020;
- Failed to treat photographic evidence from the scene of a death, showing the deceased victim, with respect;
- Shared photographic evidence from the scene of a death with another person, a member of the public, without a valid policing purpose;
- Behaved in a manner which could bring discredit to the police service or undermine public confidence in policing by requesting and sharing photographic evidence from the scene of death with a member of the public, without a valid policing purpose;
- Undermine public confidence in policing by utilising answers provided by a colleague to cheat in a driving exam.

18. It was assessed these allegations indicated PC Murphy may have breached the following Standards of Professional Behaviour:

- Challenging and Reporting Improper Conduct;
- Duties and responsibilities;
- Honesty and integrity;
- Confidentiality;
- Discreditable conduct.

19. **PC Jamie Lewis**

PC Lewis was sent a notice of investigation via his Federation representative on 16 September. He declined to comment on or sign the notice. It is alleged he may have:

- Been aware of the improper conduct of his colleague PC Q in taking a photo of a deceased victim without a valid policing purpose and failed to report or challenge this behaviour;

- Failed to show diligence as a police officer by requesting a colleague take a photograph of a deceased victim. There appeared to be no legitimate policing purpose for the photograph to be taken, which was subsequently sent to his personal mobile phone;
- Failed to treat photographic evidence from the scene of a death, showing the deceased victim, with respect;
- Behaved in a manner, which could bring discredit on the police service or undermine public confidence in policing by requesting a colleague take a photograph of a deceased victim without a valid policing purpose;
- Failed to act diligently by sharing the photograph with a colleague, PC Murphy and a member of the public, without a valid policing purpose;
- May have disclosed/shared photographic evidence from the scene of a death to others without a valid policing purpose;
- Been aware from the WhatsApp communication with PC Murphy that she wished to show the picture of the victim to her mother, a member of the public and failed to challenge or report this behaviour;
- Failed to challenge or report the conduct of PC S in sharing the test papers for a driving exam and suggesting they be shared with others;
- Failed in his diligence as an officer by accepting the questions/test papers for a driving exam and sharing them with three colleagues;
- Failed to challenge or report the conduct of PC Murphy following an admission to cheating in a driving exam;
- Acted without integrity in accepting that a colleague may be utilising the exam papers to cheat on their driving exam;
- Acted dishonestly and without integrity by receiving and sharing the driving exam papers;
- Acted dishonestly and without integrity by using the answer papers provided by PC S to cheat on his driving exam on 6 February 2020.

20. It was assessed these allegations indicated PC Lewis may have breached the following Standards of Professional Behaviour:

- Challenging and reporting improper conduct;
- Duties and responsibilities;
- Honesty and integrity;
- Confidentiality;
- Discreditable conduct.

21. **PC Q**

On 10 September 2020, PC Q was served with a notice of investigation which alleged he may have:

- Failed to show diligence as a police officer by taking a photograph of a deceased victim. There appeared to be no legitimate policing purpose for the photograph to be taken which was taken using his personal mobile phone;
- Failed to show diligence by sharing a photograph from a sudden death with another police officer, without a legitimate policing purpose;
- Failed to treat photographic evidence from the scene of a death, showing the deceased victim, with respect;
- Shared photographic evidence from the scene of a death with another officer without a valid policing purpose;
- Behaved in a manner which could bring discredit to the police service or undermine public confidence in policing by obtaining and sharing photographic evidence from the scene of a death with another police officer, without a valid policing purpose;
- Disclosed/shared photographic evidence from the scene of a death to another officer without a valid policing purpose.

22. It was assessed these allegations indicated breaches of the following Standards of Professional Behaviour:

- Duties and responsibilities;
- Confidentiality;

- Discreditable conduct.

23. **PC S**

On 12 September 2020, PC S was served with a notice of investigation alleging she may have:

- Failed to challenge or report PC Jamie Lewis' apparent use of the driving test papers prior to his own driving exam;
- Failed in her diligence as an officer by sharing the questions/test papers for a driving exam and suggesting they be shared with other colleagues;
- Acted without integrity in accepting that a colleague may be utilising the exam papers to cheat on their driving exam;
- Acted dishonestly and without integrity by sharing the driving exam papers with a colleague and suggesting he share them with colleagues;
- The driving test papers may not have been shared in the proper course of her duties, for a legitimate policing purpose, and may have been shared in order for colleagues to gain an unfair advantage in the driving exam;
- Undermined public confidence in policing by providing driving test sheets to a colleague and suggesting he share those with other colleagues prior to their own driving exams.

24. It was assessed these allegations indicated breaches of the following Standards of Professional Behaviour:

- Challenging and reporting improper conduct;
- Duties and responsibilities;
- Honesty and integrity;
- Confidentiality;
- Discreditable conduct.

25. **PC R**

On 10 September 2020, PC R was served with a notice of investigation alleging he may have:

- Failed to challenge or report the conduct of his colleague PC Jamie Lewis sharing the test papers ahead of a driving exam;
- Failed in his diligence as an officer by accepting the test papers for a driving exam and using them for an advantage in your own exam;
- Acted dishonestly and without integrity by utilising the driving test sheets to gain an unfair advantage in his driving exam;
- Utilised the driving test sheets provided by a colleague to gain an unfair advantage in a driving exam which is behaviour which goes against the principle of acting in a trustworthy capacity and would likely undermine public confidence in policing.

It was assessed these allegations indicated breaches of the following Standards of Professional Behaviour:

- Challenging and reporting improper conduct;
- Duties and responsibilities;
- Honesty and integrity;
- Discreditable conduct.

26. **PC T**

On 21 September 2020, PC T was served with a notice of investigation alleging he may have:

- Failed to challenge or report the conduct of his colleague PC Jamie Lewis sharing the test papers ahead of a driving exam;
- Failed in his diligence as an officer by accepting the test papers for a driving exam and using them for an advantage in the exam;
- Acted dishonestly and without integrity by utilising the driving test sheets to gain an unfair advantage in a driving exam;
- Utilised the driving test sheets provided by a colleague to gain an unfair advantage in a driving exam which is behaviour which goes against the principle of acting in a trustworthy capacity and would likely undermine public confidence in policing.

27. It was assessed these allegations indicated breaches of the following Standards of Professional Behaviour:

- Challenging and reporting improper conduct;
- Duties and responsibilities;
- Honesty and integrity;
- Discreditable conduct.

## > Legislation, policies and guidance considered

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28. During the investigation, I have examined relevant legislation, together with national and local policies and guidance, as set out below. This material will enable the decision maker and the appropriate authority to consider whether the police officers, police staff member and relevant contractors named in this report complied with the applicable legislation, policy and guidance, and whether the existing policies were sufficient in the circumstances.

## > Standards of Professional Behaviour / Code of Ethics (2014)

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29. The stated aim of the Code of Ethics is to support each member of the policing profession to deliver the highest professional standards in their service to the public. The code sets out the principles and standards of behaviour expected from police professionals. It applies to every individual who works in policing. The standards relevant to this investigation are detailed below. (\*Note. The Standards of Professional Behaviour were updated in the Police (Conduct) Regulations 2020 however the Code of Ethics has not been updated since 2014.)

### 30. **Honesty and integrity**

Police officers are honest, act with integrity and do not compromise or abuse their position. According to this standard, officers should act with honesty and integrity at all times.

31. **Duties and responsibilities**

Police officers are diligent in the exercise of their duties and responsibilities.

Police officers have a responsibility to give appropriate cooperation during investigations, inquiries and formal proceedings, participating openly and professionally in line with the expectations of a police officer when identified as a witness.

According to this standard, officers must carry out their duties and obligations to the best of their ability.

32. **Confidentiality**

Police officers treat information with respect and access or disclose it only in the proper course of police duties.

According to this standard, officers must:

- be familiar with and abide by the data protection principles described in the Data Protection Act 1988.
- Access police-held information for a legitimate or authorised policing purpose only
- Not disclose information, on or off duty, to unauthorised recipients

33. The Code of Ethics notes this standard also relates to the use of any platform of web-based or mobile communications, social networking sites, and all other types of social media. It states according to this standard, officers must:

- Use social media responsibly and safely.
- Ensure that nothing they publish online can reasonably be perceived by the public or policing colleagues to be discriminatory, abusive, oppressive, harassing, bullying, victimising, offensive or otherwise incompatible with policing principles.
- Not publish online or elsewhere, or offer for publication, any material that might undermine their own reputation or that of the policing profession or might run the risk of damaging public confidence in the police service.

34. **Discreditable Conduct**

Police officers behave in a manner which does not discredit the police service or undermine public confidence in it, whether on or off duty.

Police officers report any action taken against them for a criminal offence, any conditions imposed on them by a court or the receipt of any penalty notice.

According to this standard, officers must keep in mind at all times that the public expect the highest standard of behaviour and they must consider how a member of the public would regard their behaviour, whether on or off duty.

35. It states they should ask themselves whether a particular action might result in members of the public losing confidence in the policing profession. It states the test of whether behaviour has brought discredit on policing is not solely about media coverage and public perception but has regard to all the circumstances.

36. **Challenging and reporting improper conduct**

Police officers report, challenge or take action against the conduct of colleagues which has fallen below the Standards of Professional Behaviour. It states officers must never ignore unethical or unprofessional behaviour by a policing colleague and that they have a positive obligation to question the conduct of colleagues they believe may have fallen below the expected standards and, if necessary, challenge, report or take action.

> **Guidance on outcomes in police misconduct proceedings**

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37. This guidance was issued by the College of Policing pursuant to section 87 of the Police Act 1996. Its primary purpose is to assist persons appointed to conduct misconduct proceedings, but the guidance notes it can be used to inform assessments of the severity of alleged misconduct at the investigation stage. The guidance outlines a general framework for assessing the seriousness of conduct, including factors which may be taken into account.



38. When assessing the seriousness of any conduct, decision makers are expected to consider:

- the officer's culpability for the misconduct
- the harm caused by the misconduct
- the existence of any aggravating factors
- the existence of any mitigating factors

39. **Culpability**

Culpability denotes the officer's blameworthiness or responsibility for their actions. The more culpable or blameworthy the behaviour in question, the more serious the misconduct and the more severe the likely outcome.

Conduct which is intentional, deliberate, targeted or planned will generally be more culpable than conduct which has unintended consequences, although the consequences of an officer's actions will be relevant to the harm caused. Where harm is unintentional, culpability will be greater if the officer could reasonably have foreseen the risk of harm.

40. **Harm / Aggravating factors**

The harm caused by an officer can include physical harm and reputational harm. Aggravating factors are those which tend to worsen the circumstances of a case.

41. **Mitigating factors**

Mitigating factors include misconduct confined to a single episode or brief duration, any element of provocation, threat or disturbance which may have affected the officer's judgement, acting pursuant to a legitimate policing purpose or in good faith, open admission at an early stage, evidence of remorse or accepting responsibility for one's actions.

## > **MPS Guidance Attending Deaths**

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42. MPS guidance notes attending a sudden death can be an upsetting experience, especially for junior officers, student officers or probationer

officers. Even for experienced officers arriving at the scene of a death can be upsetting particularly if:

- the scene is graphic
- the death is of a child / young person
- the death is of an individual who reminds the attending officer of a recently lost loved one
- the circumstances of the death are horrific, e.g. blood bath, violent death
- the officer has attended more than one / several upsetting events / incidents within a short time frame of each other (e.g. over the last week whilst on duty)
- the body is severely decomposed
- they have not witnessed a deceased person before

43. Line managers are advised to consider the wellbeing of their officers, self and colleagues (e.g. SOCO, CSEs etc.) when attending such incidents and the impact they can have on psychological health. Simple measures such as 'checking in' with others (and self) are simple tools for providing support, for example asking; "are you ok?" is an easy way to show support and recognise the potential impact the incident may have / have had on someone. An informal get together (de-brief) after the event can be effective in small groups by simply talking through what happened and sharing experiences. It is also useful to ensure officers, where practicable, can have a short period of 'downtime' before going onto the next call.

**> National Police Information Risk Management Team (NPIRMT):  
Use of WhatsApp and other Social Networking Applications  
Principles of use. Version 1.0 (May 2018)**

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The stated purpose of this paper is to outline the risks to using social media by police and to inform senior officers and staff of the risks of using WhatsApp and other social media applications in an operational context.

It notes there is a real risk that on occasion, police officers and police staff may not differentiate between how social media is used in a personal context and the necessary restrictions placed on them when using the same service operationally.

The paper observes officers are privy to a vast array of sensitive personal data in the course of day-to-day operations, all of which is protected under the Data Protection legislation. As a baseline, police officers and staff must be aware of their responsibilities in this area and ensure that this data is not posted online in any form. Police officers and police staff who obtain personal data or sensitive personal data about third parties in the course of their duties and disclose that data without authority, on the internet or on social media may be committing a criminal offence.

At all times police officers, staff and partners should be aware of the legal and regulatory obligations to which they are bound in this area includes, but is not limited to, the Data Protection Act, General Data Protection Regulation (GDPR) and the Official Secrets Act.

The National Police Chiefs' Council states that, *“safe use of the internet and social media requires an awareness of risks across five areas”*

- A) Breach of trust or confidence - Disclosure of information obtained by the police service or partners, about the police service or partners, or about colleagues.
- B) Unauthorised disclosure of personal data - breach of the Data Protection Act 1998, (now General Data Protection Regulation and Data Protection Act 2018).
- C) Bringing discredit on the police service or its partners.
- D) Revealing Personal information - increased vulnerability to harassment, corruption or blackmail.
- E) Revealing operational material or tactics.

The paper notes that even using social media applications sanctioned by the force for operational use should be regarded as an insecure communications channel. It notes information placed on the internet or on social media sites could potentially

end up in the public domain. Even if information is placed on a private profile or on a private group, there is a chance it may end up public.

It states officers should use only force issued devices to access operationally used social media services and not personal devices.

The paper notes there have been occasions where WhatsApp has been used by public organisations to benefit the public, such as when NHS staff used it to coordinate off-duty healthcare professionals into providing emergency care to victims of terrorist attacks. However, from a policing perspective the paper notes personnel are **strongly advised**, not to use WhatsApp to exchange police information that would typically be communicated via Airwave or any other secure means.

The paper concludes if police personnel are found to be using WhatsApp to receive or exchange police information, outside of approved, risk assessed official use this must be recorded as a security incident; any corrective measures may either be determined locally within the police force or may require escalation to Professional Standards.

## > MPS Ethical Social Media and Online Communication Principles 2020

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53. This guidance notes social media platforms present a unique opportunity to promote a positive image of the MPS as well as providing an efficient way of sharing information, knowledge and best practice when used appropriately.
54. It states social media platforms should be used to engage positively with communities and build public trust. It states that collective efforts on social media platforms should seek to build confidence in the MPS and should therefore not undermine the organisation or the Police Service in the content that is posted. It advises officers should have regard to these principles, the Standards of Professional Behaviour and the Code of Ethics whenever they are using social media in a personal or professional capacity.

55. The document states occasional personal use of social media during working hours is permitted so long as it does not involve unprofessional or inappropriate content, does not interfere with officers' duties and responsibilities or productivity and adheres to these principles.
56. It states officers should apply the same professional standards to their online communication as they would to face-to-face, telephone or e-mail communications, whether on or off duty. It notes social media should never be used in a way that breaches any policies or the Standards of Professional Behaviour.
57. The guidance advises that content, comments or posts on social media must not:
- Contain information, imagery or video which is protectively marked, could breach confidentiality or data protection laws,
  - Breach copyright laws (e.g. using someone else's images without permission),
  - capable of bringing the police service into disrepute, damaging the reputation of the organisation and/or undermining public confidence.
58. The guidance states personal electronic devices (i.e. devices not supplied by the MPS) including mobile phones, tablets and laptops, must not be used to send operational police information. Police information must not be stored on or transmitted to personal devices via any means.
59. It advises officers should remain aware that the content of their private or group chats on messaging services might not remain private. All individuals have a responsibility to moderate their group conversations or leave those groups where the communications are unacceptable.
60. It states if you are the group administrator, you take care in selecting the membership and review regularly. Careful consideration is required when including those within a group who are outside of the organisation. Social groups must be kept separate from any groups that share operational information. If you share operational information via social media platforms or

online communication services, you must consider your disclosure responsibilities under Criminal Procedures and Investigations Act (CPIA) 1996

## > Summary and analysis of the evidence

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61. On 22 June 2020, the IOPC arrested PC Deniz Jaffer and PC Jamie Lewis for allegations they took and shared images via WhatsApp of two dead women, Ms Bibba Henry and Ms Nicole Smallman, at the scene of their murder.
62. On 23 June, PC Bonnie Murphy disclosed to a supervisor that PC Lewis had shared with her via WhatsApp an image of a deceased person (Mr Roy John Brunt) taken at the scene. PC Murphy further disclosed PC Lewis shared the answers to the Basic Driving Exam with her prior to taking the exam.
63. To assist the decision maker in drafting their opinion, I will first detail the and analyse the evidence arising from the sharing of the image of Mr Roy John Brunt. I will then detail and analyse the evidence regarding the sharing of the Basic Driving exam.

## > Summary: Sharing of the image of Mr Brunt 27 January 2020

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### > PC Murphy's disclosure 23 June 2020

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64. On 23 June 2020, a parade was called to address all the officers on Team A in Forest Gate Police Station, following the arrest of PC Deniz Jaffer and PC Jamie Lewis.
65. PS Victoria Coughlan stated the parade was held with all the PC's on duty along with Detective Superintendent Paul Whiteman, Chief Inspector Jason Clugston and a Police Federation representative.

66. PS Coughlan stated during this parade officers were advised to come forward if they had any concerns or information that they believed would be relevant.
67. PS Coughlan stated that after the parade she spoke to PC Bonnie Murphy who disclosed to her that when she was new to the team she had been sent a picture of a sudden death by PC Lewis to her personal mobile phone and on another date the answers to the basic driving exam. Following this disclosure, PS Coughlan sent the following email (extract below) to Superintendent Whiteman at 6.15 pm, which she has exhibited as VEC/1.

*“Good Afternoon Sir,*

*As discussed and requested:*

*PC Bonnie Murphy approached me this afternoon following the meeting – with concerns. She has approx. a years’ service. She stated to me that around Dec / Jan when she was brand new to the team she was sent a picture of a particularly grim sudden death by PC Jamie Lewis – unsolicited. She deleted the message and had not mentioned it to anyone until today.*

*On a separate occasion she was also sent the answers to the basic driving exam by Jamie Lewis around 4-5 months ago – which she did not use. I have not asked any further probing questions at this time.”*

68. On 6 July 2020, PS Jim Bushell completed an Assessment and Advice Form (MM1) regarding PC Murphy’s disclosure and recorded the following.
69. *“PC Murphy joined ERPT A in November 2019. Around December 2019/January 2020 she was on duty when she was called by an officer who was on scene at a sudden death. She is aware another new joiner on the team was also called to the same scene. This was done as training in order to expose the officers to the scene of a sudden death and discuss policy and procedure [sic] around dealing with such matters. PC Murphy states the the [sic] body was in a severe state of decomposition, maggots and flies were present and the eyes had completely [sic] deteriorated. PC Murphy states that later on in the same shift she was chatting on [sic] the yard with PC Lewis. PC Lewis told her that he a had a photo of the body fom [sic] the death they had attended and asked her if she wanted him to send it to her. PC Murphy states*

*she was not comittal [sic] in her answer as she felt akward [sic] and the image was sent via WhatsApp It is my opinion [sic]. She deleated [sic] the image soon after.*

70. *“Around February/March 2020 PC Murphy was due to take her basic driving exam and this was known to the team. She states that PC Lewis told her he had some "stuff that could help her" [sic] He sent her some material via WhatsApp. She states this looked like a question and answer sheet relating to driving. She states it could have been a mock exam or some sort of study material. She states that she looked at this but it appeared inaccurate in that some of the answers to the questions were wrong. She deleated [sic] this soon after.*
71. *“I have no reason or information to suspect PC Murphy has had any involvement in the incident for which PC Lewis and Jaffer have been arrested for. It is my opinion given that what has occurred and her youth this has caused PC Murphy to panic which is why she has made the disclosures.”*

#### **> Death of Mr Roy John Brunt 27 January 2020**

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72. At 2.00 pm on 27 January 2020, the Metropolitan Police Service received a call from an informant who stated they had not seen their neighbour *“since a few weeks before Christmas.”* They noted there were *“flies in the window”* and they *“keep knocking but no reply”*. They said, *“I’ve checked with other neighbours they haven’t seen him either.”*
73. At 2.17 pm, MPS officers PC Q and PC Steven Hurl attended the address [REDACTED]. Upon arrival, the officers reported they looked in through a main front window where they saw a body clearly deceased.
74. At 2.20 pm, it was recorded on the CAD the officers reported *“We are looking throw [sic] the window, we can see a body. If LAS have been called, they can be cancelled, believed to have been dead for some time. We are going to force entry.”*



75. The officers recorded they forced entry into the property under section 17 of PACE.
76. At 2.26 pm, PC Q reported, *“Confirmed sudden death. The body is quite decomposed - I will call life extinct at 14:20.”* The deceased was confirmed to be Mr Roy John Brunt.
77. At 3.48 pm, PC Q reported the death was *“deemed non-suspicious and LPE<sup>1</sup> by myself as been here for some time.”*
78. At 4.36 pm, it was reported the undertakers had arrived and taken Mr Brunt to East Ham.
79. At 7.08 pm, PC Q completed a “Merlin” report into the incident. He recorded the death was not considered to be suspicious as *“there were no forced doors or windows and the property was completely secure.”* He noted the property was *“very messy”* but there were *“no signs of physical disturbances within”*. He noted Mr Brunt *“was found laying on his back with both hands clutching his chest.”* He recorded the body was not fully searched due to decomposition but the areas that were searched showed no signs of trauma or injury.
80. PC Q recorded *“the body was in quite a bad state of decomposition, there were maggots all around his body, coming from orifices, his body was bloated, his eyes had decayed away and the clothes he was wearing was [sic] soaked in bodily fluids.”*
81. PC Q recorded the officers conducted a survey of the property which was in a very dirty condition. There was no electricity or water, dirty clothing was scattered around and the stairs were littered with bags the deceased had been using to defecate in. He noted the kitchen was in a greater state of disrepair with multiple leaks from the ceiling with up to five full buckets on the floor full of water. He recorded *“Quite frankly it appeared in a dangerous condition.”*

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<sup>1</sup> Life Pronounced Extinct

82. PC Q recorded that whilst they were dealing with the incident, a female (Person B) arrived stating she was Mr Brunt's cousin. PC Q recorded Person B could not provide a date of birth for Mr Brunt but stated he generally kept alone and himself to himself. (It was recorded) She stated he never possessed a driving licence or passport and had no direct family members, except for a possible sister-in-law that she was going to try to locate. She said she had not seen him for a few weeks and she was not aware of any medical issues he may have had other than that he was hit by a car a few weeks before Christmas but refused to go to a doctor.
83. It was recorded PS [REDACTED] O'Connor appraised and agreed PC Q's decision.

**> WhatsApp correspondence regarding Mr Roy James Brunt 27 January 2020**

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84. On 22 June 2020 the IOPC seized the personal phone of PC Jamie Lewis. On 6 August 2020, IOPC investigators reviewed a download of this phone for content relevant to PC Murphy's allegations that PC Lewis had shared an image of a dead body with her and answers to the Basic Driving exam.
85. As is detailed below, WhatsApp correspondence was identified with a "PC Q", later confirmed to be PC Q, and with PC Murphy in which an image of the deceased, Mr Roy James Brunt, was shared. (The correspondence relevant to the driving exam will be detailed separately). It appears the image was also shared with a Person A. The MPS confirmed this name or phone number were not associated with any serving police officer on their systems.

WhatsApp correspondence with PC Q– REDACTED

| Sent from                    | Sent to                      | Date/Time              | Message   |
|------------------------------|------------------------------|------------------------|---|
| REDACTED<br>(PC Jamie Lewis) | PC Q<br>(REDACTED)           | 27/01/2020<br>14:31:23 | Take picture  |
| PC Q<br>(REDACTED)           | REDACTED<br>(PC Jamie Lewis) | 27/01/2020<br>14:31:45 | <i>*Sends photo of deceased*</i>                                  |
| REDACTED<br>(PC Jamie Lewis) | PC Q<br>(REDACTED)           | 27/01/2020<br>14:33:01 | Been there a while then<br><i>*laughing emoji*</i> (see appendix) |

WhatsApp correspondence with “Bonnie Murphy 1401NE” – REDACTED

| Sent from                    | Sent to                      | Date/Time              | Message  |
|------------------------------|------------------------------|------------------------|--|
| Bonnie Murphy<br>(REDACTED)  | REDACTED<br>(PC Jamie Lewis) | 27/01/2020<br>23:29:07 | Have you got that pic of that body?  |
| REDACTED<br>(PC Jamie Lewis) | Bonnie Murphy<br>(REDACTED)  | 27/01/2020<br>23:30:19 | Yeah...<br>You want it?  |
| Bonnie Murphy<br>(REDACTED)  | REDACTED<br>(PC Jamie Lewis) | 27/01/2020<br>23:36:31 | I do wanna show my mum cause she used to deal with them all the time haha<br><br>Pretty please |
| REDACTED<br>(PC Jamie Lewis) | Bonnie Murphy<br>(REDACTED)  | 27/01/2020<br>23:37:54 | Not dps are you  |
| Bonnie Murphy<br>(REDACTED)  | REDACTED<br>(PC Jamie Lewis) | 27/01/2020<br>23:38:17 | U really think I could be dps <i>*three laughing faces*</i>                                    |

|                              |                              |                        |  |
|------------------------------|------------------------------|------------------------|--|
| REDACTED<br>(PC Jamie Lewis) | Bonnie Murphy<br>(REDACTED)  | 27/01/2020<br>23:39:07 | <i>*Forwards message –<br/>image containing photo<br/>of deceased*</i> |
| Bonnie Murphy<br>(REDACTED)  | REDACTED<br>(PC Jamie Lewis) | 27/01/2020<br>23:40:33 | Thankssssss  |

WhatsApp correspondence with “Person A” – [REDACTED]

| Sent from                    | Sent to                | Date/Time              | Message                          |
|------------------------------|------------------------|------------------------|----------------------------------|
| REDACTED<br>(PC Jamie Lewis) | Person A<br>(REDACTED) | 29/01/2020<br>15:13:48 | *Forwards image of<br>deceased * |

## > Officer accounts

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86. **\*Note.** PC Jamie Lewis has not responded to the allegations regarding sharing the image of Mr Brunt or the driving exam. He has indicated, via his federation representative, he would not be engaging with the IOPC investigation.
87. PC Lewis was asked a series of questions about having crime scene photographs on a personal device in his criminal interview for Operation Turton 1. The responses he gave in interview are of relevance to the allegations against him in this investigation, as a result they are detailed below and will feature in the analysis and associated Decision Making Opinion document.
88. When asked about having photographs of a crime scene on a personal device PC Lewis explained he was not aware of any reason or policy that prevented this.

> PC Q

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89. On 8 January 2021, PC Q provided a statement to the IOPC. He noted he had been a police officer since 2002, beginning his career with Essex Police and transferring to the MPS in November 2008.
90. PC Q stated he regards himself as *“an experienced police officer, having served over 18 years exemplary police service.”* He stated he is a tutor constable for student officers noting, *“It is my duty to ensure that they have every opportunity to pass their probationary 10 week period on front line policing and to sign their portfolios agreeing that they are competent for independent patrol.”*
91. PC Q stated he serves at Forest Gate Police Station on Emergency Response Team A. He noted *“I work on a shift with a substantial number of police officers who are predominantly in their policing infancy meaning that most have less than 2 or 3 years experience as a police officer.”* He stated as of January 2021, his team consists of 52 police constables *“of which 28 are confirmed probationers, equating to 53 %.”* He further noted he suspected this figure *“was significantly higher this time last year.”*
92. PC Q stated, *“I am acutely aware that my colleagues on my team do not actively volunteer to attend sudden deaths for a variety of reasons that only they can explain.”* He noted throughout his service he has attended and dealt with countless sudden deaths and would deem himself *“extremely experienced”* in dealing with such incidents.
93. PC Q stated that almost immediately after concluding their briefing at parade on 27 January he became aware of an “I” grade call that needed police attendance. He noted the day in question was raining heavily and there was a shortage of police vehicles as well as sergeants for the shift. He said he acquired a police vehicle and volunteered to take the outstanding call, *“which involved a possible sudden death of a member of public living in my policing area.”*

94. Upon attending the scene and gaining entry (under section 17 PACE), PC Q said he found Mr Brunt on the settee in the living room, *“clearly dead as his body was in a state of decomposition.”*
95. He stated he and PC Hurl dealt with the incident in accordance with the Metropolitan Police Service Death policy and quickly established there were no suspicious injuries or obvious signs of a disturbance inside the property. He noted, *“Had there been, I would have notified a supervisor and asked for an immediate second opinion and sealed the scene securely.”* He said, *“This death was not deemed as suspicious and therefore this property was not being treated as a crime scene.”*
96. PC Q said he dealt with this sudden death as he always does *“with respect and quickly established that Mr Brunt had died alone, with no one with him.”* He said, *“His home was in a state of disrepair and I felt sorry for him. I remember thinking that if it was a relative of mine, it would have been a sad way to perish.”*
97. PC Q observed the sudden death was *“visually graphic”* which, allied to the odours and unkempt environment, he found *“quite challenging”*. He stated, *“For this reason alone, I saw it as an opportunity to afford some of my junior colleagues the chance to attend this property for their learning and development.”*
98. He stated it had been part of the training provided at Hendon that probationary officers attended a local mortuary to experience death. He stated, *“That experience was stopped but I understand now the Metropolitan Police Service has reintroduced that training given its importance.”* He noted he was unsure why this was temporarily stopped and opined that *“providing that experience to these inexperienced officers entering front line policing as a result seemed to fall to tutor officers like me.”*
99. He noted, *“The fact that probationers were not being prepared using the mortuary visits seemed to correlate with the reluctance of probationers to attend deaths.”*

100. PC Q stated he was aware two probationary constables on his team, PC Bonnie Murphy and PC Megan Sheppard, found dealing with sudden deaths a challenge. He said, *“As a tutor, I thought that it would be a good idea for them both to attend the scene and experience a “worst case” scenario in terms of confronting the sight and smell of a challenging sudden death.”*
101. He said, *“Attending sudden deaths is a task every police officer must do and avoiding them, which some try to, will not assist their careers, nor will it assist their colleagues and most importantly it doesn’t provide the service for the public that the public are entitled to expect.”*
102. PC Q said he believed PC Lewis was crewed with PC Murphy and PC Sheppard. He said, *“It was with this training opportunity solely in mind that I contacted PC Lewis.”* He believes he contacted PC Lewis via his personal radio using the spare channel.
103. PC Q said when PC Lewis answered he asked if he could speak to PC Murphy or PC Sheppard but neither were available so he asked PC Lewis to *“encourage them to attend the scene as it would be a good experience for them.”* He said, *“I remember hearing PC Lewis speaking to PC Murphy and PC Sheppard asking them if they wanted to attend. I understood that they both wanted time to consider whether to attend or not.”*
104. He said, *“Given the particularly challenging scene, I considered their wellbeing and the possible mental effect and informed PC Lewis that I could send an image for him to assess himself in case they didn’t want to see anything that graphic.”*
105. PC Q said he did not send the image straight away as he was busy at the scene but *“after a short time”*. PC Lewis sent him a WhatsApp message saying *“SEND PICTURE”* so he *“guessed that PC Murphy and PC Sheppard were in two minds as to whether to attend.”* He noted there was a limited period for them to attend as when the undertakers are called they are expected to attend within 45 minutes.

106. PC Q stated he is not issued with a work telephone, nor does his body worn camera have facilities to transmit live images to his colleagues. He said, *“Had there been I would have used one of those two methods. I had no other means to get a picture to PC Lewis other than using my personal mobile phone.”*
107. He stated he took one single picture of Mr Brunt’s *“upper body including his head”*. He said *“I was aware that using the camera facility on WhatsApp as opposed to taking a picture on the phone’s camera was much more secure. By this I mean that the WhatsApp message has an option, when replying, to take a picture using WhatsApp directly by the use of the camera icon at the bottom of the screen near to where you write your message.”*
108. PC Q said he was aware if he took a picture on his *“phone normally using the camera”*, it would not only save the image on his personal camera roll, but it would also upload directly to his iCloud account. He said, *“I sent this image on my WhatsApp profile as it is a secure message, so the image could not be saved to any other location.”*
109. PC Q said he sent this image to PC Lewis only for the sole purpose of allowing PC Murphy and PC Sheppard to decide whether to attend the incident and improve their policing skills. He described PC Lewis as someone he *“trusted and worked with regularly”*. He said:
110. *“I want to be clear, there was absolutely no intention to disrespect or degrade Mr Brunt nor his family when I sent this image to my colleague, as I wanted to send that image for one reason alone: the learning and development of two junior and extremely inexperienced officers.”* He said he sent the image with no words as he had just spoken to PC Lewis explaining his rationale.
111. PC Q stated that soon after sending this image he received a reply from PC Lewis stating *“Been there a while”* with what he thought was a crying emoji. He said he was busy and had no time for a back and forth conversation, which is evidenced by the fact he did not reply. He said there were no further messages between himself and PC Lewis and a few minutes later he deleted the conversation from his WhatsApp *“which results in the*



*image being permanently deleted” from his personal phone. He said a short time later he contacted PC Lewis who informed him PC Murphy and PC Sheppard did wish to attend the scene. He said he ended the conversation informing PC Lewis to delete the image “as there was no reason to keep it”.*

112. PC Q said he recalled PC Murphy and PC Sheppard both subsequently attended the property with some other probationers, one of whom was PC Lewis Nicholson, *“who equally wanted to see how to deal with such a disturbing and challenging sudden death.”* PC Q stated he gave a brief talk to those in attendance as to how he and PC Hurl had approached and dealt with the scene.
113. PC Q said he did not know how long he was at the scene but he *“completed the relevant reports, actions and dealt with the incident professionally, respectfully and as per policy and made the necessary and relevant entries in the sudden death paperwork”* he completed at the scene.
114. PC Q described feeling horrified at the evidence referred to in the pre-interview briefing document he received from the IOPC. He said he could not believe the image he took for policing purposes was sent to another person. He said he had no knowledge of this. He said, *“Secondly, when PC Lewis sent his final message to me, I honestly believed that the emoji he sent along with the words “Been there a while then” was accompanied by a crying emoji.”* He said *“I would be interested to definitively establish if this is a mistake by the IOPC on my disclosure document or whether this was definitively a laughing emoji that PC Lewis sent me.”*
115. He said, *“I must stress that I only glimpsed at the WhatsApp message because I was busy, before I shortly after deleted it. If he has sent a laughing emoji, I personally find this appalling; that he found the death of a lonely man funny. It’s disrespectful and completely against all I stand for and believe.”*
116. PC Q invited the IOPC to approach PC Hurl to establish if he recalls his efforts in persuading PC Murphy and PC Sheppard to attend the scene and to approach PC Nicholson to establish why he had attended the scene. He further asked that enquiries be made to confirm the radio record of his call

with PC Lewis as *“this will be definitive and quite conclusive that my account is correct and accurately recalled,”* he said.

117. On 13 June 2021, PC Q provided a further statement to the IOPC in which he was asked to clarify certain points in his earlier statement.
118. PC Q was asked if he recalled when Mr Brunt’s cousin arrived at the scene and whether this was before or after he took the image of the deceased.
119. He said, *“I am unable to say when this lady arrived at Mr Brunt’s property but do recall the lady being slightly older than the deceased and arriving on her own. I recall that the picture was taken soon after attending and before this lady arrived.”*
120. PC Q was asked if he was a tutor to PC Murphy, PC Sheppard or PC Nicholson, or knew who their tutors were and discussed inviting the officers to the scene.
121. He said on 27 January 2020 he was a fully trained and dedicated tutor with the MPS for probationary officers. He noted the above officers were not in their tutorship but stated, *“It is a general expectation that I, along with fellow tutors continuously assist all younger inexperienced colleagues as much as possible. This is an expectation of all officers who are experienced so that their knowledge and expertise is handed down to the next generation of officers.”*
122. PC Q said he did not recall who the officers’ tutors were, but had he known, and if they were on duty within the same policing area, he would have considered calling them. He said he would not necessarily expect other tutors to call him if they wanted to help one of his probationary officers but he would find out about the help as the probationers are expected to complete their PDP<sup>2</sup> and document who witnessed the event.

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<sup>2</sup> Personal Development Plan

123. PC Q was asked if he is issued with a work tablet and whether this has the facility to transmit live images.
124. He said he had been issued with a tablet about 60 days prior to this incident and *“was still getting used to it.”* He noted the forms for sudden death at that time were paper based and so the tablet would not have been needed for dealing with the death itself.
125. He said, *“If I had the tablet with me (it could have been out of signal range, on charge, or not with me, I cannot recall now) it would still not have been a substitution for physically attending the scene. It may, looking back, have been something I could have used to send a picture using an MPS device for the benefit of the MPS, but I cannot now recall whether I knew at that time enough about its capabilities, if indeed it was with me.”*
126. He stated he was unable to recall if PC Hurl had his tablet device in his immediate possession or not however PC Hurl was not at the property for a substantial period of time as he was taking a statement from a next of kin at a different address. PC Q said he would not have been able to leave the address to find out (if PC Hurl had a tablet) and collect a tablet as the property was insecure due to forcing entry. He stated he was unable to recall if he spoke to PC Hurl about taking the picture of the deceased or whether he was in the vicinity when the picture was taken and sent.

#### > PC Stephen Hurl

127. PC Stephen Hurl confirmed he attended a sudden death on 27 January 2020 with PC Q but stated his memory of the event is vague as the event was over one year from the date of his statement.
128. PC Hurl stated his role at a sudden death is to establish if the death occurred in suspicious circumstances and if so, to inform duty CID and supervisors, to identify the deceased and to search for any evidence of criminal activity relating to the death and report the death to the Coroner.

129. PC Hurl recalled, *“My recollection of this event is that the deceased (was) found on the sofa in the living room, the deceased was severely decomposed and clutching his chest and appeared to have been in this state for months.”*
130. PC Hurl stated that whilst at the address he searched for identification for the deceased, any suicide notes or any evidence of criminal activity. He said no suicide note was found, no puncture marks or defensive wounds were seen on the body to suggest criminal activity, nor any items or letters suggesting the deceased committed suicide. He said, *“The front door as I recall was locked from within and no belongings appeared to be stolen or tampered with.”*
131. PC Hurl said he conducted ‘door to door’ enquiries, *“speaking to neighbours to establish their last sightings of the deceased.”* He said, *“All parties spoken to stated that the deceased was a recluse and rarely saw him.”* He noted PC Q also completed these actions. He stated, *“I recall the death was deemed unexplained.”*
132. PC Hurl stated he recalled due to the *“severe decomposed state of the deceased a number of student constables attended the scene to assist in their development in seeing and dealing with a body in such a decomposed state allowing them to attend similar deaths in their future career and draw on the experience to better deal with the event.”* He could not recall which officers attended.
133. PC Hurl recalled he was able to locate a member of the deceased’s family who lived at an address on the same road. He said, *“After confirming the relation to the deceased I in company with PC Q delivered the sympathy message to the family member and her daughter.”* He said he could not remember their names.
134. PC Hurl stated he assisted the undertakers with removal of the deceased and waited for the front door of the address to be secured by a lock smith. He said he then completed the necessary paperwork and sent it to the Coroner’s office after he had returned to the station with PC Q.

135. PC Hurl stated he did not recall any behaviour by any attending officer which gave him cause for concern. He said, *“Had I seen any inappropriate behaviour I would have challenged it.”*
136. On 5 July 2021, via email correspondence PC Hurl stated he could not recall how the students attending the scene was arranged but believed it may have been PC Q who arranged this.
137. He said he did not recall *“seeing any photos being taken nor conversations about a photo. I also have no recollection if PC Q was alone in the venue.”*
138. He said *“I believe I had an issued tablet in my possession as I reported the death. The tablet does have a camera but I have not been trained in its use and would not be confident in its use. The tablet does have the ability to send emails.”*

**> PC Bonnie Murphy**

139. PC Murphy provided a response on 11 November 2020. She stated she joined the MPS in February 2019 and has been based at Forest Gate station on a response team throughout her service. She noted she is still a probationary officer.
140. When completing this statement, PC Murphy noted she had been provided with a pre-interview briefing document but had not been provided with the statements of PS Coughlan or any witness statements relating to the basic driving exam.
141. She disclosed that when she was completing her training at Hendon there were concerns about her health [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

- [REDACTED]
- [REDACTED]
142. PC Murphy said she could not remember when but at some point she became aware that PC Lewis, who was a member of her team, had been arrested. She noted she was part of a WhatsApp group with PC Lewis and other members of the team. She said she was put in the group when she first joined the force as *“it was the general WhatsApp group of the team which was designated for work purposes only,”* as far as she understood it. PC Murphy said she had worked with PC Lewis on a few occasions, but she would not say he was a particularly close colleague or good friend.
143. PC Murphy stated at some stage, as part of her probationary training, she was taken to a house where somebody had died in what she recalled were non-suspicious circumstances *“but the body was sadly in a decomposed state.”* She thought herself and a couple of other probationary officers were taken so they *“could get used to the idea of having to deal with death during the course of (their) police service”*. She said:
144. *“A while later, again I cannot remember when, I was speaking to PC Lewis I think in the yard at Forest Gate and I think he said he had been to the scene of the incident.”* She said, *“He indicated to me that he had a picture of the body. I cannot remember how he said that, whether he had taken it himself or someone else had given it to him.”*
145. PC Murphy acknowledged that on 27 January 2020 she sent a message to PC Lewis, in a private WhatsApp group, asking him if he still had the picture. She said, *“I do not really know why I wanted to see a picture of the body. To this day, it remains a mystery to me that I would have appeared to have asked for it although I appreciate there is a message saying I was going to show it to my mother, that was never my intention, and I have never done so.”*
146. PC Murphy explained her mother had a career in the MPS and suggested she may have been thinking it would be something she would share with her when discussing her policing activities. However, she said *“my mother and I have a fairly ‘up and down’ relationship and I am not sure at the time I was*

*even speaking to her, and therefore there was never any real likelihood that I was going to show it to her.”*

147. PC Murphy noted PC Lewis made a comment about DPS but he would often make such *“derogatory remarks”* as would other officers that *“were clearly meant to be humorous”*. She said, *“I wanted it to be felt that I was part of the Team and embracing the culture of the team. It was my belief that a number of officers had pictures on their phones of this sort of thing, and other police related material.”*
148. PC Murphy stated after viewing the image she deleted it, a couple of days later she believed. She said, *“I still cannot understand why I ever asked for it.”* She said she did not send it on to anyone including her mother or colleagues. She said, *“Once I saw it, I realised that there was really no point in my having it, and deleted it.”*
149. PC Murphy stated on 24 June she was aware PC Lewis had been arrested. She said she knew then that investigators would have access to his phone and this exchange would be on it. She said, *“I just panicked. By then I perhaps had a better appreciation than I did in January that it was inappropriate for me to have this picture on my phone.”*
150. PC Murphy said she went and spoke to PS Coughlan. She said she cannot remember what she said to her but thought she told her she had a picture on her phone that she received from PC Lewis. She did not remember saying anything to her about how she received it, *“or making any specific comment to suggest that I had not asked to receive it, as opposed to any specific comment saying that I had initiated the conversation whereby he then sent it to me.”* She stated she was feeling *“very distraught”* and *“anxious”* about what *“the repercussions would be”* for her and thought *“the sensible thing was to go and volunteer the information”* before *“inevitably it was discovered”*.
151. PC Murphy said *“she is truly sorry”* that she ever received this image and repeated she now has a much better understanding of what is appropriate in terms of the sort of material that *“could properly be retained”* by her on her mobile phone. She said, *“I naturally would be devastated if knowledge of my*

*possession of the image became known to those who were the family or friends of the deceased and in any way that would upset them or cause them to have less confidence in the police.”*

152. On 28 June 2021, PC Murphy provided a further statement to the IOPC in which she was asked to clarify certain points in her earlier statement.
153. PC Murphy stated she could not recall who arranged the visit to the scene she had *“an idea that PC Q, who was a senior constable on Team, had either suggested we go, or arranged the visit.”* She stated it was not compulsory to attend, and did not form part of any formal training. She said as far as she could recall it was the first death she had attended.
154. PC Murphy said she could not remember the circumstances of her conversation with PC Lewis when she learned of the image. She did not remember if anyone was present but thought the conversation took place in the backyard of the station in daytime.
155. PC Murphy said she could not remember the conversation with PC Lewis about the picture and *“cannot really comment on the accuracy of the extract from the MM1.”* She said, *“I think I would have felt a bit awkward about it and to a degree, noncommittal. My recollection is I did not ask him to send it to me, it was more a case, if you want to, go ahead.”*
156. PC Murphy stated, *“I certainly cannot remember any detail of the conversation I had with PS Bushell, and what I told him about this, and have not seen any contemporaneous notes recorded by him of our conversations, and, certainly, I kept none.”*
157. PC Murphy stated she believed she deleted the image of Mr Brunt the next day or a couple of days later.
158. PC Murphy stated she couldn't say with any certainty what, if any other officers she was *“aware of directly having similar types of photos or material on their phones.”* She said she just remembered there was *“general discussion about the fact some officers may have this type of picture on their phones”* but she *“cannot recall anyone specifically”* showing her such a



picture or telling her they had it. She stated it was just something that came up in general conversation and she assumed it was true.

159. PC Murphy noted *“PS Coughlan clearly suffers, in December 2020, from the same problem I have now, in terms of a conversation which took place in June 2020.”* She said she cannot remember the precise details of that conversation as PS Coughlan cannot recall *“the exact content of the conversation or the exact terminology used”* by her. She said both herself and PS Coughlan have tried their best to recall a conversation “months later”. She noted when PS Coughlan came to relay that conversation to Mr Whiteman *“it was she who used the words “unsolicited”; it does not appear to be a word she is suggesting that I used.”*
160. PC Murphy said it would be impossible for her to put a date on when she became aware it may have been wrong to have this photograph but when she learned of the arrest of PC Lewis it did make her realise that she had *“perhaps unwittingly”* got herself *“into a potentially difficult or serious situation.”*
161. She said she did not believe she was in a position to challenge any inappropriate behaviour by PC Lewis between 24 January and 24 June. She said, *“I simply did not know what the implications of him having it were, or of him forwarding it to me. I did not request the photo was sent to me. I can see now that it was wrong to have received it.”*
162. She further noted she did not knowingly make a false statement to PS Coughlan.

#### > PC Megan Sheppard

163. PC Sheppard stated on 27 January 2020, she had only been a response officer for less than eight weeks, *“during which time I was being educated about a lot of roles that I would need to undertake as a response officer,”* She said this incident *“was one of those times”*.

164. She stated her previous experience of sudden deaths was *“none”* but she had been to Greenwich Morgue during her time on street duties, *“to familiarise ourselves with death as most of us in the group had never had a close experience of it,”* she said.
165. PC Sheppard stated, *“Whilst at the morgue I had a challenging time, I did not like what I saw and became really uncomfortable resulting in me leaving the morgue within the first five minutes.”* She stated once she was on team, she was aware she would need to go to sudden deaths but she was *“extremely nervous”* about this owing to her *“bad experience at the morgue”*.
166. On 27 January, PC Sheppard stated she was in the rear yard in Forest Gate Police Station when she heard PC Q speak over the radio *“asking for the newest probationers to attend the scene of where he was as he believed correctly that this would be a good thing to experience”* to get *“familiarised with death and decomposition.”*
167. PC Sheppard said PC Q asked for PC Darling over the radio, as she was one of the newest probationers, but she was not on shift. She said he then asked for herself, PC Murphy and PC Nicholson. PC Sheppard said the three officers *“agreed to go and knew that this would be a learning experience as it would be our first time at a sudden death and seeing a body in a natural habitat and also in a state of decomposition.”*
168. She said, *“I personally had never experienced it before and felt more at ease that I would be attending the scene with my colleagues and with senior officers who would help me through it.”* She further stated it was a well-known fact on team that she did not like sudden deaths.
169. PC Sheppard stated that on scene it was explained to her what the male looked like and that it was up to her if she wanted to go into the home. She said, *“I agreed that it would be a safe environment for me to learn so I went inside the home.”* When in the home she said she saw the male on the sofa and quickly discovered she did not like what she saw but felt she had made *“a step of progress”* in attending. She said, *“I quickly turned around walked back*

*outside the house to where PC Q was standing, he talked to me and made me feel at ease.”*

170. PC Sheppard said she did not see any actions on scene. She said she was there for no longer than 15 minutes and in the home for no longer than a minute or two. She said, *“From what I witnessed every officer on scene was acting in a professional manor [sic] and with the upmost respect.”*

171. On 9 August 2021, PC Sheppard provided an additional statement. She stated she was in the rear of Forest Gate Police Station when she heard through her personal radio that PC Q had asked for the newest probationers to attend the scene to gain experience and to be conditioned for attending sudden deaths. PC Sheppard said she believed she was in the company of PC Murphy as she remembered saying she was nervous about going to a sudden death as she had never been to one before. Though, she was not sure if she was with PC Murphy when the call came in and did not recall being in the company of PC Nicholson. After reviewing her pocket notebook PC Sheppard stated PC Johnson drove her to the scene.

172. PC Sheppard stated, *“I never saw any image prior or after attending the scene also I never saw any officer take a photo whilst on scene. Furthermore to this I never heard any discussion about the image.”*

#### **> PC Lewis Nicholson**

173. PC Nicholson stated he was on duty with PC McPhail. He recalled standing in the rear yard at Forest Gate Police Station after parade and PC Hurl and PC Q turning out to what was believed to be a *“collapse behind locked door”*. He said a short time later PC Lewis approached him and asked if he wanted to go and see a sudden death *“that had been there for a while”* so he *“could get used to how they look in a natural environment.”*

174. PC Nicholson said he thought at the time this would be a good experience for his career as his only previous experience of deceased members of the public

was at a newly pronounced sudden death in November 2019 and when he visited Greenwich Mortuary with his instructors on street duties.

175. PC Nicholson said PC McPhail drove to the scene [REDACTED] and on arrival PC Q was outside the premises and came over to speak to him, PC Sheppard and some other officers. He said he could not remember exactly who was at the scene, other than those mentioned.
176. PC Nicholson said, *“PC Q spoke to me outside the address and made me aware that the deceased person’s body had been there for a substantial period of time and was heavily decomposed so if I felt I needed to leave the room immediately I could and there would be no issues with this.”*
177. PC Nicholson said PC Q *“made it clear this was a good learning opportunity to see a heavily decomposed body in a natural environment and become acquainted with the smells and sights that are associated with them.”*
178. PC Nicholson stated he entered the address where he met PC Hurl standing with his MPS issue tablet by the living room. He said PC Hurl handed him the tablet and asked him to conduct a CRIS check on Mr Brunt to ascertain if he was known to the MPS CRIS system while he left the building and conducted house to house enquiries.
179. PC Nicholson said that throughout his attendance at the property, PC Q and PC Hurl acted professionally and with care and compassion. He said PC Q’s first concern was his welfare and the welfare of the other officers at scene. He said he witnessed PC Hurl acting professionally conducting relevant checks to ascertain a next of kin and PC Q acting professionally checking various post to ascertain a next of kin or relevant information.
180. PC Nicholson said once PC Hurl returned from his enquiries, he told them there was no trace on CRIS and he took back his tablet and PC Nicholson left the scene. He said, *“I was not on scene for longer than was necessary and at all times I was present, the situation was dignified and was professional to the best of my knowledge.”*

181. PC Nicholson stated as a result of this experience he is able to conduct *“sudden deaths of similar complexity and decomposition with little to no concerns professionally and effectively while maintaining as much dignity as possible for the deceased persons and their families.”*
182. In a further statement, PC Nicholson stated he believed he was standing in the rear of the yard at Forest Gate Police Station when PC Lewis asked if he wanted to go and see the body of the deceased. He said it was just after parade time, and there would have been a number of people present but he could not recall who other than those mentioned in his earlier statement. He said he did not remember what PC Lewis said but it was words to the effect of *“Do you want to see a body that has been there for a while [sic]”*.
183. PC Nicholson stated he was not shown any material in relation to this conversation. He said, *“I was not aware any image had been taken of the deceased and until this date, 30/06/2021 upon completing this statement, I have not seen or been offered to view any material believed to be involved in the sudden death of Roy John Brunt.”*
184. PC Nicholson said, *“The first and only time I saw the deceased body of Roy John Brunt was in person when I sent to the address [REDACTED] attending and assisting PC Q and PC Hurl in the sudden death investigation carrying out my duty as a police officer.”*

#### > PS Victoria Coughlan

185. On 6 November 2020 PS Coughlan provided a statement to the IOPC. She stated from October to July 2020 she was a sergeant on team A in Forest Gate Police Station. She stated PC Murphy joined the team during her time there although she never had direct line management for her. PS Coughlan stated that on 22 June 2020, when PC Jaffer and PC Lewis were arrested, she had taken on the role of Acting Inspector due to staff absence and was performing the role of Duty Officer.

186. PS Coughlan acknowledged that at the time PC Murphy made her admissions she had been on duty for around 33 hours. She said she did not recall the exact content of the conversation, but she did bring the event to the attention of Detective Superintendent Paul Whiteman via email, as he requested.
187. As detailed above, she stated that following the events of the previous day (when PC Jaffer and PC Lewis were arrested) a parade was called on 23 June to address all the officers on the team. She said that after this parade she was approached by PC Sarah White who informed her that PC Bonnie Murphy wished to speak to her. PS Coughlan said she spoke to PC Murphy in the Inspector's office at Forest Gate Station.
188. She said, *"Whilst I cannot recall the exact conversation, PC Bonnie Murphy disclosed that when she was new to the team she had been sent a picture of a sudden death by PC Jamie Lewis to her mobile phone that she had not requested. She stated that she had deleted it. She also stated that she had been sent the answers to the basic driving exam by Jamie Lewis which she did not use."*
189. PS Coughlan stated that at the time she did not ask her any further probing questions. She passed the information to D/Supt Whiteman. She said she did not complete an MM1. This was completed later by PS Jim Bushel *"who spoke further with PC Bonnie Murphy in his capacity as her line manager."*
190. As noted PS Coughlan exhibited the email she sent to D/Supt Whiteman (VEC/1) and VEC/2, an email chain concerning the MM1 for PC Murphy's disclosure.

## > Analysis: Sharing the image of Mr Brunt

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### > Is there an indication that through his actions PC Q may have breached the Standards of Professional Behaviour?

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191. It has been alleged PC Q may have breached the Standards of Professional Behaviour 'duties and responsibilities', 'confidentiality' and 'discreditable conduct' when he took the picture of Mr Brunt and shared it with PC Lewis via Whatsapp. In analysing these allegations, I will assess the evidence against each standard.

#### **Duties and responsibilities**

192. As noted above, this standard states officers must be diligent in the exercise of their duties and responsibilities. It has been alleged PC Q failed to show diligence by taking a photograph of Mr Brunt and sharing it with a colleague via a social media app, with no apparent policing purpose. It is further alleged PC Q failed to treat photographic evidence from the scene of a death with respect, by sharing it without a policing purpose.

193. However, PC Q states he did have a policing purpose for taking and sharing this image. He states he did so to encourage probationary officers to attend the scene of a "*visually graphic*" sudden death for "*their learning and development.*" He noted he is a tutor constable for student officers, responsible for signing their portfolios to enable them to begin independent patrol, and also a mentor. He further noted he works on a team with a substantial number of probationer officers (53 % as of January 2021) and that there was a reluctance among these officers in attending deaths, which he put down to a break in student officers being able to attend a local mortuary as part of their training. He opined that providing that experience to inexperienced staff "*seemed to fall*" to tutors like him.

194. It was not possible to confirm whether PC Q completed tutor or mentor training with Essex Police as the system has been updated since he left. The MPS confirmed PC Q's estimate of the number of probationer officers on his team is accurate. PC Murphy, PC Sheppard and PC Nicholson stated they were probationer or inexperienced officers at the time of this incident and they were called to attend the scene as a development opportunity. PC Sheppard (and PC Nicholson) confirmed PC Q did ask for herself, PC Murphy and PC Nicholson to attend the scene for this reason. Both officers also praised PC Q for the support he provided at scene. However, both PC Sheppard and PC Nicholson indicated they had previously attended a morgue as part of their training. Further, all three officers had by this stage completed their street duties<sup>3</sup> training, as PC Q acknowledges, so his role as a tutor would not have been directly relevant.

195. From correspondence with the Department of Professional Standards, it has been confirmed the role of a mentor is not a formal position but is usually occupied by the more experienced members on a team who will mentor the new arrivals. In effect this means a probationer could be mentored by whomever of the mentors or more experienced officers that are on shift. It appears PC Q could have been acting in the capacity of a mentor when he invited the junior officers to the scene. PC Q stated he sent the picture to PC Lewis so that he could assess whether the officers wished to attend something so graphic. PC Lewis has not given a statement so it cannot be confirmed whether this conversation occurred or whether PC Q did take and send the picture for this reason.

196. The MPS have stated the radio channels are not recorded unless an incident is running on them therefore the content of any conversation these two officers had cannot be confirmed from this source (as per PC Q's suggestion). However, it is noteworthy that none of the three probationer officers detailed viewing or having any knowledge of this image before they

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<sup>3</sup> Street Duties – As of March 2020, student officers complete 8 weeks of street duties training before gaining independent patrol status. This involves assessment by a tutor constable against national competencies and the assessments took place on the Met's Police Action Checklists. Prior to March 2020, there was no standard model but the official structure was a 5 week coached patrol. (See T82 & 83, D98)





attended the scene. PC Murphy said she became aware of the image after she had attended the scene when PC Lewis mentioned it to her at the station. PC Nicholson explicitly stated he did not see or have any knowledge the image existed. PC Sheppard stated she did not see any image prior to or after attending the scene or hear any discussion about it.

197. PC Q noted he is not issued with a work phone and his BWV does not have the facility to transmit live images. He said he therefore had no other means to get the image to PC Lewis. PC Q stated he could not recall if he had his tablet on his person at the time and indicated he was not aware he could have used this instead to take and send the image. He said he used the camera facility on WhatsApp to take the picture to prevent the image being saved to his personal phone or iCloud account. He noted WhatsApp provides a *“secure message, so the image could not be saved to any other location.”*
198. However, the decision maker may wish to consider how necessary and appropriate it was for PC Q to take and then send this image via his personal phone. It may have been of benefit for the officers to attend this scene to build up their resilience. However, PC Q in his statement and the Merlin report described the graphic nature of the scene. The decision maker may consider whether the decision to take a picture of Mr Brunt with his personal phone and then send it via a social media app regardless of purpose created a risk of graphic, sensitive material entering the public domain. Once PC Q sent this image he had no control over where it would be distributed and for PC Q to suggest WhatsApp provides a *“secure message”* shows a naivety to his actions. PC Q stated he believes he spoke to Mr Brunt’s cousin after he took this image. The decision maker may wish to consider whether the evidence indicates that PC Q gave appropriate consideration to the risks of sending this image via an insecure channel (as the policies outline) and the impact this could have on Mr Brunt’s family were it to enter the public domain.
199. The evidence indicates PC Q took the picture of Mr Brunt at around 2.31pm, around ten minutes after he entered the property. PC Q has stated he is extremely experienced at dealing with incidents of sudden death.

However, in his account he states that he radioed PC Lewis to invite the other officers to scene after he had deemed the death was unsuspecting and that he did not send the picture right away but after a short time. Given there was only around 11 minutes between PC Q entering the property and sending the image, this indicates he must have called PC Lewis within a matter of minutes. PC Q's evidence is therefore that the decision the death was not suspicious was made very quickly. It was 3.48 pm before PC Q updated the CAD to state the death was non suspicious, however the image and discussion with PC Lewis must have taken place more than an hour previously. The decision maker may wish to consider PC Q's and PC Hurl's description of the actions they took to determine whether the death was suspicious, having regard to the decomposed state of the body, and consider whether it was appropriate to invite further colleagues to enter the address and view the body, with the risk of scene contamination, at the point where PC Q contacted PC Lewis.

200. Furthermore, the evidence indicates taking and sending this image may be in breach of current MPS policy and local and national guidance. The MPS guidance states personal electronic devices must not be used to send operational police information and that police officers should be aware that the content of their private or group conversations may not remain private. This guidance was not published until June 2020, after PC Lewis and PC Jaffer were arrested for sharing material of a similar nature. However, its instructions are similar to guidance that was then in use by the force, such as the paper from NPIRMT and the Code of Ethics which states officers must use social media responsibly and ensure they do not publish anything online that could reasonably be perceived to be offensive or that might run the risk of damaging public confidence in the police service.
201. The guidance from NPIRMT on the use of WhatsApp and other social networking applications, which has been adopted by the MPS, notes that even social media applications sanctioned by the force for operational purposes should be regarded as insecure communications channels and that information placed upon them could end up in the public domain.

202. The guidance on outcomes in misconduct proceedings notes conduct which is intentional will be more culpable than conduct which has unintended consequences, although the consequences of the action will be relevant to the harm caused and culpability greater if the risk of harm could have been foreseen.
203. PC Q has stated he had no intention to disrespect or degrade Mr Brunt or his family. He described PC Lewis as someone he trusted and described his horror that the image had been sent to another person. However, the decision maker may wish to consider whether PC Q should have been aware he was not permitted to use his personal phone to take an image of a deceased person and send it via a social media app. Whatever his stated intention, the decision maker may wish to consider whether there was necessity to take such an image. It was not evidential and thereby it is not clear if it would even have been appropriate for him to have used police issue equipment to take and send this image, in these circumstances.
204. There is currently no evidence to support PC Q's account for why he took and sent this image to PC Lewis. The student officers all stated they did not view the image prior to attending the scene and PC Lewis has not provided an account. It could be argued there is no clear evidence to disprove it except, perhaps, that it may not appear credible that an officer as experienced as PC Q would think it was appropriate to use his personal phone in this way for a policing purpose.
205. The decision maker may also wish to question some of PC Q's assertions regarding his responsibilities as a tutor or mentor. It has been confirmed PC Q was not a tutor to the three officers he invited to the scene and in fact they had completed their street duties training by this time. Further, two of the officers stated they had been to the mortuary during their training. There may be a reluctance among his colleagues to attend sudden deaths but given these officers had attended a mortuary it is not clear what relevance there is to PC Q's observation of a correlation between this reluctance and the stopped mortuary visits.

206. From correspondence with the force we have learned a mentor is not a formal role. Therefore, it is not at all clear that providing officers with experiences like attending a mortuary or the scene of a death is a responsibility that falls to tutors like him. The force have confirmed that the Street Duties course does not specify that all officers need to attend a mortuary as part of their training. The decision to stop or introduce it may have been something done on the local borough. However, given the officers did attend the mortuary it has not been confirmed it ever was stopped.
207. The decision maker may also wish to consider whether inviting junior colleagues to the scene of a death is an appropriate way to develop those officers or to treat a death. It appears that attending a mortuary is a practice that does exist. However, that is a controlled setting. The scene of a death is likely to be a much more fraught experience. PC Q noted the scene was particularly graphic. Both PC Sheppard and PC Nicholson commended the care PC Q provided before and after they attended the scene. However, it appears this could have presented a welfare issue if the officers felt pressured to attend. It appears there was also a risk of turning Mr Brunt's death into a spectacle. PC Q recalled feeling sad at the way Mr Brunt died. Inviting further officers to view this sad scene could be viewed as disrespectful.
208. PC Q claims he misread the emoji PC Lewis sent as a crying as opposed to laughing emoji. From the download of PC Lewis' phone it is not entirely clear what the emoji is. From JLL3 (which is in black and white) it appears the eyebrows are slanted and there are two dark patches either side of an open mouth. (Though JLL2 is in colour the image is even less clear.)   

209. PC Q stated he did not intend to treat Mr Brunt, his family, or the evidence, with disrespect. However, in sending the image in this way, via an insecure channel, he may have done so in effect by exposing it to the risk of being misused, which it appears it may have been.
210. Even if PC Q's account is to be accepted, the decision maker may wish to consider whether this was an appropriate use of his personal phone given

it appears it could have risked significant reputational harm to the force and potential anguish to Mr Brunt's family. This use could be found to be in breach of current MPS policy and national guidance on social media use.

211. **Confidentiality**

Under the standard 'confidentiality' the Code of Ethics states officers must use social media responsibly and ensure they do not publish anything online that could reasonably be perceived to be offensive or that might run the risk of damaging public confidence in the police service.

212. The NPIRT guidance states officers are privy to a vast array of sensitive personal data, which is protected under data protection legislation, and they must be aware of their responsibilities and ensure that sensitive data is not posted online in any form. However, the paper also notes the National Police Chiefs' Council states safe use of the internet and social media requires an awareness across five areas, which includes bringing discredit on the police service. It states police forces are strongly advised not to use WhatsApp to exchange police information that would typically be communicated via Airwave or any other secure means.

213. It is not clear a picture of the deceased would be deemed personal data however it appears it could be perceived as offensive and likely would undermine public confidence if they were aware officers were sharing graphic images of dead people via social media apps.

214. The MPS guidance states that social media content must not bring the force into disrepute or undermine public confidence and that personal electronic devices including mobile phones, tablets and laptops, must not be used to send operational police information. Police information must not be stored on or transmitted to personal devices via any means.

215. In this case, it appears PC Q may not have shared information that would be protected under data protection legislation. However, he did use his personal phone to take and send an image of a deceased person via a social media app. Whatever his purpose, it appears this action may be in breach of local and national guidance on social media use and confidentiality, as the

material was sent via an insecure communications channel. It appears reasonable to say this conduct could reasonably be perceived to be offensive (not least to the family of the deceased) or that it might run the risk of damaging public confidence in the police service.

216. **Discreditable conduct**

The Code of Ethics states according to this standard officers must keep in mind at all times that the public expect the highest standard of behaviour and they must consider how a member of the public would regard their behaviour, whether on or off duty. It states they should ask themselves whether a particular action might result in members of the public losing confidence in the policing profession and that discredit to the police service is not measured by media coverage or public perception alone but has regard to all the circumstances.

217. PC Q has stated he did have a policing purpose for taking this image and sending it to PC Lewis. However, the guidance is clear that he should not use his personal phone to send such material via a social media app. The evidence also suggests there was no real necessity to take this image.

218. The outcomes guidance notes conduct which is intentional will be more culpable and that culpability will be greater if the risk of harm could have been foreseen. As noted above, it is not clear if PC Q intended to disrespect Mr Brunt, however it is for the decision maker to consider whether PC Q should have been aware that sending his image via social media, which is in direct breach of local and national guidance, was not appropriate as it placed it at the risk of entering the public domain.

**> Is there an indication that through her actions PC Murphy may have breached the Standards of Professional Behaviour?**

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219. It has been alleged PC Murphy may have breached the Standards of Professional Behaviour 'duties and responsibilities', 'confidentiality',

'challenging and reporting improper conduct', and 'discreditable conduct'. In analysing these allegations I will assess the evidence against each standard.

220. **Duties and responsibilities**

According to this standard, officers must be diligent in the exercise of their duties and responsibilities. It has been alleged PC Murphy failed to show diligence as a police officer by requesting a sensitive photo of a deceased victim from a colleague (PC Lewis) without a valid policing purpose and shared it with a member of the public. It is further alleged she failed to treat photographic evidence from the scene of a death with respect.

221. The evidence shows PC Murphy did request this image and that she did state in the text messages that she wanted to show the image to her mother. Prior to sending the image, PC Lewis asked if PC Murphy was DPS (the Department of Professional Standards) and she responded with a laughing faces emoji that she was not.

222. In her statement, PC Murphy acknowledged that she requested this image however she stated she did not show it to her mother, which was never her intention. She implied the reason she requested the image was she wanted to feel part of the culture of the team. PC Murphy has not provided any policing purpose she had for requesting the image and the evidence does not indicate there was one.

223. The guidance from NPIRMT on the use of WhatsApp and other social networking applications, which has been adopted by the MPS, notes that even social media applications sanctioned by the force for operational purposes should be regarded as insecure communications channels and that information placed upon them could end up in the public domain.

224. The guidance, similar to the Code of Ethics, notes content that officers post on social media must not be capable of bringing the force into disrepute and that personal electronic devices, including mobile phones, must not be used to send operational police information.

225. The decision maker may wish to consider whether in requesting an image from the scene of a death be sent to her on her personal mobile phone, via a social media app, there is evidence to suggest PC Murphy may have breached these policies. PC Murphy may not have posted the material but, by her own admission, she did request it. PC Murphy stated she deleted the image not long after she received it (within a day or two). However, even if this was the case, requesting the image in the first place for non-policing purposes may be evidence she failed to treat this material with respect.
226. Although it was not published until after this date, the MPS guidance on ethical social media use also appears to be of relevance, as it reflects and reinforces the above guidance.
227. It states personal electronic devices must not be used to send operational police information and that police officers should be aware that the content of their private or group conversations may not remain private.
228. The guidance on outcomes notes mitigating factors can include misconduct confined to a single episode or brief duration and open admission at an early stage and evidence of remorse. Though, harm can include reputational harm.
229. PC Murphy has implied she was influenced by the culture of the team when she requested this image from PC Lewis and has expressed significant remorse for her actions. It is known that officers on this team have sent similar material via WhatsApp (which is under investigation). PC Murphy was a probationer officer when she requested this image. It does not seem unreasonable to consider this may have been a significant factor. However, PC Murphy requested this image unsolicited. She may be inexperienced but the guidance indicates she should have been aware it was not appropriate to request this material via her personal mobile phone. The policies above explicitly state this. Before sending the image, PC Lewis asked if she was DPS. If she was not previously aware it appears this response could have been considered to have alerted her to the fact sharing or requesting material from the scene of a death for a non-policing purpose may not have been appropriate.



230. **Challenging and reporting improper conduct**

According to this standard, officers must report, challenge or take action against the conduct of colleagues which has fallen below the Standards of Professional Behaviour. It has been alleged PC Murphy was aware PC Lewis held a sensitive image from the scene of a death on his personal mobile phone, without a policing purpose, and she failed to report it between 27 January and 24 June 2020.

231. It is evident PC Murphy did not report this matter until after PC Lewis had been arrested. The guidance on outcomes notes open admission at an early stage can be a mitigating factor. PC Murphy did disclose this information voluntarily but not until after PC Lewis had been arrested (and five months after she received the image). By her own admission part of her reason for doing so was she suspected it would inevitably be discovered. She has stated that after receiving the image she deleted it, as she realised there was no point in having it. She also stated she did not at the time realise what the implications of having the image were.

232. It appears unlikely the officer would report this conduct after she had requested the image was sent to her. It seems the greatest opportunity for reporting occurred after she became aware PC Lewis held the image. However, she did not do this. Instead she requested the image be sent to her. PC Murphy has implied she requested the image was sent to her as she wished to feel part of the team. As noted above, it does seem possible the culture of the team could have been an influence, which may be mitigation for the decision maker to consider. However, PC Murphy freely requested this image when it appears she ought to have been aware it was not appropriate. The evidence also appears to indicate PC Murphy did not challenge or report this conduct until she suspected her involvement may be discovered.

233. **Discreditable conduct**

The code of Ethics states according to this standard officers must keep in mind at all times that the public expect the highest standard of behaviour and they must consider how a member of the public would regard their behaviour,

whether on or off duty. It states they should ask themselves whether a particular action might result in members of the public losing confidence in the policing profession and that discredit to the police service is not measured by media coverage or public perception alone but has regard to all the circumstances.

234. PC Murphy was early in her service when this conduct occurred however it appears she ought to have been aware that sharing or requesting graphic material from the scene of a particularly upsetting death, without a policing purpose, could bring discredit on the police service and undermine public confidence (not least to the family of the deceased).

235. The Code of Ethics and NPIRMT guidance explicitly state officers should not post such material. As noted, PC Murphy may have been trying to conform to the culture of the team, but she did request this material freely. In doing so it appears she may have breached this guidance.

236. **Confidentiality**

Under the standard 'confidentiality' the Code of Ethics states officers must use social media responsibly and ensure they do not publish anything online that could reasonably be perceived to be offensive or that might run the risk of damaging public confidence in the police service.

237. The NPIRMT guidance states officers are privy to a vast array of sensitive personal data, which is protected under data protection legislation, and they must be aware of their responsibilities and ensure that sensitive data is not posted online any form. However, the paper also notes the National Police Chiefs' Council states safe use of the internet and social media requires an awareness across five areas, which includes bringing discredit on the police service. It states police forces are strongly advised not to use WhatsApp to exchange police information that would typically be communicated via Airwave or any other secure means. It states police personnel who are found to be using WhatsApp to receive or exchange police information, outside of approved, risk assessed official use must be recorded as a security incident.

238. PC Murphy did not publish or add the image of Mr Brunt onto WhatsApp but she did request it was sent her, when there was no policing purpose for doing so. This indicates she may have contributed to a security breach on the part of PC Lewis. It further indicates she requested material be sent to her that could reasonably be perceived to be offensive or that might run the risk of damaging public confidence in the police service. PC Murphy maintains she did not share the image with her mother and had no genuine intention of doing so. PC Murphy has indicated she was not fully aware at the time that it was not appropriate to have this material on her personal phone and that she was influenced by the culture of the team. However, officers receive training in the Standards of Professional Behaviour and the Code of Ethics. The standard above states officers should not publish anything that could bring the force into disrepute.

239. **Honesty and Integrity**

According to this standard, officers should act with honesty and integrity at all times. It has been alleged PC Murphy may have breached this standard when she made a knowingly false, misleading or inaccurate oral statement to a manager regarding the circumstances surrounding the photograph of a deceased victim being disclosed to her by PC Lewis.

240. PS Coughlan acknowledged she could not remember the exact content of her conversation with PC Murphy and she had been working for 33 hours when PC Murphy made her admissions. However, at 6.15 pm PS Coughlan sent the email to D/Supt Whiteman in which she stated PC Murphy claimed she had been sent the image of Mr Brunt "*unsolicited*". On 6 July PS Bushell spoke to PC Murphy and completed the MM1. He recorded PC Murphy stated PC Lewis asked her if she wanted him to send her the image and she was non-committal.

241. In both cases the accounts the sergeants recorded at the time do not match the evidence retrieved from the WhatsApp conversation. PS Coughlan stated she had been working for 33 hours at the time PC Murphy made her admission so it is possible she could have misunderstood or misremembered what PC Murphy said. However, it was only 3 hours later that PS Coughlan

sent the email to her supervisor. If she was mistaken it is quite a key point to be mistaken about or forgotten in such a short time. Conversely, it seems unlikely PS Coughlan would have forgotten if PC Murphy told her she asked for the image to be sent to her, as this would clearly have implied an issue with PC Murphy's conduct. It is noteworthy that in PS Bushell's account PC Murphy did not state she had asked for the photo to be sent to her.

242. PC Murphy has detailed how the medication she is taking [REDACTED] affects her memory which may have influenced what she told PS Coughlan and PS Bushell. However, it seems if PC Murphy had told either of these officers she had asked for the photo to be sent to her they would have recorded it. In PC Murphy's later statement, she noted she could not see what the difference was in meaning between being noncommittal and not specifically requesting the image. However, the point is the text messages show she specifically requested the image be sent to her. If she was noncommittal when PC Lewis first informed her he had the image (as she states occurred), the evidence indicates she directly asked the image be sent to her via WhatsApp.

243. On balance, it appears the evidence indicates PC Murphy may not have told either officer at this point that she asked for the photo to be sent to her. Whether or not the decision maker considers this would amount to a breach of this standard, it appears, would rest on the reason why this information was withheld.

244. It would appear this was a key detail to have forgotten. PC Murphy has admitted she was feeling very anxious about what the repercussions would be for her at this point. It may be she was trying to protect herself in some way or was not ready to disclose the full story, even though she feared that investigators would have access to PC Lewis' phone. However, even if this was the case it is not clear that this would necessarily amount to a misleading statement, though it was inaccurate. In volunteering the information it is likely PC Murphy would have known the matter would be investigated and she may be asked to provide a full account. When requested by the IOPC, PC Murphy did provide a full account in which she admitted she asked PC Lewis to send her this image.

245. The decision maker may wish to consider whether the evidence that the statement was misleading is clear but may also note the evidence indicating that there were inaccuracies in her account. The decision maker may wish to consider if there is sufficient evidence on which a panel could find a breach of this standard.

> **Is there evidence PC Lewis may have breached the Standards of Professional Behaviour?**

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246. It has been alleged PC Lewis may have breached the Standards of Professional Behaviour 'duties and responsibilities', 'confidentiality', 'challenging and reporting improper conduct', and 'discreditable conduct'. In analysing these allegations I will assess the evidence against each standard.

247. **Duties and responsibilities**

According to this standard, officers must be diligent in the exercise of their duties and responsibilities. It has been alleged PC Lewis failed to show diligence as a police officer by requesting a colleague take a picture of a deceased person, without a policing purpose, and shared it with another officer and a member of the public. In doing so it has been alleged PC Lewis failed to treat photographic evidence from the scene of a death with respect.

248. The evidence indicates PC Lewis did request PC Q take the photograph of Mr Brunt and sent it to PC Murphy that night (around 11.30 pm). Before sending the image, PC Lewis asked PC Murphy if she was DPS, indicating he was aware he was acting inappropriately. The evidence further shows PC Lewis sent the image to a number associated with a Person A two days later. The MPS have confirmed this name and number are not associated with any police officer. Therefore, it appears the number may belong to a member of the public.

249. PC Q has stated there was a policing purpose for taking and sending the image i.e. to allow the probationer officers to view the image to decide if they wished to attend the scene. He states he and PC Lewis had a

conversation about this over the radio. However, there is no evidence to confirm this conversation occurred. Further, none of the probationer officers stated they were aware of the image prior to attending the scene. If this was indeed the reason why the image was taken, on PC Q's part, it does not appear PC Lewis used the image for this purpose.

250. The evidence does appear to show he sent the image to PC Murphy without a policing purpose and later, it seems, to a member of the public.

251. The Code of Ethics states officers should not publish online anything that can reasonably be perceived by the public or policing colleagues to be offensive or otherwise incompatible with policing principles. The National Police Chiefs' Council (NPCC) states safe use of the internet and social media requires an awareness of risks across five areas, including breach of trust or confidence and bringing discredit on the police service. The NPIRMT guidance states police personnel who are found to be using WhatsApp to receive or exchange police information, outside of approved, risk assessed official use must be recorded as a security incident.

252. Whatever the original purpose for the photo being taken, the evidence indicates PC Lewis did not have a policing purpose when he sent this image to PC Murphy. It further indicates PC Lewis was aware he was acting inappropriately when he asked PC Murphy if she was DPS. Further, it appears there can have been no policing purpose for sending the same image to a member of the public.

253. The MPS guidance that was published in the wake of PC Lewis' arrest, for similar conduct, states that social media content must not bring the force into disrepute or undermine public confidence and that personal electronic devices including mobile phones, tablets and laptops, must not be used to send operational police information. Police information must not be stored on or transmitted to personal devices via any means. Though this guidance was published after this image was shared it does appear of relevance as it reflects and reinforces the national guidance then in place from the Code of Ethics, NPIRMT and NPCC.

254. The guidance on outcomes in misconduct proceedings notes conduct which is intentional will be more culpable than conduct which has unintended consequences, although the consequences of the action will be relevant to the harm caused and culpability greater if the risk of harm could have been foreseen. It cannot be known if PC Lewis intended to disrespect Mr Brunt and cause reputational harm to the force and potential anguish to the family of the deceased. However, the decision maker may consider this was a foreseeable outcome from his actions. Further, there is evidence to support that in sending the image to PC Murphy he may have breached the guidance from the Code of Ethics, NPIRMT and NPCC. It appears there could have been no legitimate reason to send the image to a member of the public and PC Lewis has provided no explanation for this action. The decision maker may wish to consider whether these actions, taken together, suggest PC Lewis may have recklessly disregarded the Code of Ethics guidance and the above policies. In particular, the decision maker may wish to consider whether his actions in this case could have brought the force into disrepute, undermined public confidence and brought anguish to the family of the deceased.

255. **Confidentiality**

Under the standard 'confidentiality' the Code of Ethics states officers must use social media responsibly and ensure they do not publish anything online that could reasonably be perceived to be offensive or that might run the risk of damaging public confidence in the police service.

256. The NPIRT guidance states officers are privy to a vast array of sensitive personal data, which is protected under data protection legislation, and they must be aware of their responsibilities and ensure that sensitive data is not posted online in any form. However, the paper also notes the National Police Chiefs' Council states safe use of the internet and social media requires an awareness across five areas, which includes bringing discredit on the police service. It states police forces are strongly advised not to use WhatsApp to exchange police information that would typically be communicated via Airwave or any other secure means. It states police personnel who are found

to be using WhatsApp to receive or exchange police information, outside of approved, risk assessed official use must be recorded as a security incident.

257. It is evident PC Lewis published online (WhatsApp) material that could reasonably be perceived to be offensive or that might run the risk of damaging public confidence in the police service.
258. The guidance suggests that sending the image without a policing purpose could be considered a security breach. The decision maker may wish to consider whether in PC Lewis' actions in sending the material to PC Murphy and to a member of the public indicate he may have committed security breaches. In relation to sending material to a member of the public in particular, the decision maker may wish to consider the likely seriousness of such a breach and any risk of undermining public confidence in the force arising from it.
259. It is noteworthy in the wake of PC Lewis' arrest, for similar conduct, the force published guidance that social media content must not bring the force into disrepute or undermine public confidence and that personal electronic devices including mobile phones, tablets and laptops, must not be used to send operational police information. Police information must not be stored on or transmitted to personal devices via any means.
260. **Discreditable conduct**
- It has been alleged PC Lewis may have breached this standard when he requested a colleague take a photo of a deceased person, without a policing purpose, and then shared it with another police officer and a member of the public.
261. As is outlined above, the evidence indicates PC Lewis did not have a policing purpose for sending the image to PC Murphy. It indicates he may not have had a policing purpose for sending the image to a member of the public. PC Lewis has also failed to provide an account which offers any evidence that he had a policing purpose. In both cases it is for the decision maker to consider whether there is sufficient evidence on which a panel could find he breached



the Code of Ethics and national guidance on the use of the internet and social media and/or caused any security breaches.

262. It appears reasonable to suggest that were it to become known publicly that officers who attended the scene of a particularly graphic death shared images of the deceased for some sort of diversion that it would be capable of bringing the force into disrepute and undermining public confidence in the force. PC Lewis is subject to criminal charges for similar conduct, which has had significant press attention.

263. **Challenging and reporting improper conduct**

According to this standard, officers must report, challenge or take action against the conduct of colleagues which has fallen below the Standards of Professional Behaviour. It has been alleged PC Lewis may have breached this standard as he was aware PC Q took the photograph of Mr Brunt without a policing purpose and failed to challenge or report this behaviour. It is further alleged PC Lewis was aware PC Murphy intended to show the picture of the deceased to her mother.

264. In both instances it could be considered that this standard is inapplicable as PC Lewis was instrumental in the alleged conduct, PC Lewis apparently asked or instructed PC Q to take a picture of the deceased, and then shared it with a colleague and member of the public, so it is unlikely he would report the alleged breaches.

265. PC Murphy told PC Lewis she wished to show the image to her mother before he sent her the image. PC Lewis was on notice she may share it externally, and he knew or ought to have known that was inappropriate (the DPS reference supports he did know). The evidence is that he did not challenge or report it but complied with the request anyway.

266. Irrespective of his role in the alleged breach, the requirement to 'report, challenge or take action against the conduct of colleagues which has fallen below the Standards of Professional Behaviour' was still necessary and still applied to PC Lewis.

## > Summary: Basic Driving exam

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267. As noted above, on 22 June 2020 the IOPC seized the personal phone of PC Jamie Lewis. On 6 August 2020, IOPC investigators reviewed a download of this phone for content relevant to PC Murphy's allegations that PC Lewis had shared an image of a dead body with her and answers to the Basic Driving exam.
268. From the analysis of this phone, it was identified PC S sent exam paper material (with answers recorded) to PC Jamie Lewis on 6 February 2020, who in turn sent the material to PC R and PC T on the same date. On 25 March 2020, PC Lewis sent this and further material to PC Murphy.
269. It was confirmed PC Lewis, PC R and PC T sat the Basic Driver exam on 6 February 2020. PC Murphy sat this exam on 26 March 2020.
270. All of the above officers were served notices of investigation for allegations they may have shared or utilised this material to gain an unfair advantage in the Basic Driver exam.
271. The summary to follow details the definition of Basic Driving and the requirements / administration of the Basic Driver exam. It then details the WhatsApp correspondence between the officers when the papers were shared and the content of that material before analysing whether the evidence indicates the officers may have breached the Standards of Professional Behaviour.

## > Basic Driving: Definition and exam administration requirements

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272. According to MPS policy, 'Basic' drivers may drive any vehicle they have a licence to drive. However, they cannot make use of the legal exemptions in

respect of speed, red lights, keep left signs or any other exemption normally available to police drivers.

273. Before a person can be authorised as a 'Basic' driver / rider the policy states the driver must:

- Be authorised by (B)OCU commander to undertake driving duties.
- Hold a full driving licence for a minimum of one year (This does not apply to RTPC TPCSOs who have been assessed and authorised to ride solos approved for use on the RTPC fleet e.g.MP3)
- Have no more than 6 current penalty points
- Pass a written examination and complete a satisfactory assessment drive.
- Meet the MPS eyesight requirements and pass an eyesight test.
- If restricted to an 'automatic only' DVLA driving licence, be restricted to automatic police vehicles.

**> Statement: Inspector Helena Devlin**

274. On 6 August 2021, Inspector Helena Devlin provided a witness statement to the IOPC. Inspector Devlin is the Head of the Driving Academy responsible for *“all matters relating to driver and roads policing training.”* Her statement provided *“evidence of the administration of the exam for basic drivers.”*

275. Inspector Devlin stated that prior to June 2020 all driver exams were paper based. Since this date, a computer based package (NCALT) has been used for basic, response and advanced driver exams. The pursuit exam remains paper based.

276. Inspector Devlin noted that *“over the preceding years, the administration of driving exams has been reviewed and modernised.”* In February/ March 2020 the Driving Academy used the MPS shared drive to house the exams. A folder was created and was administered by Police Staff Robert Isaac, (of the) Driving Academy.

277. Inspector Devlin stated that to *“ensure integrity of the exam, access to the exam folders was only given to Safer Driving Managers (SDMs) and their nominated deputy”*. She said Police Staff Isaac was able to ensure that staff from particular departments were not granted access while he could manually give access in *“extenuating circumstances”*.
278. Inspector Devlin explained that to *“minimise information leakage”* only four Basic exam papers were created, though *“if there were some significant policy changes the exams would be updated to reflect this but would not have changed much over the years.”* The four papers were: Paper 1.1, Paper 2, Paper 3 and Paper 4. SDMs would decide which of the four papers a candidate would sit.
279. Inspector Devlin explained that *“each exam was to be considered as unique and sections or papers should not be interchanged. This was due to the marking system and relied upon the examination papers being kept together.”*
280. She stated that each exam comprised of 35 questions with three categories of Police Driver and Vehicle Policy; general Highway Code; and Highway Code signs. Candidates were required to achieve an overall pass mark of 70 per cent but needed to achieve 60 per cent in each category. Candidates were given 35 minutes to complete the exam.
281. She said, *“The instructions for SDMs included that it was a local decision if they allowed candidates to retain answer sheets but to preserve the integrity of the papers, the exam question paper must be destroyed as confidential waste i.e. shredded.”*
282. Inspector Devlin stated candidates who were successful in passing the exam would have their local driver record updated and continue in the process of becoming a basic driver.
283. She said if a candidate failed *“SDMs could use discretion and allow the candidate to re-sit the exam immediately but use a different paper. The reasons for this could be varied, for example an issue with the exam itself or*

*local environment. If not such circumstances, normal practice would be for the candidate to re-sit the exam after a period of 3 days had lapsed.”*

284. Inspector Devlin noted the instructions for SDMs included environmental considerations. For instance, to reduce waste printed study guides could be used by other candidates and it was advised these were laminated. However, she said *“this could only be done if there was a secure place to store the papers to ensure that they did not become common knowledge. If this method was to be used, it was advised that candidates did not mark the question papers.”*

285. Inspector Devlin stated part of the responsibility of the PDSU is to maintain the list of safer driving managers. She said, *“Any new SDM will receive a briefing around their roles and responsibilities. This includes the administration of exams which should be carried out under exam conditions.”*

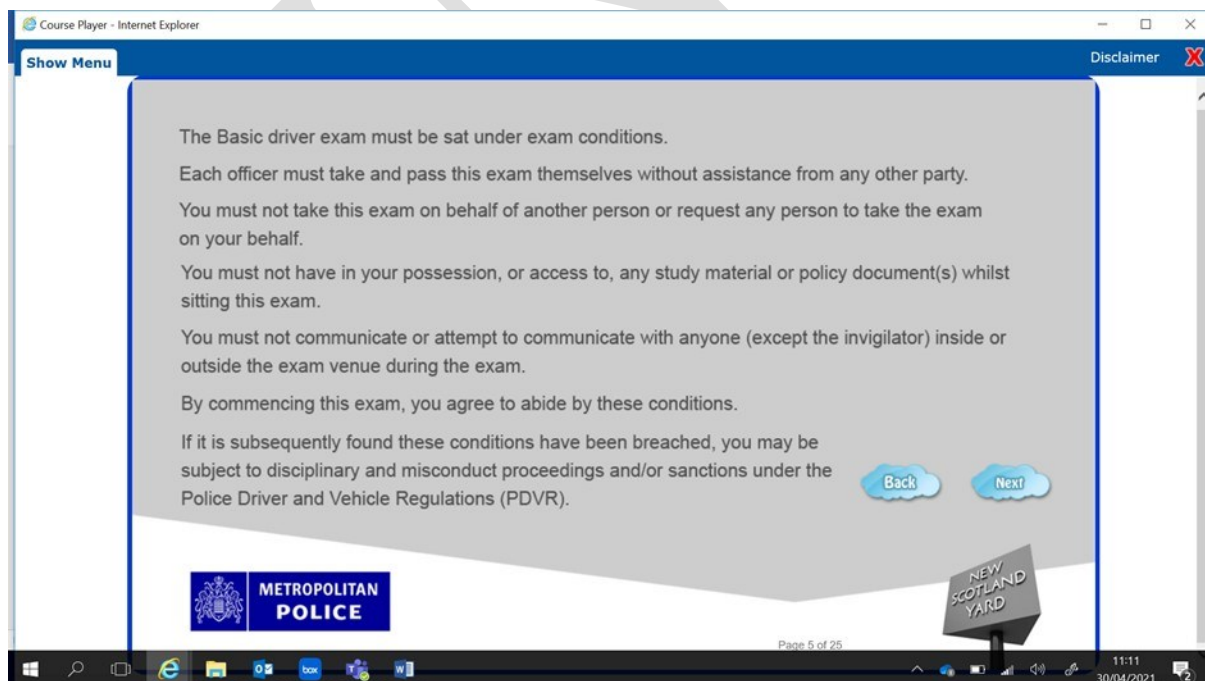
286. She stated, *“Although the specifics of this are not detailed, all police officers will have sat exams and these would have been conducted in generic conditions. Therefore it is expected that SDMs should ensure that papers are not shared and conferring does not take place during the exam.”*

287. In email correspondence Inspector Devlin stated candidates *“should not have been given prior sight of the exams. The exam should have been conducted in exam like conditions i.e. SDM or deputy present during exam and marked by them. Every SDM would have been given autonomy of how to conduct the exams for basic drivers.”*

288. However, she also noted *“since the move to NCALT, anyone can access the exam and ensuring strict exams conditions is unachievable – nationally most forces are moving to modular pre-course learning for response and advanced drivers so no strict exam conditions required.”* She further advised that Adam Knight of the PDSU may be able to assist the IOPC with some of our queries.

## > Correspondence from Sgt Adam Knight

289. In email correspondence, Sgt Knight confirmed that prior to taking the exam officers are provided with a study guide by the Safe Driving Manager highlighting the areas required to study. He stated, *“If an SDM/ Deputy SDM did not have access to the study guide, it would have been provided by the Police Driving Standards Unit on request.”*
290. He noted *“The Basic exam is now completed on NCALT. There have been a few ‘teething’ issues about how this exam should be sat with regards to invigilating but it is hoped that these have now been corrected.”*
291. Sgt Knight stated at the start of the exam, officers receive online instructions relating to how the exam is to be sat and that *“anything outside of the instructions would lead to a ‘Fail’ result and possible investigation for misconduct (dependant on the circumstances).”* He provided screenshots of these instructions, as below:



**Figure 1 NCALT Basic Exam Instructions**

> **Statement: PS Matt Williams**

292. On 24 November 2020, PS Matt Williams provided a statement to the IOPC detailing the adjudication of the Basic Driving exam taken by PC Lewis, PC R and PC T on 6 February 2020.
293. PS Williams explained he is a response team sergeant based at Forest Gate Station. He stated he usually has no involvement in the driving exams but he became aware that officers on his team were struggling to arrange the Basic Driving exam. He noted they had arranged to take the exam with the borough's Safety Driver Manager Ricky Coleridge but for "reasons unknown" to him this was "cancelled at short notice on a number of occasions".
294. He stated as his team was short of basic drivers he approached Ricky Coleridge and asked if he could adjudicate the exam on his behalf for officers: PC Jamie Lewis, PC R and PC T. He stated on 6 February Ricky Coleridge sent him a copy of the Basic Driving exam via email and the answer sheet, requesting that once the exams were marked the results were sent to him "so he could update the basic driver list for the BCU." He exhibited this email as MIW/1, which he shared with the IOPC. The email was sent at 1.56 pm on 6 February. It stated:
295. "Sgt,  
*Not be re used or copied/forwarded. Please shred all copies when done.*  
*Need to get 9/15 in Driving regs. 6/10 Highway Code. 6/10 Road signs. 25/35 overall score. (please send me copies of pass certificate).*  
*DI to include POWER, IDR, stopping vehicles (Blue Lights, Factory built in Headlight Flasher 3x3) Not to use, Bull Horn, H/F, 999 Button or Sirens.*  
*Position of vehicle half a car widths out from kerb where possible, 3 ft from rear bumper of stopped vehicle.*  
*You know it anyway.*  
*Please get them to send me a copy of their permit front and rear.*

Ricky”

296. PS Williams stated as far as he could recall the exam took place in the briefing room at Forest Gate Police Station. He said candidates were spread apart from one another. A copy of the exam questions was given to the candidates along with a blank answer sheet. He said once the exam was completed he marked the exams, gave the marked sheets to the officers and requested that they send them to Ricky Coleridge with a copy of their driving permit.

297. PS Williams could not recall how long the exams lasted or the exact time they began but believed it was during an early turn shift.

#### > Officer scores Basic Driver exam

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298. PC Lewis, PC R and PC T completed and passed the Basic Driving exam on 6 February 2020. All three officers sat Paper 1.1. PC R achieved a score of 26 out of a possible 35. PC Lewis achieved a score of 28. PC [REDACTED] score has not been confirmed.

299. PC Murphy passed the Basic Driving exam on 26 March 2019, achieving a score of 26 out of a possible 35. She took Paper 3.

#### > WhatsApp exchanges PC S and PC Lewis 6 February 2020

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300. At around 1.21 pm on 6 February 2020, PC Lewis had a Whatsapp conversation with a “PC S”, who was later identified as PC S.

| Sent from          | Sent to  | Date/Time              | Message  |
|--------------------|----------|------------------------|--|
| PC S<br>(REDACTED) | PC Lewis | 06/02/2020<br>13:21:01 | <b>*PC S sends 20 attachments to PC Lewis* -- all appear to be from a MPS driving test paper</b> |



|                    |                        |                        |   |
|--------------------|------------------------|------------------------|---|
| PC S<br>(REDACTED) | PC Lewis               | 06/02/2020<br>13:21:05 | Forward to the others x   |
| PC Lewis           | PC S<br>(REDACTED<br>) | 06/02/2020<br>13:21:26 | I love you *emoji*  |
| PC S<br>(REDACTED) | PC Lewis               | 06/02/2020<br>13:21:45 | *Emoji*<br>Might not be the same<br>paper yet<br><br>Good luck xx |

### > WhatsApp Exchange 'Driving' group 6 February 2020

301. From 11.23am on 6 February, PC Lewis had the following exchange in a WhatsApp group named "Driving" with PC T and PC R.

| Sent from | Sent to | Date/Time              | Message   |
|-----------|---------|------------------------|---|
| PC R      | Group   | 06/02/2020<br>11:23:34 | Boys, I know we was gonna do the driving, I won't be here as still gonna be at court so won't do it, do you want to wait until we can all do it?    |
| PC Lewis  | Group   | 11:23:46               | I'm easy  |
| PC R      | Group   | 11:23:59               | Sweet, [PC T]?  |
| PC T      | Group   | 11:36:58               | Not that fussed tbh I just know Liam was on me mate about doing it<br><br>I know fats is going to do it next week and didn't wanna do it on her own |

|          |       |          |  |
|----------|-------|----------|--|
| PC R     | Group | 11:37:46 | Yeah well if we get it booked next week when we have nothing on, just makes sense to do it all together when we are all in   |
| PC Lewis | Group | 11:40:05 | I'm easy boys  |
| PC T     | Group | 11:47:34 | I'll be honest I'm prob just gonna do mine today quickly, would prefer to wait but like I said they are on me big time and they know a few of us are doing it today so fuck it, sorry dude<br><br>I got a sly dig the other day about putting it back ha |
| PC R     | Group | 11:48:11 | What time you getting in for it?   |
| PC Lewis | Group | 11:48:44 | I'll do it as need it for my ARV application that closes next week   |
| PC R     | Group | 11:49:02 | Ok what tome [sic] you boys gonna be in  |
| PC Lewis | Group | 11:49:17 | Leaving Colchester now   |
| PC R     | Group | 11:49:27 | Ok [PC T]?   |
| PC T     | Group | 11:53:46 | What time will you be in<br><br>I'll leave earlier if need be  |
| PC R     | Group | 11:54:01 | I'm going back to KF now   |
| PC T     | Group | 11:54:18 | I'll try n get in by 1   |
| PC Lewis | Group | 11:54:26 | I'll be in by 1ish   |
| PC R     | Group | 12:00:27 | Yes cool   |

|          |       |          |   |
|----------|-------|----------|---|
| PC T     | Group | 12:30:26 | I'll be there by about 10 past<br><br>Have you spoken to Ricky? |
| PC R     | Group | 12:30:48 | Okay I'll see you here and no haven't seen him                  |
| PC R     | Group | 13:01:17 | We close lads?  |
| PC T     | Group | 13:01:32 | Walking past McDonald's bro                                     |
| PC Lewis | Group | 13:22:13 | <b>*Forwards 20 images which show text paper *</b>              |
| PC R     | Group | 13:55:02 | In the canteen boys   |
| PC R     | Group | 21:58:49 | 85 for me then boys   |
| PC T     | Group | 21:59:03 | Haha you fucking asked for it                                   |
| PC Lewis | Group | 21:59:08 | You did beg for it  |

### > WhatsApp exchanges PC Murphy 24 & 25 March 2020

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302. From around 4.04 pm on 24 March 2020, PC Lewis had the following exchange with PC Bonnie Murphy.

| Sent from                 | Sent to                   | Date/Time           | Message  |
|---------------------------|---------------------------|---------------------|--|
| Bonnie Murphy (REDACTED)  | REDACTED (PC Jamie Lewis) | 24/03/2020 16:04:11 | <i>Deleted by sender</i>                                 |
| REDACTED (PC Jamie Lewis) | Bonnie Murphy (REDACTED)  | 24/03/2020 17:01:55 | Why did you delete the message about the driving *emoji* |

|                                 |                                 |                        |  |
|---------------------------------|---------------------------------|------------------------|--|
| Bonnie Murphy<br>(REDACTED)     | REDACTED<br>(PC Jamie<br>Lewis) | 24/03/2020<br>17:03:14 | Cause my friend sent me<br>something before u replied  |
| REDACTED<br>(PC Jamie<br>Lewis) | Bonnie Murphy<br>(REDACTED)     | 24/03/2020<br>17:03:36 | Do you want the answers?   |
| Bonnie Murphy<br>(REDACTED)     | REDACTED<br>(PC Jamie<br>Lewis) | 24/03/2020<br>17:04:05 | Well the exam is possibly<br>Thursday so I'll take<br>anything *two emojis*<br><br>And Ricky aint doing it   |
| REDACTED<br>(PC Jamie<br>Lewis) | Bonnie Murphy<br>(REDACTED)     | 24/03/2020<br>20:12:29 | <b>*PC Lewis sends 20<br/>different images of test<br/>paper – these have been<br/>forwarded*</b>  |
| Bonnie Murphy<br>(REDACTED)     | REDACTED<br>(PC Jamie<br>Lewis) | 24/03/2020<br>20:16:41 | Omg u r the best thanks<br>bud   |
| REDACTED<br>(PC Jamie<br>Lewis) | Bonnie Murphy<br>(REDACTED)     | 24/03/2020<br>20:17:16 | That's not the actual<br>paper. I have the actual<br>paper too.<br><br>With my answers on it,<br>that's the IRV one I think<br>but similar questions |
| Bonnie Murphy<br>(REDACTED)     | REDACTED<br>(PC Jamie<br>Lewis) | 24/03/2020<br>20:19:06 | Care to share?<br>Still useful thanks  |
| REDACTED<br>(PC Jamie<br>Lewis) | Bonnie Murphy<br>(REDACTED)     | 24/03/2020<br>20:19:28 | Can I trust you?   |
| Bonnie Murphy<br>(REDACTED)     | REDACTED<br>(PC Jamie<br>Lewis) | 24/03/2020<br>20:19:48 | Course you can it's me<br>*emoji*  |

|                              |                              |                        |   |
|------------------------------|------------------------------|------------------------|---|
| REDACTED<br>(PC Jamie Lewis) | Bonnie Murphy<br>(REDACTED)  | 24/03/2020<br>20:19:55 | Hmmmmmm<br>Who's taking your test?  |
| Bonnie Murphy<br>(REDACTED)  | REDACTED<br>(PC Jamie Lewis) | 24/03/2020<br>20:20:20 | Bloody [REDACTED]<br>marks so he will be strict<br>*emoji*  |
| REDACTED<br>(PC Jamie Lewis) | Bonnie Murphy<br>(REDACTED)  | 24/03/2020<br>20:20:29 | Ohh *emoji*   |
| Bonnie Murphy<br>(REDACTED)  | REDACTED<br>(PC Jamie Lewis) | 24/03/2020<br>20:20:48 | I think unless<br>[REDACTED] convinces<br>him to let him take it<br><br>But I doubt that<br><br>He aint gave me a lot of<br>time to learn stuff |
| Bonnie Murphy<br>(REDACTED)  | REDACTED<br>(PC Jamie Lewis) | 24/03/2020<br>20:40:25 | Soo care to share?  |
| Bonnie Murphy<br>(REDACTED)  | REDACTED<br>(PC Jamie Lewis) | 25/03/2020<br>14:11:31 | Jamie   |
| REDACTED<br>(PC Jamie Lewis) | Bonnie Murphy<br>(REDACTED)  | 25/03/2020<br>14:11:44 | Yeah  |
| Bonnie Murphy<br>(REDACTED)  | REDACTED<br>(PC Jamie Lewis) | 25/03/2020<br>14:12:02 | I take it u don't trust me  |

|                              |                              |                        |  |
|------------------------------|------------------------------|------------------------|--|
| REDACTED<br>(PC Jamie Lewis) | Bonnie Murphy<br>(REDACTED)  | 25/03/2020<br>14:12:09 | Oh *laughing emoji*<br>It's only if you get that same paper tho<br><br>It's on my tablet I'll have a look for you                        |
| Bonnie Murphy<br>(REDACTED)  | REDACTED<br>(PC Jamie Lewis) | 25/03/2020<br>14:12:47 | At least I have a rough idea what to expect and how to answer<br><br>Thanks  |
| REDACTED<br>(PC Jamie Lewis) | Bonnie Murphy<br>(REDACTED)  | 25/03/2020<br>14:13:02 | No it's literally the answer sheet   |
| Bonnie Murphy<br>(REDACTED)  | REDACTED<br>(PC Jamie Lewis) | 25/03/2020<br>14:13:10 | Yh   |
| REDACTED<br>(PC Jamie Lewis) | Bonnie Murphy<br>(REDACTED)  | 25/03/2020<br>14:13:28 | Have you got this  |
| Bonnie Murphy<br>(REDACTED)  | REDACTED<br>(PC Jamie Lewis) | 25/03/2020<br>14:13:32 | Oh wait okay but Yh still send in case pls   |
| REDACTED<br>(PC Jamie Lewis) | Bonnie Murphy<br>(REDACTED)  | 25/03/2020<br>14:13:42 | <b>*Forwards a word document entitled "Study guide officers and msc"</b><br><br>*MPS document with study guide for Level 4 driving exam* |
| Bonnie Murphy<br>(REDACTED)  | REDACTED<br>(PC Jamie Lewis) | 25/03/2020<br>14:15:45 | Na I didn't but thanks   |

|                              |                              |                        |  |
|------------------------------|------------------------------|------------------------|--|
| REDACTED<br>(PC Jamie Lewis) | Bonnie Murphy<br>(REDACTED)  | 25/03/2020<br>14:41:50 | <b>*Sends image of test paper with multiple choice answers*</b>                      |
| REDACTED<br>(PC Jamie Lewis) | Bonnie Murphy<br>(REDACTED)  | 25/03/2020<br>14:42:10 | Do not give that to anyone else  |
| Bonnie Murphy<br>(REDACTED)  | REDACTED<br>(PC Jamie Lewis) | 25/03/2020<br>15:09:34 | Thanks so much<br><br>No obviously I won't   |
| REDACTED<br>(PC Jamie Lewis) | Bonnie Murphy<br>(REDACTED)  | 25/03/2020<br>15:09:55 | Good luck!   |
| Bonnie Murphy<br>(REDACTED)  | REDACTED<br>(PC Jamie Lewis) | 25/03/2020<br>15:10:25 | Is it all multiple choice?   |
| REDACTED<br>(PC Jamie Lewis) | Bonnie Murphy<br>(REDACTED)  | 25/03/2020<br>15:10:33 | Yh   |
| Bonnie Murphy<br>(REDACTED)  | REDACTED<br>(PC Jamie Lewis) | 25/03/2020<br>15:10:33 | I'm shitting it lol<br><br>Hope he doesn't turn up<br>*emoji*<br><br>Oh good         |
| REDACTED<br>(PC Jamie Lewis) | Bonnie Murphy<br>(REDACTED)  | 25/03/2020<br>15:10:46 | It's hard but just revise  |
| Bonnie Murphy<br>(REDACTED)  | REDACTED<br>(PC Jamie Lewis) | 25/03/2020<br>15:11:39 | I'm defo not gonna pass if u found it hard *two emojis*<br><br>What's hard about it? |
| REDACTED<br>(PC Jamie Lewis) | Bonnie Murphy<br>(REDACTED)  | 25/03/2020<br>15:12:05 | The questions are just tricky  |

|                                 |                                 |                        |  |
|---------------------------------|---------------------------------|------------------------|--|
| Bonnie Murphy<br>(REDACTED)     | REDACTED<br>(PC Jamie<br>Lewis) | 25/03/2020<br>15:15:48 | Classic police ones like<br>hard stupid?<br><br>How will I know if they are<br>the same questions? *two<br>emojis* |
| REDACTED<br>(PC Jamie<br>Lewis) | Bonnie Murphy<br>(REDACTED)     | 25/03/2020<br>15:18:31 | It will say paper 1.1<br><br>Yeah just very similar<br>answers   |
| Bonnie Murphy<br>(REDACTED)     | REDACTED<br>(PC Jamie<br>Lewis) | 25/03/2020<br>15:22:33 | Oh okay.<br><br>Yeah classic police exam<br>*emoji*  |
| Bonnie Murphy<br>(REDACTED)     | REDACTED<br>(PC Jamie<br>Lewis) | 25/03/2020<br>16:51:24 | Highway Code and stuff<br>what would that be?  |
| REDACTED<br>(PC Jamie<br>Lewis) | Bonnie Murphy<br>(REDACTED)     | 25/03/2020<br>16:56:21 | Signs and shit<br><br>Like theory test stuff   |
| Bonnie Murphy<br>(REDACTED)     | REDACTED<br>(PC Jamie<br>Lewis) | 25/03/2020<br>16:58:22 | [REDACTED] has a 400<br>page book needs dumbing<br>down<br>*emoji*   |
| Bonnie Murphy<br>(REDACTED)     | REDACTED<br>(PC Jamie<br>Lewis) | 26/03/2020<br>21:21:10 | I passed boi   |
| REDACTED<br>(PC Jamie<br>Lewis) | Bonnie Murphy<br>(REDACTED)     | 26/03/2020<br>21:48:30 | *emoji*<br><br>Did you cheat?  |
| Bonnie Murphy<br>(REDACTED)     | REDACTED<br>(PC Jamie<br>Lewis) | 26/03/2020<br>21:53:14 | Some of it lol   |

## > WhatsApp Attachments

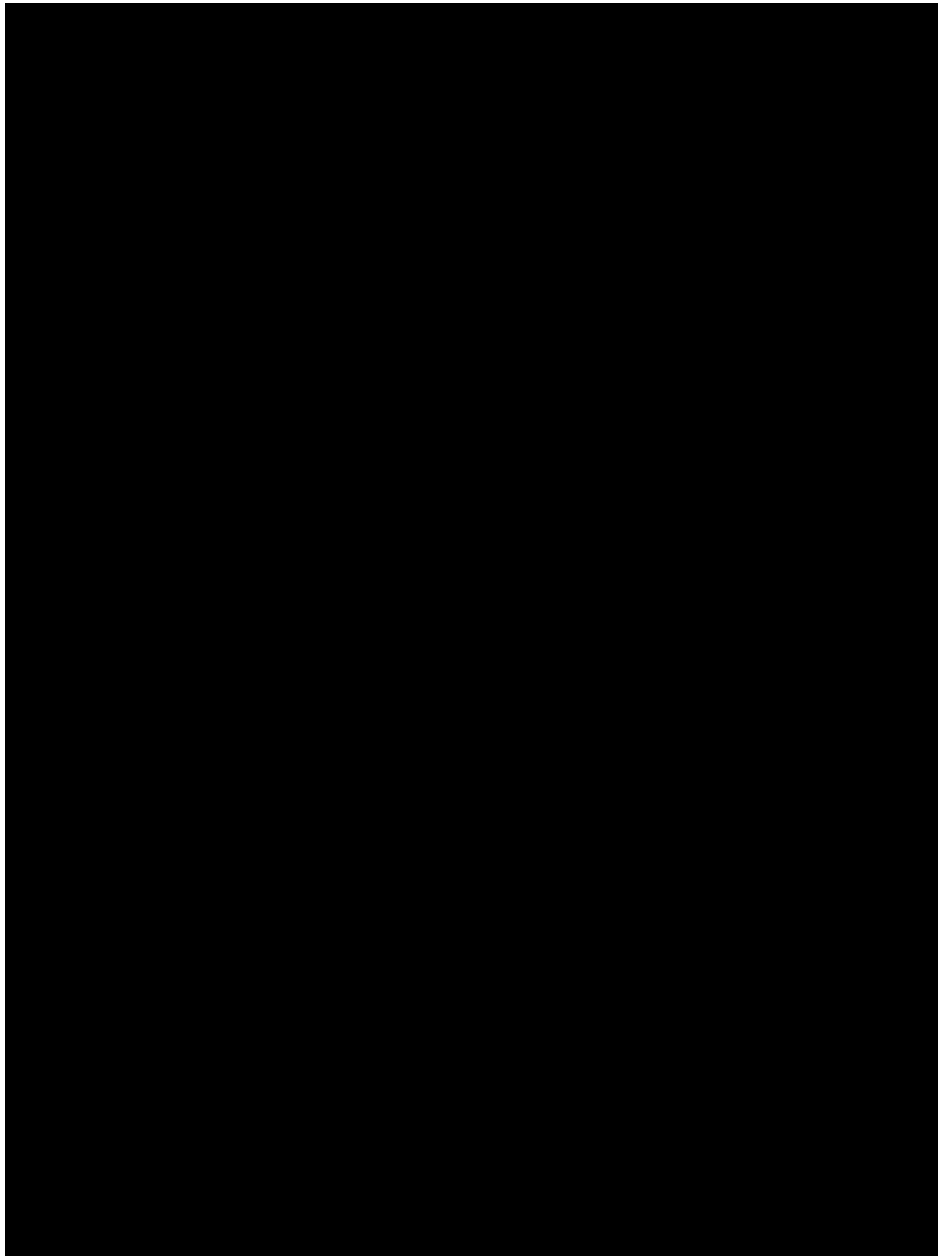
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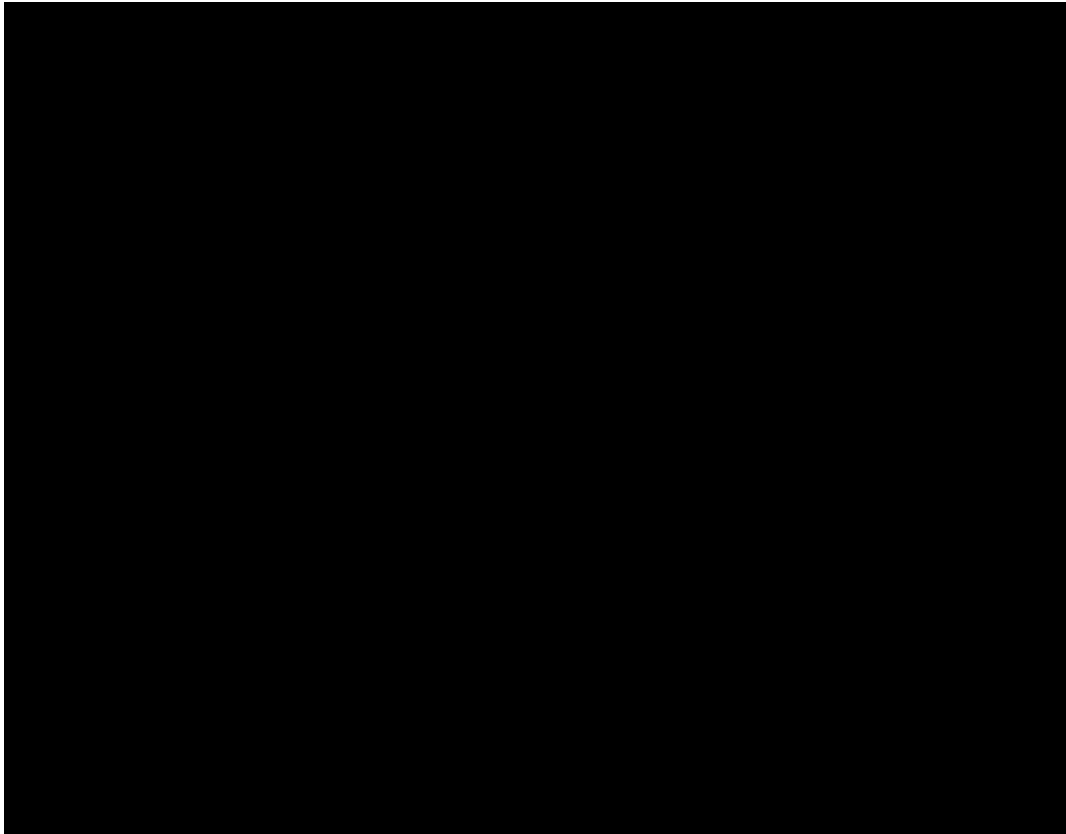
The 20 images that PC S sent to PC Lewis on 6 February were identical to the images PC Lewis put in the 'Driving' group (with PC T and PC R) and later shared with PC Murphy on 25 March 2020. Fourteen of these pages were titled Paper 1.10 (October 2014) and the remaining six were titled Paper 1 November 2016.

It has been confirmed none of these test papers were Basic Driving exams. Paper 1.10 (October 2014) was from a response driving exam which is no longer in use but may have been at the time (it was not possible to confirm this either way). Paper 1 (November 2016) were images of a pursuit exam.

The fourteen pages from October 2014 appear to have the answers recorded, as below. It has been confirmed these answers are correct. The paper from November 2016 was blank.



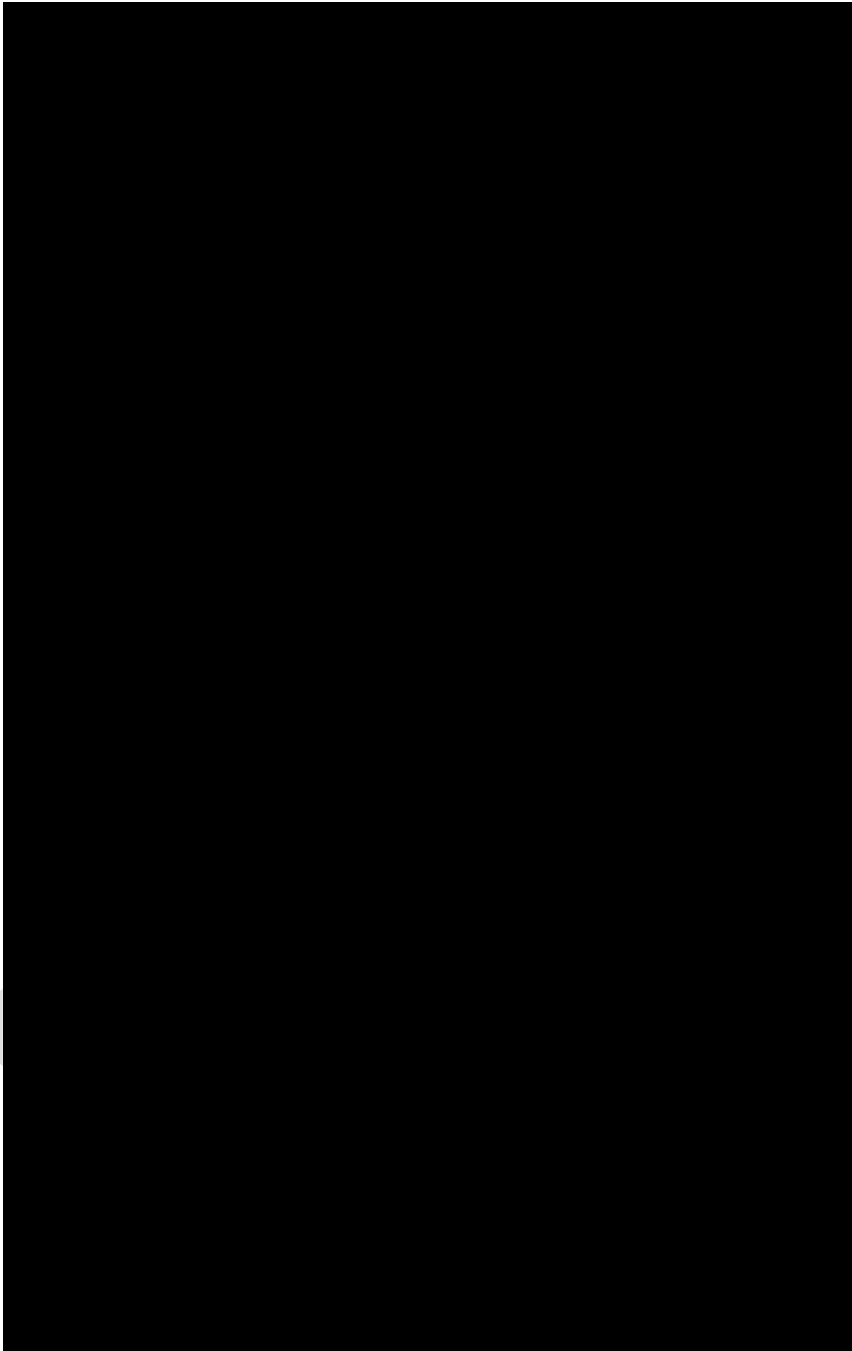
*Figure 2 Road Signs Paper 1.10 (October 2014)*



***Figure 3 Examples of answers recorded Paper 1.10 (October 2014)***

303. An IOPC investigator compared the paper the officers sat against the exam material that was shared. For the paper PC Lewis, PC R and PC T sat it was confirmed out of the 35 questions four were identical to the shared WhatsApp material and one was very similar. It was also confirmed that the 10 road signs referred to in this paper all form part of the 20 that were shared via WhatsApp.
304. The investigator concluded the shared material could have offered the officers an advantage with at least 15 of the questions.
305. For the paper PC Murphy sat, it was confirmed out of the 35 questions in this paper four were identical to the shared WhatsApp material, one was very similar and the 10 road signs all form part of the 20 that were shared via WhatsApp.
306. The investigator concluded the shared material could have offered the officer an advantage with at least 15 of the questions.

307. Along with the above material, PC Lewis sent PC Murphy his answer sheet (RDH/2) from the exam he sat on 6 February.



308. An IOPC investigator compared the exams the two officers sat to determine if this provided any advantage. She concluded as PC Murphy and PC Lewis did not sit the same exam the answer sheet offered no real advantage as it appears PC Murphy did not have sight of PC Lewis' question paper.

## > Officer accounts

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### > PC S

309. PC S noted she joined the MPS in 2012 and has primarily worked in a response team in Forest Gate Police Station. She stated she believes she took her basic driving course in 2015.
310. She stated she was off sick for two months from 5 October 2019 due to an injury to her foot and her first shift back was 26 December 2019. She stated she believes she has only worked one shift with PC Lewis, which would have been in January 2020, and did not know him before then.
311. PC S said she could not remember when but sometime shortly before 6 February she finished an early shift and saw PC Lewis and some others in the yard. She said they looked as if they were waiting and when she asked they said they were waiting for confirmation *“as to when they were going to do their basic driving test”*.
312. PC S said she mentioned to PC Lewis that she had some old papers on her phone, from when she took her basic driving course in 2015, and asked if it would help if she sent them to him. She said, *“He said it would. These were basic exams papers that had been sent to me when I took my test from a colleague, I cannot remember who, and were just kept on my phone now, in my pictures.”*
313. PC S said that straight after speaking to PC Lewis about the papers she sent them to him with a message saying that he could forward them on to the others. She said, *“The answers were highlighted when they were sent to me previously and I sent them, in the format they were in my phone, to Jamie (Lewis) confirming that he could send them to other officers who were doing the exam.”* She noted he mentioned at least two other officers might be doing it at the same time as him.

314. PC S said she did not know if the material she sent would be the same questions but *“with all exams, there is always a chance that might be the case.”* She said:

*“The exam, as I recall then, was multiple choice. I did not know what the exam paper might contain when he sat it and did not even know when he was going to sit it. I had not [sic] prior knowledge of what questions he might be asked, and was totally unaware as to the extent to which there would be any benefit to him in having this material, over and above giving him a rough idea as to what sort of questions might be asked, which is a situation which arises universally in all exams, in all walks of life, where past papers can be used as a revision aid.”*

315. PC S stated to this day she is not aware if PC Lewis took the exam or whether he passed. She said he never contacted her after to express any thanks or to indicate that it helped him in taking the exam.

316. PC S stated that after 6 February she was on annual leave until 24 February before moving to [REDACTED] and did not see much of her team in this interval. She stated since moving to [REDACTED] she has had to work at home permanently as she is [REDACTED] high risk in terms of Covid 19.

317. PC S said she has considered the position carefully and whether there is anything she needs to learn from sending the material to PC Lewis. She stated, *“At the time, I genuinely thought I was just doing a colleague a favour and that there was nothing wrong with providing him with this information.”*

318. She further noted, *“Given that I gave the material to him, it is difficult to understand on what basis I am criticized for failing to challenge his “apparent use” of the test papers.”*

319. PC S stated, *“I deny absolutely that I acted without Honesty and Integrity in this regard. I do not understand how trying to help a colleague revise represents providing them with an unfair advantage in the driving exam, when the material that I sent could have been readily obtained by*

*anybody taking the exam, who made even the most fundamentally [sic] enquiries as to locating past papers.”*

320. PC S further stated she did not believe her conduct *“could, would, or has undermined public confidence in policing”* as *“everyone taking an exam, in every walk of life, will try to retrieve old papers, establish what the correct answers are in relation to those papers, and use that material as a form of revision aid, in identical circumstances to the material that was provided here, by me, to PC Lewis.”*

321. On 16 July 2021, PC S provided an additional statement in response to further IOPC questions.

322. She stated she could not remember when she received the exam papers she sent but believed it was in 2015. She said she did not think she received the papers prior to taking the test or asked for them to be sent to her. She said she had no idea if the person who sent the papers completed the answers. She said:

*“It is likely that I used the highlighted papers to help me prepare for the exam, but obviously this would depend whether I received them before or after I sat the exam myself in any event.”*

323. PC S said her understanding was that many of her colleagues were able *“to provide this material, or looking to have it provided to them, but I cannot remember who, if anyone”* she may have asked for it.

324. PC S said she could not remember reading anything about the document being shredded. She said, *“I would assume that that would denote that in some form it was confidential, but my understanding was that it was nothing more than an old paper that could be used as a revision guide. I never regarded it as being something which was assisting me to ‘cheat’ in the exam.”*

325. PC S said her text message to PC Lewis was meant to indicate she had *“no idea what the exam paper would be”*. She said she did not know how many exam papers there were. She said, *“As far as I was concerned, it was*

*simply an old, probably out of date paper which I did not believe was still in use, and certainly did not believe was going to be the paper that he was going to be sitting, although obviously, as in most examination scenarios, the questions posed and the answers would be materially relevant to some of what was going to be in the paper..”*

326. She stated people use old exam papers as revision guides in all walks of life and stated she was not sure what unfair advantage arises unless *“bizarrely, a paper which is read by someone and used as a revision guide, and they memorise all the answers, is then totally replicated as the paper which is presented to them and sat by them.”*

327. PC S acknowledged that this could be an unfair advantage but stated she *“presume that examiners would work to preclude that possibility”*. She said, *“I never sent this paper telling anyone to cheat or to memorise the answers.”*

328. She concluded, *“In my original statement I made it clear that I could see nothing wrong with sharing the test papers as a revision aid with colleagues who were to take the exam, or having them shared with me; that remains my position and indeed my understanding of the reality of the situation here.”*

> PC T

329. PC T stated he has three years service. He noted although he was added to the WhatsApp group *“Driving”* he no longer has the group on his phone. He said, *“As far I recall the group was set up to organise what time we were meeting up prior to the basic driving exam.”*

330. PC T stated at that time he was not authorised to drive a police vehicle although he has been driving for more than 14 years and has never had points on his licence.

331. He said, *“I understand that the basic driving exam written paper covers essentially road signs and MPS policy. I think it has now become NCALT based. I understood that the same topics came up in every exam. I had never*



*even thought about whether there were past papers. I was not worried about the exam.”*

332. He said, *“I cannot now remember what I thought about the papers when they were posted on the group. I do not know if any of the questions in the paper were the same as those in my exam. As such I deny all the allegations that I have breached the standards of professional behaviour.”*

333. On 30 June 2021, PC T provided an additional statement in response to further IOPC questions.

334. PC T said he could not recall the exact time he got to Forest Gate Station but according to the text messages he was walking past MacDonald’s at 1.01 pm. He said it usually takes about five minutes or so to walk to the police station from there, after which he recalled having a cigarette in the rear yard. He could not recall how long this took but stated it usually takes about five minutes after which he went to get changed into his police uniform. He stated he met PC R and PC Lewis sometime after this in the canteen, near the briefing room.

335. PC T said he vaguely recalled receiving images but he did not review them so he did not know what they were. He said, *“The option ‘save to camera roll’ has always been turned off on my WhatsApp so they did not auto save on my phone.”* He said he did not review the images prior to or after taking the exam. He said he was not aware PC Lewis was going to send him the images and did not believe they were copies of the exam he was due to sit. PC T said he did not recall reading the instruction “THIS DOCUMENT MUST BE SHREDDED AFTER USE” as he did not review the images.

336. PC T said, *“I had no concerns at the time of receiving this material as I did not know its true nature, having not reviewed any of the images and being aware of what they truly were. Having been appraised of their content since the initial receipt by means of this investigation, I do not condone the possession of such materials and if I was aware of the content, I would have challenged its distribution and notified a supervisor.”*

337. PC T said he did not consider PC Lewis may have acted inappropriately in sharing the exam material, as he did not review the images *“and was not aware of their true nature.”* He said, *“Having been made aware of their unauthorised possession and distribution during this investigation, I do consider that PC Lewis has acted inappropriately.”*

338. PC T was asked what he understood PC R to mean when he wrote *“85 for me then boys”* in the WhatsApp chat. He said, *“My understanding is that PC R was referring to the call sign NE85L which is the missing person reporting car. This is staffed by basic drivers. This was a joke on the day as PC R joked about being the misper car (namely NE85L) if he passed the basic driving exam.”*

#### > PC R

339. On 25 June 2021, PC R responded to the allegations. He stated he did initiate the WhatsApp group called *“Driving”* the purpose of which was *“to arrange a date and time to compete the driving exam with PC Lewis and PC T.”* He stated this was discussed in the days leading up to the creation of the group as it was suggested by their line manager that he wanted them to do it.

340. PC R said, *“it made sense do it together as we all needed to do it and instead of all going at different times we could complete it together which meant that it didn't effect [sic] the staffing levels of the team at different times.”*

341. PC R stated he arranged the exam date by emailing Ricky Coleridge however on the date in question Ricky Coleridge was not available so Sergeant Matthew Williams facilitated it. He said the exam was taken in the parade room at Forest Gate Police Station but he could *“not remember the instructions prior to taking the exam due to time lapse.”*

342. PC R said he recalled receiving the exam paper material from PC Lewis, via WhatsApp. He said, *“I opened them up to see what they was but didn't fully go through them.”* He stated from what he could remember he was

not aware PC Lewis was going to send this material. He said he believed the papers were *“copies of an old driving exam.”* He said he did not believe they were copies of the exam he was due to sit as *“there are multiple different varieties of the driving exam, all with different questions, it would of [sic] been impossible to believe that this was the exact exam I would sit.”*

343. *“Due to time lapse,”* PC R said he could not remember where he was when he received these images or if he was in the company of his colleagues. He said he could not remember if they discussed the material. He said, *“I do not have much experience in taking exams so I couldn’t comment if this is normal practice.”*

344. PC R said he could not remember what time he took the exam but *“from reading the transcript it would of [sic] been after 13:55.”*

345. PC R was asked what he meant when he wrote (at 21.58.49 hrs) *“85 for me then boys”*. He claimed he was not referring to the exam. He said, *“85 is a police call sign assigned to dealing with missing people, it’s full name is NE85, I used 85 for short.”* He said when PC T said *“Haha you fucking asked for it”* and PC Lewis said *“You did beg for it”* they were joking as NE85 is a call sign that he *“didn’t’ desire that day.”*

346. PC R was asked how he interpreted the handwritten annotations on Paper 1.10. He said, *“I don’t know why the page was circled nor do I know what the number underneath means. I did not see the see the highlighted section of the answers as I didn’t review them in depth therefore as I didn’t see the highlighted section I didn’t think anything of it.”*

347. PC R was asked if he noted on paper 1.10 it stated *“THIS DOCUMENT MUST BE SHREDDDED AFTER USE”*. He said he *“didn’t read it well enough to note the shredded notice.”*

### > PC Bonnie Murphy

348. PC Murphy stated she did not know when she had the conversation with PC Lewis about the Basic Driving exam. She said she thought they had a

discussion when they came across each other at the police station and *“he indicated that he had some material that might assist me with taking the exam,”* she said.

349. She said as far as she was aware the twenty images PC Lewis sent her on the 25 March *“were nothing more than revision aids based on previous exam papers, and example of the sort of thing that might crop up in the exam”* she was due to take on 26 March.
350. She noted although PC Lewis seemed at one stage to be suggesting this was the actual exam paper it seemed *“inconceivable”* that was the case. She said, *“As far as I can remember when it came to the 26<sup>th</sup> March the paper I sat bore no identical resemblance to any document that had been provided to me by PC Lewis in the two preceding days.”*
351. She stated, *“When he told me that it was ‘literally the answer sheet’ I did not believe him. When he told me not to give it to anyone else, I just thought he was being a bit over dramatic. When he asked me if he could trust me, I just thought he was making the point that he wasn’t being this helpful to anybody else and was not expecting the material to be shared with anybody else.”*
352. PC Murphy said she studied for the exam and *“only just”* passed. She stated the material PC Lewis sent helped her in preparing and revising for the exam but it was not identical to the exam paper. She stated the reference to her cheating was not related to the material PC Lewis sent her but that during the exam there was a question she did not understand and she used Google to try to understand what it meant. She said she was on her own in the room, *“without any supervision and no invigilator.”* She stated this did not help her with the answer, just to understand the question, and she believed she may have got this question wrong.
353. She said, *“I am truly sorry that I resorted to looking up the meaning of the question on Google; I know I should not have done that.”* She stated she was *“simply panicking and desperate to pass the exam.”* She noted she found it hard to revise for the exam, even with the aides PC Lewis sent her.

354. Regarding the driving exam material, PC Murphy said *“I can see that this was an inappropriate exchange which could be interpreted as something else and for that I can only apologise.”*
355. She concluded by stating she is at the very beginning of her career and has had to learn some *“very hard lessons”* as a result of this investigation, having seen colleagues arrested for serious criminal offences and a large number served with notices of investigation. She said, *“I can see now precisely what high standards are expected of me as a police officer in relation to my conduct and can only reiterate that I have learned the lesson and there will be no future repetition of this sort of inappropriate behaviour on my part.”*
356. As noted above, on 28 June 2021 PC Murphy provided an additional statement. She stated she was struggling to understand what was *“quite so wrong”* about having the material that was sent to her. She said:  
*“My understanding was, there was at least four test papers that could be sat, and all PC Lewis was providing me with answers to one of them which might, or might not, necessarily include some or all of the questions that were going to be posed, which were things I knew were going to come up in the paper anyway, by virtue of the training I had had.”*
357. PC Murphy stated it was her understanding that having an idea of what the answers might be to certain questions was merely a form of revision. She said, *“I do not think trying to revise as extensively as I could from the material provided to me represents securing an unfair advantage.”* She noted she had studied the Highway Code in a lot of detail, had made her own notes and discussed the exam with colleagues who had taken it. She said, *“I do not believe I cheated in the exam in my preparation.”*

## > Analysis: Basic Driver exam

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358. As there are several alleged breaches of the Standards of Professional Behaviour for each of the officers, but all the allegations stem from evidence they may have shared or utilised prohibited exam material ahead of taking the

Basic Driver exam, I will detail what the evidence shows in respect of each officer and analyse this against each allegation of breach of the professional standards.

> **Is there evidence PC S may have breached the Standards of Professional Behaviour?**

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359. It has been alleged PC S shared the Basic Driving exam papers with PC Lewis, some of which appeared to have the answers highlighted, to PC Lewis and suggested he share them with “*the others*”. It has been alleged this may indicate a breach of the standards:

- Challenging and reporting improper conduct
- Duties and responsibilities
- Honesty and integrity
- Confidentiality
- Discreditable conduct

360. The evidence from WhatsApp indicates PC S did share exam material with PC Lewis on the date PC Lewis, PC R and PC T completed the Basic Driver exam. This evidence further indicates PC S believed she could have sent the same paper the officers were due to sit (“*Might not be the same paper*”). PC S states she believed she had sent an old out of date paper but the above text does appear to contradict this.

361. It has been confirmed the exam material PC S sent to PC Lewis did contain the correct answers but the paper itself was not the Basic Driver exam, it was a Response course exam. However, PC S appeared to believe it was the Basic Driver exam, and stated someone had sent it to her prior to her taking the exam in 2015 (but she could not recall who). It has not been confirmed whether this test was still in use when PC S sent it however it appears PC S believes it could have been.

362. PC S has stated the material she sent to PC Lewis could have been easily obtained by any person. However, Inspector Devlin has confirmed this was not the case. Considerable measures were put in place to ensure the exams were kept secure and the content was not leaked or shared with future candidates, which was the same for the Response exam as it was for the Basic and Advanced exams. The paper itself contains the handling instruction that it must be shredded after use. It is not clear why PC S would have received this material prior to taking the Basic Driver exam. From her training record it appears she did complete a Response course in 2017. However, it appears that sharing the material in this way (i.e. via images on a personal mobile phone) would not have been authorised. If, as PC S states, many of her colleagues were able to provide this material it appears they would have done so without authorisation.
363. It has not been confirmed when the officers took this exam but from the content of their WhatsApp conversation, and the time the SDM sent the email to PS Williams, it appears the officers had not taken the exam before 1.55 pm (PC S sent the material at 1.22 pm).

#### **Challenging and reporting improper conduct**

364. According to this standard officers must report, challenge or take action against the conduct of colleagues which has fallen below the Standards of Professional Behaviour. It has been alleged PC S may have breached this standard as she may have failed to challenge or report PC Jamie Lewis' apparent use of the driving test papers prior to his own driving exam.
365. PC S disputed she had breached this standard as she provided PC Lewis with the exam material, and she felt there was no issue in doing this. The decision maker may consider PC S's challenge on this point is reasonable. PC S's account is that she offered to send the papers to PC Lewis. The evidence does not suggest that PC Lewis asked for these papers. The scenario does not fit the usual circumstances where a failure to challenge improper behaviour arises, i.e. where the officer is aware a colleague is acting, or intends to act, in a way that breaches the standards of professional behaviour. Here, PC S has embarked herself on a course

of conduct and the decision maker may consider that the failure to challenge standard would not be engaged. The analysis will now consider the evidence against the other standards of professional behaviour listed on the notice served on PC S.

366. Even if she had knowingly provided PC Lewis with the exam paper (with answers) he was due to sit it is not clear it would be reasonable to suggest she may have breached this standard, as her actions were instrumental in the conduct. By her own account she said she told PC Lewis she had (what she believed) were past papers and asked if he wanted her to share them – though the text messages indicate she may have believed it could be the same paper. It is difficult to see how she would then have reported this conduct. Rather, the decision maker may wish to consider if this indicates a breach of other Standards of Professional Behaviour, as detailed below.

367. **Duties and responsibilities**

According to this standard officers must be diligent in the exercise of their duties and responsibilities. The Code of Ethics states officers should take full responsibility for their actions and decisions.

368. It has been alleged PC S may have failed in her diligence as an officer by sharing the questions/test papers for a driving exam and suggesting they be shared with other colleagues. The decision maker may wish to consider whether the intention of sending these papers may have been so her colleagues could gain an unfair advantage in the Basic Driver exam.

369. The evidence suggests that the papers forwarded by PC S were marked with clear handling instructions that they should be shredded after use. The decision maker may wish to consider whether, in light of these, PC S's actions in sharing the material appeared to contravene these instructions. The relevance of these instructions in indicating that PC S was, or ought to have been aware, that it was inappropriate to share the material, will be analysed below in relation to the other standards listed on PC S's regulation notice.

370. **Honesty and integrity**



According to this standard officers should act with honesty and integrity at all times. It has been alleged PC S may have breached this standard by sharing the exam material with her colleagues to enable them to gain an unfair advantage in the Basic Driver exam.

371. As noted above, it has been confirmed the material that PC S shared was not a Basic Driver exam. However, the text messages indicate PC S believed it was the Basic Driver exam. PC S disputed she may have breached this standard as she maintained the material she shared was readily available for anyone to view. However, Inspector Devlin and Sgt Knight have confirmed there were no past papers for officers to review and the only material candidates could access ahead of taking the exam was a study guide.

372. There is no specific police policy that says officers should not cheat or assist other officers to cheat in their exams. However, as Inspector Devlin has outlined, the administration of the Basic Driving was designed to ensure the integrity of the papers was protected for future candidates taking the test. The paper itself had the handling instructions it must be shredded after use. As PC S took this test in 2015, it seems reasonable to suggest she would have known the exam was to be taken under exam conditions and she would not have been permitted to view the test paper in advance. If a colleague had sent her this material ahead of her own Basic Driving exam it did not appear to have been sent via an official channel, such as through the Safer Driver Manager who would have known sharing this material was not permitted.

373. While there may be no explicit police policy that states officers should not cheat, gain an unfair advantage or assist others in doing so, Inspector Devlin has pointed out officers routinely take exams and would have done so in exam conditions. Moreover, the Standards of Professional Behaviour and Code of Ethics, which officers are expected to abide by, do state officers should act with honesty and integrity at all times.

374. The text messages do indicate PC S believed she could have shared the test papers the officers were due to sit. As PC S took this exam in 2015, it appears she would (or should) have known it had to be taken under

exam conditions. While this may not be the most controversial conduct the decision maker may wish to consider whether, in light of the evidence that this material was not readily available, was marked with specific handling instructions and in circumstances where PC S could reasonably be expected to be aware that exam conditions applied, a panel could find that the officer may have acted without integrity. It could also have undermined the examination process. Presumably the point of the test was that officers would have to study across the breadth of the topic area and the randomised nature of the questions would test how well they have acquired this breadth of knowledge. In potentially providing the officers with the questions they were due to sit this could have limited the amount of revision they completed and in effect limited their knowledge of road signs or the Highway Code, for instance. However, given it appears PC S provided these test papers within hours of the officers taking this test this effect may have been limited.

375. The decision maker may wish to consider whether there is sufficient evidence on which a panel could find PC S breached this standard.

376. **Discreditable conduct**

The code of Ethics states according to this standard officers must keep in mind at all times that the public expect the highest standard of behaviour and they must consider how a member of the public would regard their behaviour, whether on or off duty. It states they should ask themselves whether a particular action might result in members of the public losing confidence in the policing profession and that discredit to the police service is not measured by media coverage or public perception alone but has regard to all the circumstances.

377. While attempting to gain an unfair advantage in an official test, or assisting others in doing so, may not be the most controversial or disreputable conduct the decision maker may consider that it would reflect poorly on the officers and the force were it to become known.

378. As noted above, it appears PC S believed she could have shared one of the Basic Driver exams, with answers, and that this could have been the same paper the officers were due to sit. It would appear that if the public

became aware that officers were sharing (or attempting to share) the answers to driving exams ahead of taking these exams it would reflect badly on the officers though the conduct would perhaps need to be more widespread for it to bring discredit on the service as a whole. PC S has suggested a number of her colleagues (she could not recall who) had access to or may have shared or requested the same or similar material but there is currently no evidence to confirm this.

379. The decision maker may wish to consider whether there is an indication PC S could have breached this standard.

380. **Confidentiality**

According to this standard police officers must treat information with respect and only access or disclose it in the proper course of police duties. The Code of Ethics states officers must not disclose information, on or off duty, to unauthorised recipients.

381. PC S has stated the material she shared was readily available to anyone who took the time to search for it. However, the evidence of Inspector Devlin is that this was not the case. All exam material was held in secure folders were only the Safer Driver Managers could access it. This implies that whoever sent this material to PC S did so without proper authority and in sending this material to PC Lewis, PC S did the same. The data may not have breached or compromised any personal data but it appears PC S should not have held this material on her personal mobile phone and shared it with colleagues.

382. The decision maker may wish to consider whether there is sufficient evidence on which a panel could find PC S breached this standard.

**> Is there evidence PC Lewis may have breached the Standards of Professional Behaviour?**

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383. The evidence indicates that prior to taking the Basic Driver exam, PC Lewis was sent part of two exam papers, one of which had the answers recorded,

by PC S. It has been confirmed the material that was shared were Response and Pursuit exams. However, after PC S sent this material (at 1.21 pm) PC Lewis wrote *"I love you"* and PC S replied *"Might not be the same paper"*. This appears to indicate PC S thought it could be the same paper. In her statement, PC S said she thought the material was Basic Driver past papers. However, Inspector Devlin has confirmed there should have been no past papers in circulation. All the driving exams (including the response and advanced papers) were kept in a secure folder that only the Safer Driver Managers had access to. The only material the candidates could access were study guides provided by the SDMs.

384. Around one minute later PC Lewis shared this material with PC R and PC T. It is understood PC Lewis, PC R and PC T took the Basic Driving sometime after these messages were exchanged on the same date. The email PS Williams received from Ricky Coleridge (the SDM) indicate the officers took the exam sometime after 1.55 pm.

385. On 24 March 2020, PC Lewis shared these papers with PC Murphy along with his answer sheet for Paper 1.1 of the Basic Driver exam, which he stated he had saved on his tablet. It appears by this date PC Lewis was aware that the papers PC S shared with him were not *"the actual paper"* he sat, but they did have similar questions. He thought they may have been from the IRV exam. Before sending his answer sheet to PC Murphy, PC Lewis asked if he could trust her. He then sent her the answer sheet along with the study guide and wrote, *"Do not give that to anyone else"*. PC Murphy asked how she would know if the questions would be the same and PC Lewis said *"it will say paper 1.1"*.

386. The next day PC Murphy wrote she had passed and PC Lewis asked if she had cheated. She replied, *"Some of it lol"*.

387. As noted above, the papers that PC S shared with PC Lewis were not the same as the paper he, PC R, PC T or PC Murphy sat. Analysis by the IOPC investigator indicates these papers offered the officers only a very slight advantage. Apart from the questions on the road signs, of the 35 questions only 4 were the same (and one was similar) between the

paper with answers and the paper the officers sat. The ten road signs were all included within the twenty that were shared via WhatsApp though any revision of the road signs would have involved learning and memorising these signs. Further it appears that PC Lewis did not provide PC Murphy with any advantage when he sent her his answer sheet, as she sat Paper 3 not Paper 1.1.

388. However, the evidence does indicate when PC Lewis first received the exam papers from PC S she indicated it could be the same paper he was due to sit. Almost immediately PC Lewis shared this material with PC R and PC T. In accepting and then sending this material onto the other officers it does appear PC Lewis may have attempted to gain an unfair advantage in the Basic Driver exam for himself and his colleagues. By the time he sent this material to PC Murphy it appears PC Lewis was aware the papers PC S sent were not Basic exam papers. However, he still did share this material with PC Murphy and stated the questions were similar. He then shared his answer sheet, which would have given PC Murphy an unfair advantage if she had sat paper 1.1. She did not sit this paper but neither officer was to know this and it does appear she could have sat this paper.

389. **Challenging and reporting improper conduct**

According to this standard officers must report, challenge or take action against the conduct of colleagues which has fallen below the Standards of Professional Behaviour. It has been alleged PC Lewis failed to challenge or report PC S in sharing the test papers for a driving exam, and suggesting they be shared with others, and further that he failed to challenge or report the conduct of PC Murphy following an admission to cheating in a driving exam.

390. The evidence does indicate PC Lewis accepted the test papers from PC S and there is no evidence he challenged PC S. However, he appears to have thanked her for sending him this material indicating he wished to receive it. PC S said she met PC Lewis in the yard of the station and mentioned she had some past papers and asked if he would like her to send them to him. However, from the content of the text messages it

appears PC S is suggesting she may have sent PC Lewis the same paper he was due to sit (*"Might not be the same paper"*). However, in so far as it appears PC Lewis thanked PC S for these test papers and may have voluntarily received them and then sent them to his colleagues, the decision maker may wish to consider if it is appropriate to suggest he breached this standard. It may be this conduct indicates breaches of other standards of professional behaviour.

391. The evidence also indicates he was aware PC Murphy may have cheated in her driving exam but as it appears he may have sent her material that could have provided her with an unfair advantage, and would therefore be instrumental in the conduct, it may not be appropriate to suggest his conduct breached this standard. Rather the decision maker may wish to consider whether this conduct indicates breaches of other standards of professional behaviour.

392. **Duties and responsibilities**

According to this standard officers must be diligent in the exercise of their duties and responsibilities. The Code of Ethics states officers should take full responsibility for their actions and decisions. It has been alleged PC Lewis may have failed in his diligence as an officer by accepting the questions/test papers for a driving exam and sharing them with three colleagues.

393. The evidence suggests that the papers received and shared by PC Lewis were marked with clear handling instructions that they should be shredded after use. The decision maker may wish to consider whether, in light of these, PC Lewis's actions in sharing the material appeared to contravene these instructions. The relevance of these instructions in indicating that PC Lewis was, or ought to have been aware, that it was inappropriate to share the material, will be analysed below in relation to the other standards listed on PC Lewis's regulation notice.

394. The decision maker may wish to consider whether there is sufficient evidence on which a panel could find PC Lewis breached this standard.

395. **Honesty and integrity**

According to this standard officers should act with honesty and integrity at all times. It has been alleged PC Lewis may have acted dishonestly and without integrity by accepting and using the answer papers provided by PC S to cheat on his driving exam and sharing this material with his colleagues.

396. The evidence does indicate he accepted this material from PC S, appearing to thank her for it, and that she implied one of the papers could be the test he was due to sit. It is less clear whether the evidence indicates he used the material. However, on the balance of probabilities it seems likely he would have at least viewed the material though there did appear to be limited time in which he could have memorised the answers or used the material to his advantage. The evidence shows he did share this material with his colleagues.

397. There is no specific police policy that says officers should not cheat or assist other officers to cheat in their exams. However, as Inspector Devlin has outlined, the administration of the Basic Driver exam was designed to ensure the integrity of the papers was protected for future candidates taking the test. The paper itself had the handling instructions it must be shredded after use. While there may be no explicit police policy that states officers should not cheat, gain an unfair advantage or assist others in doing so, Inspector Devlin has pointed out officers routinely take exams and would have done so in exam conditions. Moreover, the Standards of Professional Behaviour and Code of Ethics, which officers are expected to abide by, do state officers should act with honesty and integrity at all times.

398. From the exchanges with PC Murphy it appears clear PC Lewis's intention was to provide her with an unfair advantage if she sat the same paper he did (*"It's literally the answer sheet" / "Did you cheat?"*). As noted for PC S, while this may not be the most controversial conduct it does indicate the officer may have acted dishonestly. It could also have undermined the examination process. Presumably the point of the test was that officers would have to study across the breadth of the topic area and the randomised nature of the questions would test how well they have acquired this breadth of

knowledge. In potentially providing the officers with the questions they were due to sit this could have limited the amount of revision they completed and in effect limited their knowledge of road signs or the Highway Code. It appears the effect of sharing this information with PC T and PC R may have been limited, as they were within hours (perhaps less) of sitting their exam. But the material was shared with PC Murphy the night before and included PC Lewis answer sheet.

399. The decision maker may wish to consider whether PC Lewis may have breached this standard.

**> Is there evidence PC Murphy may have breached the Standards of Professional Behaviour?**

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400. The evidence indicates on 24 March PC Lewis asked PC Murphy if she wanted the answers to the driving exam and she stated, *“the exam is possibly Thursday so I’ll take anything”*. PC Lewis then sent PC Murphy the exam papers from PC S but told her this was not the actual paper (though the questions were similar), which he could also send. Before PC Lewis sent PC Murphy his answer sheet he asked if he could trust her and she insisted he could. She then asked again if he *“cared to share”* the paper with her and *“I take it u don’t trust me.”* PC Lewis seemed to indicate the paper would only be of use to PC Murphy if she got the same paper as him but stated *“It’s literally the answer sheet”*. After he sent the answer sheet he wrote, *“Do not give that to anyone else”*. Later in their chat PC Murphy asked how she would know if the papers were the same and he replied *“It will say paper 1.1”*. The next day PC Murphy text to say she had passed and when PC Lewis asked if she cheated, she said *“Some of it lol”*.

401. PC Murphy said she believed the 20 images PC Lewis sent her were nothing more than revision aids based on previous papers. Given PC Lewis stated this was not the exam paper it is conceivable PC Murphy could have drawn this conclusion. However, the answer sheet PC Lewis sent had his name on it with the answers recorded. PC Murphy has said she did not believe him when



PC Lewis said this was literally the answer sheet but given his name was recorded on this sheet, and she asked how she would know if the papers were the same, this does not appear credible.

402. PC Murphy stated when she said she was cheating she was referring to the fact she googled one of the questions as she did not understand it.

403. **Duties and responsibilities**

According to this standard, officers must be diligent in the exercise of their duties and responsibilities. The Code of Ethics states officers should take full responsibility for their actions and decisions. It has been alleged PC Murphy failed to show diligence as an officer by requesting the answers to a driving exam from PC Lewis on 24 March 2020 in order to cheat in the exam.

404. There is no specific police policy that says officers should not cheat or assist other officers to cheat in their exams. However, as Inspector Devlin has outlined, the administration of the Basic Driver exam was designed to ensure the integrity of the papers was protected for future candidates taking the test. The paper itself had the handling instructions it must be shredded after use. While there may be no explicit police policy that states officers should not cheat, gain an unfair advantage or assist others in doing so, Inspector Devlin has pointed out officers routinely take exams and would have done so in exam conditions.

405. The decision maker may wish to consider whether there is sufficient evidence on which a panel could find PC Murphy breached this standard.

406. **Honesty and integrity**

407. According to this standard, officers should act with honesty and integrity at all times. It has been alleged PC Murphy acted dishonestly and without integrity by utilising the answers provided by PC Lewis to cheat in the driving exam and by failing to notify her manager she had done so.

408. The evidence does indicate PC Murphy requested the answers to the Basic Driver exam. Her explanation that she thought PC Lewis had sent her past papers does not appear credible given PC Lewis name was on the answer

sheet and she asked how she would know if it was the same paper, (though it is conceivable she could have mistaken the other test paper for a past paper). It does not appear PC Murphy could have used this material to cheat in the exam, as the papers were different though it does appear there was an intention to do so.

409. In her later statement PC Murphy questioned what was so wrong in receiving this material as it was only one of four papers she could sit. However, as noted for the other officers, receiving the answers to the test could have compromised its purpose, which was presumably to test officers have a breadth of knowledge of the topic area. It is conceivable the officer could have gambled that she would sit one of the papers she had been sent and merely learn those answers, which may have given an inaccurate reflection of the officer's breadth of knowledge. Though, given she only apparently had sight of PC Lewis' answer sheet and not the test paper it may be the advantage was minimal. PC Lewis indicated the other material (October 2014 / November 2016) were not the correct papers. However, it appears the officer received this material via an unofficial channel. PC Lewis implied he was offering PC Murphy an advantage, which she appeared to accept. It may not have offered her much of an advantage in the end but there does appear to have been an intention to use it to this end.

410. PC Murphy also acknowledge she used her phone to Google a question she did not understand. It appears PC Murphy was aware the exam was to be completed in exam conditions and this was in breach of these conditions. Though it appears the exam may not have been adequately invigilated which may have been a factor.

411. The decision maker may wish to consider whether PC Murphy may have breached this standard.

412. **Discreditable conduct**

The code of Ethics states according to this standard officers must keep in mind at all times that the public expect the highest standard of behaviour and they must consider how a member of the public would regard their behaviour,

whether on or off duty. It states they should ask themselves whether a particular action might result in members of the public losing confidence in the policing profession and that discredit to the police service is not measured by media coverage or public perception alone but has regard to all the circumstances. It has been alleged PC Murphy's conduct (utilising answers provided by a colleague to cheat in a driving exam) could undermine public confidence in policing.

413. As above, it does not appear that the material PC Lewis shared with PC Murphy offered her any real advantage in the exam she took. However, the text messages indicate there was an intention to gain an unfair advantage.

414. It would appear that if the public became aware that officers were sharing (or attempting to share) the answers to driving exams ahead of taking these exams it would reflect poorly on the officers. However, the conduct may need to be more widespread for it to bring the force into disrepute.

415. The decision maker may wish to consider whether there is sufficient evidence on which a panel could find PC Murphy breached this standard.

**> Is there evidence PC R may have breached the Standards of Professional Behaviour?**

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416. The content of the WhatsApp "Driving" indicate PC Lewis, PC R and PC T were arranging to take a driving exam together on 6 February 2020. PC T and PC R have confirmed they were arranging to take the Basic Driver exam. At 1.22 pm, PC Lewis forwarded 20 images into this group. These were the same 20 images PC S sent to PC Lewis at 1.21 pm and told him to "*forward to the others*". It has been confirmed the material PC S sent were not Basic Driver exams but Response and Pursuit driver exams. However, it appears PC S believed it could be the same exam "*Might not be the same paper yet*".

417. When PC Lewis forwarded this material to the "Driving" group he did not state what it was and none of the officers commented directly on it.

418. **Challenging and reporting improper conduct**

According to this standard, officers must report, challenge or take action against the conduct of colleagues which has fallen below the Standards of Professional Behaviour. It has been alleged PC R may have failed to challenge or report the conduct of his colleague PC Jamie Lewis sharing the test papers ahead of a driving exam.

419. PC R said he believed the material PC Lewis sent were “copies of an old driving exam” and that he opened the exams up and did not go through them fully. He also said he could not recall if he was in the company of the other officers when he received this material however from the text messages he did appear to be arranging to meet the other officers at around 1 pm (PC Lewis sent the material at 1.23 pm). PC S stated when she met PC Lewis he was in the company of other officers. In the text messages she seemed to imply she had sent PC Lewis a test which he could be sitting.

420. A panel could reasonably find that PC Lewis would have informed PC R and PC T that the test paper, with answers, he sent them could be the one they were due to sit. Though, it does not appear the officers had much time to review this material ahead of taking the exam and it turned out the papers were not the same, so there was little advantage gained. It does appear there is evidence PC Lewis did send the officers material that could have given them an unfair advantage. However, there is no evidence to confirm PC R was aware of this (even if it seems likely PC Lewis would have mentioned this).

421. The decision maker may wish to consider whether there is sufficient evidence on which a panel could find PC R breached this standard.

422. **Duties and responsibilities**

According to this standard, officers must be diligent in the exercise of their duties and responsibilities. The Code of Ethics states officers should take full responsibility for their actions and decisions. It has been alleged PC R failed in his diligence as an officer by accepting the test papers for a driving exam and used them for an advantage in his exam.

423. As above, PC R said he believed PC Lewis sent him copies of old exams and he opened this material but did not go through it. However, it seems likely PC R was in the company of PC Lewis when this material was sent, or was soon to be. A panel could consider it likely that PC Lewis would have mentioned he had sent the officers the paper they could sit (as PC S implied).

424. However, it appears the officers had little time to use this material to their advantage, as it appears they were due to sit their exam shortly after receiving these test papers, and they did not sit the same paper PC S sent. It cannot be confirmed if PC R did merely open the material (and not review it) but nor can it be disproved. There is no evidence he requested it. Regarding the comment “85 for me then boys”, PC R and PC T both stated NE85L was a call sign relating to missing persons, though PC T pointed out it was staffed by basic drivers. It would appear PC R was implying he may have passed the exam and could now be (or had been) assigned this duty. PS Williams stated he marked the exam after the officers had finished and handed them their results. It appears PC R would have known his result by then.

425. The decision maker may wish to consider whether there is sufficient evidence on which a panel could find PC R breached this standard.

426. **Honesty and integrity**

According to this standard, officers should act with honesty and integrity at all times. It is alleged PC R may have acted dishonestly and without integrity by utilising the driving test sheets to gain an unfair advantage in his driving exam.

427. As above it appears likely PC R was in the company of PC Lewis when this material was sent or was soon to be. A panel could find it likely PC Lewis would have mentioned he had sent the officers the paper they could sit (as PC S implied), though there is no evidence to confirm this. PC R has stated he did not review the material and assumed they were

past papers. It appears this material offered little to no advantage to the officers.

428. The decision maker may wish to consider whether there is sufficient evidence on which a panel could find PC R breached this standard.

429. **Discreditable conduct**

The Code of Ethics states according to this standard officers must keep in mind at all times that the public expect the highest standard of behaviour and they must consider how a member of the public would regard their behaviour, whether on or off duty. It states they should ask themselves whether a particular action might result in members of the public losing confidence in the policing profession and that discredit to the police service is not measured by media coverage or public perception alone but has regard to all the circumstances.

430. It has been alleged PC R may have utilised the driving test sheets provided by a colleague to gain an unfair advantage in a driving exam which is behaviour which goes against the principle of acting in a trustworthy capacity and would likely undermine public confidence in policing.

431. As above, it is not clear this material offered the officers any real advantage. They appear to have received it not long before they were due to take their exam and the papers were not the same. Further, PC R states he did not review the material properly and assumed they were merely past papers. It cannot be confirmed whether PC R did review the material or used it to any advantage.

**> Is there evidence PC T may have breached the Standards of Professional Behaviour?**

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432. The content of the WhatsApp "Driving" group indicates PC Lewis, PC R and PC T were arranging to take a driving exam together on 6 February 2020. PC T and PC R have confirmed they were arranging to take the Basic Driver exam. At 1.22 pm PC Lewis forwarded the

20 images into this group. These were the same 20 images PC S sent to PC Lewis at 1.21 pm and told him to *“forward to the others”*. It has been confirmed the material PC S sent were not Basic Driver exams but response and advanced driver exams. However, it appears PC S believed it could be the same exam *“Might not be the same paper yet”*.

433. When PC Lewis forwarded this material to the “Driving” group he did not state what it was and none of the officers commented directly on it.

434. **Challenging and reporting improper conduct**

According to this standard, officers must report, challenge or take action against the conduct of colleagues which has fallen below the Standards of Professional Behaviour. It has been alleged PC T failed to challenge or report PC Lewis sharing the test papers ahead of taking the Basic Driver exam.

435. PC T stated he did not review the images prior to or after receiving them and he was not aware PC Lewis was going to send them. He said he had no concerns about this material as he was not aware of its true nature.

436. However, the evidence indicates PC T was either in the company, or soon to be in the company of PC Lewis when this material was sent. PC T said he met PC R and PC Lewis in the canteen not long after 1 pm. PC S sent the material at 1.23 pm and stated PC Lewis was in the company of other officers when she met him.

437. A panel could consider it likely that PC Lewis would have informed PC R and PC T that the test paper, with answers, he sent them could be the one they were due to sit (as PC S indicated). Though, there is no evidence to confirm this. It does not appear the officers had much time to review this material ahead of taking the exam and it turned out the papers were not the same, so there was little advantage gained. It does appear there is evidence PC Lewis did send the officers material that could have given them an unfair advantage and this is something PC T could have reported. However, there is no evidence to confirm PC T was

aware of this. He has stated had he been aware he would have challenged its distribution and notified a supervisor.

438. The decision maker may wish to consider whether there is sufficient evidence on which a panel could find PC T breached this standard.

439. **Duties and responsibilities**

According to this standard, officers must be diligent in the exercise of their duties and responsibilities. The Code of Ethics states officers should take full responsibility for their actions and decisions. It has been alleged PC T failed in his diligence as an officer by accepting the test papers for a driving exam and using them for an advantage in a driving exam.

440. There is evidence PC Lewis posted images of test papers, one with answers, into a WhatsApp group that PC T was a part of not long before he was due to sit the Basic Driver exam. PC T has confirmed he met PC Lewis around the time this material was sent. However, he stated he did not review the test papers prior to or after taking the exam and was not aware of their true nature. A panel could find it likely that PC Lewis would have informed PC R and PC T that the test paper, with answers, he sent them could be the one they were due to sit (as PC S indicated). However, it appears there is no evidence to confirm this or whether PC T did accept and utilise this material as alleged.

441. The decision maker may wish to consider whether there is sufficient evidence on which a panel could find PC T breached this standard.

442. **Honesty and integrity**

443. According to this standard, officers should act with honesty and integrity at all times. It is alleged PC T may have acted dishonestly and without integrity by utilising the driving test sheets to gain an unfair advantage in a driving exam.

444. As noted above, PC T maintains he did not review the material PC Lewis sent him and was not aware of its true nature at the time. A panel could find it likely PC Lewis would have informed PC T and PC R he



may have sent them the paper they were due to sit. However, there is no evidence to confirm this occurred. The material also appeared to have been sent not long before the officers were due to take the test so it may be they had little time to review this material. As noted above, the paper the officers sat differed to what PC S sent therefore it would have offered little advantage in any case. From the evidence, it appears it cannot be known if PC T did utilise this material as alleged.

445. The decision maker may wish to consider whether there is sufficient evidence on which a panel could find PC T breached this standard.

446. **Discreditable conduct**

447. The Code of Ethics states according to this standard officers must keep in mind at all times that the public expect the highest standard of behaviour and they must consider how a member of the public would regard their behaviour, whether on or off duty. It states they should ask themselves whether a particular action might result in members of the public losing confidence in the policing profession and that discredit to the police service is not measured by media coverage or public perception alone but has regard to all the circumstances.

448. It has been alleged that in utilising the driving test sheets, which is behaviour which goes against the principle of acting in a trustworthy capacity, PC T may have undermined public confidence in policing.

449. As detailed above, there is no evidence to confirm if PC T did in fact utilise the test papers. There is no direct commentary on this in the text messages. PC T stated he did not view the material ahead or after taking the test and that he was not aware of its true nature. If it seems unlikely that PC Lewis did not tell the officers what PC S had sent them, given it appears he was in their company at the time or not long after he sent it, it cannot be confirmed that PC Lewis did tell officers. Also, given the officers took a different test to the two PC S sent and it appears there was limited time in which to review them ahead of taking their exam, it appears this material offered PC T little advantage. This does not mean there

was not an attempt to gain an advantage by some or all of the officers. However, it does not appear it can be confirmed that PC T made any such attempt.

450. The decision maker may wish to consider whether there is sufficient evidence on which a panel could find PC T breached this standard.

## > Learning

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451. Throughout the investigation, the IOPC has considered learning with regard to the matters under investigation. The type of learning identified can include improving practice, updating policy or making changes to training.

The IOPC can make two types of learning recommendations under the Police Reform Act 2002 (PRA):

- Section 10(1)(e) recommendations – these are made at any stage of the investigation. There is no requirement under the Police Reform Act for the appropriate authority to provide a formal response to these recommendations.
- Paragraph 28A recommendations – made at the end of the investigation, which do require a formal response. These recommendations and any responses to them are published on the recommendations section of the IOPC website.

### 452. **No learning identified**

Throughout this investigation, I have carefully considered whether any learning should be considered by the decision maker. In this case, I have not identified any learning to draw to the decision maker's attention.

## > Next steps

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453. The decision maker will now set out their provisional opinion on the investigation outcomes. The decision maker will record these on a separate opinion document.

454. The decision maker will also identify whether a paragraph 28ZA recommendation (remedy) or referral to the Reflective Practice Review Process (RPRP) is appropriate.

## > Criminal offences

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455. On receipt of my report, the decision maker must decide if there is an indication that a criminal offence may have been committed by any person to whose conduct the investigation related.
456. If they decide that there is such an indication, they must decide whether it is appropriate to refer the matter to the CPS.
457. If this was a criminal investigation into a recordable offence and the decision maker is of the view, on or after 1 December 2020, there is no indication or it is not appropriate to refer the matter to the CPS, the Victims' Right to Review may apply. If so, the decision maker's decision will be provisional and any victim, as defined by the Victim's Code, will be entitled to request a review of that provisional decision.

Further information on the availability of the VRR is available here:

[https://policeconduct.gov.uk/sites/default/files/Documents/appeal\\_forms/IOPC\\_victims\\_right\\_to\\_review\\_policy.pdf](https://policeconduct.gov.uk/sites/default/files/Documents/appeal_forms/IOPC_victims_right_to_review_policy.pdf)

DRAFT

# Conduct matter

## Operation Turton 4

- > Independent investigation report
- > Appendices

## > Appendix 1: The role of the IOPC

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The IOPC carries out its own independent investigations into complaints and incidents involving the police, HM Revenue and Customs (HMRC), the National Crime Agency (NCA) and Home Office immigration and enforcement staff.

We are completely independent of the police and the government. All cases are overseen by the Director General (DG), who has the power to delegate their decisions to other members of staff in the organisation. These individuals are referred to as DG delegates, or decision makers, and they provide strategic direction and scrutinise the investigation.

### > The investigation

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At the outset of an investigation, a lead investigator will be appointed, who will be responsible for the day-to-day running of the investigation on behalf of the DG. This may involve taking witness statements, interviewing subjects to the investigation, analysing CCTV footage, reviewing documents, obtaining forensic and other expert evidence, as well as liaison with the coroner, the CPS and other agencies.

They are supported by a team, including other investigators, lawyers, press officers and other specialist staff.

Throughout the investigation, meaningful updates are provided to interested persons and may be provided to other stakeholders at regular intervals. Each investigation is also subject to a quality review process.

The IOPC investigator often makes early contact with the CPS and is sometimes provided with investigative advice during the course of the investigation.

### > Investigation reports

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Once the investigator has gathered the evidence, they must prepare a report. The report must summarise and analyse the evidence and refer to or attach any relevant documents.

The report must then be given to the decision maker, who will decide if a criminal offence may have been committed by any person to whose conduct the investigation related, and whether it is appropriate to refer the case to the CPS for a charging decision.

The decision maker will reach a provisional opinion on the following:

- a) whether any person to whose conduct the investigation related has a case to answer in respect of misconduct or gross misconduct or has no case to answer;
- b) whether or not disciplinary proceedings should be brought against any such person and, if so, what form those proceedings should take (taking into account, in particular, the seriousness of any breach of the Standards of Professional Behaviour);
- c) whether the performance of any person to whose conduct the investigation related is unsatisfactory and whether or not performance proceedings should be brought against any such person; and
- d) whether or not any matter which was the subject of the investigation should be referred to be dealt with under the Reflective Practice Review Process (RPRP).

The decision maker will also decide whether to make individual or wider learning recommendations for the police.

### > **Misconduct proceedings**

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Having considered any views of the appropriate authority, the decision maker is required to make the final determination and notify the appropriate authority of their determinations, as follows:

- a) whether any person to whose conduct the investigation has related has a case to answer for misconduct or gross misconduct or has no case to answer;
- b) whether the performance of any person to whose conduct the investigation related is unsatisfactory; and
- c) whether or not disciplinary proceedings should be brought against any person to whose conduct the investigation related and, if so, what form the disciplinary proceedings should take.

The decision maker may also make a determination as to any matter dealt with in the report. This may include a decision that a matter amounts to Practice Requiring Improvement (PRI) and as such should be dealt with under the Reflective Practice Review Process (RPRP) or a recommendation under paragraph 28ZA (remedy).

### > **Unsatisfactory Performance Procedures**

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UPP is defined as an inability or failure of a police officer to perform the duties of the role or rank the officer is currently undertaking to a satisfactory standard or level.

The decision maker can recommend and, where necessary, direct an appropriate authority to refer an officer to any stage of the Unsatisfactory Performance Procedures (UPP). The appropriate authority must comply with a direction from the decision maker and must ensure proceedings progress to a proper conclusion. The

appropriate authority must also keep the decision maker informed of the action it takes in response to a direction concerning performance proceedings.

## Practice Requiring Improvement

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Practice Requiring Improvement (PRI) is defined as underperformance or conduct not amounting to misconduct or gross misconduct, which falls short of the expectations of the public and the police service as set out in the policing Code of Ethics.

Where PRI is identified the Reflective Practice Review Process (RPRP) is followed. However, there may be instances where PRI is identified, but for a variety of reasons the RPRP process is not instigated, for example on the grounds of officer wellbeing.

RPRP is not a disciplinary outcome but a formalised process set out in the Police (Conduct) Regulations 2020. It is more appropriate to address one-off issues or instances where there have been limited previous attempts to address emerging concerns around low-level conduct. In some instances it may be appropriate to escalate the matter to formal UPP procedures where there is a reoccurrence of a performance related issue following the completion of the Reflective Practice Review Process.

The IOPC cannot direct RPRP: it can only require the appropriate authority to determine what action it will take.

## Criminal proceedings

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If there is an indication that a criminal offence may have been committed by any person to whose conduct the investigation related, the IOPC may refer that person to the CPS. The CPS will then decide whether to bring a prosecution against any person. If they decide to prosecute, and there is a not guilty plea, there may be a trial. Relevant witnesses identified during our investigation may be asked to attend the court. The criminal proceedings will determine whether the defendant is guilty beyond reasonable doubt.

### > Publishing the report

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After all criminal proceedings relating to the investigation have concluded, and at a time when the IOPC is satisfied that any other misconduct or inquest proceedings will not be prejudiced by publication, the IOPC may publish its investigation report, or a summary of this.

Redactions might be made to the report at this stage to ensure, for example, that individuals' personal data is sufficiently protected.

## > Appendix 2: Terms of reference

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### Terms of Reference

Investigation into the conduct of officers in taking and sharing a photograph of a deceased victim and sharing or utilising the answers in a driving exam

|   |                                   |
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| Investigation Name:                                 | Operation Turton 4                |
| Investigation Type:                                 | Independent                       |
| Appropriate Authority:                              | Metropolitan Police Service (MPS) |
| IOPC Reference:                                     | 2020/139742                       |
| Director General (DG)<br>Delegate (decision maker): | Graham Beesley                    |
| Lead Investigator:                                  | [redacted]                        |
| Target Range:                                       | 3 - 6 months                      |

### Summary of events

*This summary is presented on the basis of information presently available to the IOPC. The veracity and accuracy of that information will be considered as part of the investigation and will be subject to review.*

On 19 June 2020 the Independent Office for Police Conduct (IOPC) commenced an independent investigation into allegations that inappropriate photographs were taken at a homicide crime scene in Wembley and subsequently shared with a small number of people. The investigation related to the conduct of PC Jamie Lewis and another Metropolitan Police Service (MPS) officer. Both officers were arrested on 22 June 2020 on suspicion of Misconduct in Public Office (MIPO).

Following the arrest of PC Lewis, PC Bonnie Murphy approached a manager and stated that in either December [2019] or January [2020] she was sent a picture of a sudden death victim by PC Lewis, unsolicited.

The evidence suggested PC Murphy was aware PC Lewis possessed a photograph of a deceased victim from the scene of a sudden death and on 27 January 2020 she requested a copy of the photograph via WhatsApp. It is also suggested PC Murphy wished to show her mother, a member of the public, the photograph.



The evidence suggested the photograph of the deceased victim was taken by PC Q and sent to PC Jamie Lewis via WhatsApp on 27 January 2020.

PC Murphy also advised on a separate occasion she was sent the answers to the basic driving exam by PC Lewis. PC Murphy stated she did not use the answers in the exam. There is evidence to suggest PC Murphy requested the answers to a driving exam from PC Lewis on 24 March 2020, via WhatsApp, in order to cheat in the exam on 26 March 2020.

The evidence suggested the MPS driving test papers were sent from PC S to PC Lewis on 6 February 2020 with a message that suggested they could be sent on to others. PC Lewis subsequently shared the test papers in a WhatsApp group with PC R and PC T on 6 February 2020.

### **Terms of Reference**

1. To investigate the conduct of PC Bonnie Murphy, PC Jamie Lewis and PC Q, specifically whether the actions of the officers in relation to the sudden death of Mr Roy John Brunt complied with legislation, local and national policies and guidelines.
2. To investigate whether PC Bonnie Murphy, PC Jamie Lewis, PC S, PC R and PC T knowingly obtained, shared and/or used the answers to an MPS driving exam in order to gain an unfair advantage in the exam for themselves or another.
3. To identify whether any subject of the investigation may have committed a criminal offence and, if appropriate, make early contact with the Director of Public Prosecutions (DPP). On receipt of the final report, the decision maker shall determine whether the report should be sent to the DPP.
4. To enable an assessment as to whether any subject of the investigation has a case to answer for misconduct or gross misconduct or no case to answer.
5. To consider and report on whether there may be organisational learning, including:
  - whether any change in policy or practice would help to prevent a recurrence of the event, incident or conduct investigated;
  - whether the incident highlights any good practice that should be shared.

The decision maker responsible for oversight of this investigation is Graham Beesley, Regional Director. The decision maker has approved these terms of reference. At the end of the investigation they will decide whether or not the report should be submitted to the Director of Public Prosecutions. They will also consider the Appropriate Authority's views on the content of the report, before making a final determination. These terms of reference were approved on 8 September 2020.