

Conduct matter Operation Karatash

Investigation into the Metropolitan Police Service investigation following a report of indecent exposure on 28 February 2021

> Independent investigation report

Investigation information

Investigation name:	Operation Karatash
IOPC reference:	2021/150091
Investigation type:	Conduct
IOPC office:	Croydon
Lead investigator:	[Redacted]
Case supervisor:	[Redacted]
Director General delegate (Decision maker):	Catherine Hall
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Please note this report contains references of a sexual nature

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Introduction

The purpose of this report

1. I was appointed by the IOPC to carry out an independent investigation into a report of indecent exposure made to the Metropolitan Police Service (MPS) on 28 February 2021. A member of the public working at a fast-food restaurant in South London informed the call handler that a man had showed his genitals whilst in his vehicle, to female staff members on 7 and 27 February 2021. The MPS conducted checks on the car registration of the vehicle and the registered owner was confirmed as now ex-PC Wayne Couzens. On 3 March 2021, an MPS officer attended the fast-food restaurant and spoke to the informant. The officer subsequently updated the crime report, noting a search of the registered vehicle owner on the police national computer (PNC) identified no matches.
2. On 9 March 2021, ex-PC Couzens, who was a serving MPS officer at the time, was arrested in connection with the disappearance of a member of the public, Ms Sarah Everard. It was later identified he was also the suspect in the aforementioned instances of indecent exposure and was further arrested for this offence. This report considers whether officers appropriately handled the initial investigative actions in relation to the reported crime of indecent exposure. This came to the attention of the IOPC on 10 March 2021 as a recordable conduct matter referred by the MPS.
3. Following an IOPC investigation, the powers and obligations of the Director General (DG) are delegated to a senior member of IOPC staff, to whom I will refer as the decision maker for the remainder of this report. The decision maker for this investigation is Operations Manager Catherine Hall.
4. 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).

5. 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).
6. 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 is appropriate.
7. 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.
8. 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.

9. 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 or a recommendation under paragraph 28ZA (remedy).
10. 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.

Background information

11. At 9.00pm on 3 March 2021, Ms Sarah Everard went missing after leaving a friend's house in Clapham, South London to walk home. At approximately 9.35pm, two figures were seen on a bus CCTV in the Clapham South area, including a vehicle with its hazard lights flashing. The registration of the vehicle, later confirmed to be a car hired in Dover, was found to be linked to ex-PC Couzens. Ex-PC Couzens' drove the vehicle from London to Kent where he raped and murdered Ms Everard.
12. On 9 March 2021 ex-PC Couzens was arrested at his home address on suspicion of kidnap. The following day, and whilst in police custody, he was arrested on suspicion of murder.
13. On 8 June 2021, ex-PC Couzens pleaded guilty to the kidnap and rape of Ms Everard and later pleaded guilty to her murder. On 30 September 2021, ex-PC Couzens was given a whole life sentence for the kidnap, rape and murder of Ms Everard.

Other investigations

14. The MPS murder investigation team (MIT) conducted a criminal investigation into the kidnap, rape and murder of Ms Everard. They also investigated ex-PC Couzens for the instances of indecent exposure outlined in this report, as well other allegations.
15. Following the arrest of ex-PC Couzens, the MPS made a number of referrals to the IOPC in relation to other linked matters concerning ex-PC Couzens. Kent Police have made a separate referral to the IOPC in regards to another indecent exposure allegation from 2015.

The investigation

Terms of reference

16. Catherine Hall approved the terms of reference for this investigation on 18 March 2021. The terms of reference can be seen in full at appendix two, however, in brief they are:

To investigate:

- a) The decisions made and actions taken by the OIC (officer in case) in relation to the report of indecent exposure and whether they took adequate steps to progress the investigation.
- b) Whether the case supervisor adequately supervised the investigation into the indecent exposure.
- c) Whether the actions of the OIC and the case supervisor were in line with any local or national policies, procedures or legislation.
- d) Whether there is any indication the OIC or case supervisor knew ex-PC Wayne Couzens or were aware the suspect of the indecent exposure investigation was a serving police officer with the MPS.

Subjects of the investigation

17. 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.
18. 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.
19. 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.
20. The following people have been categorised as subjects of this investigation:

Police Constable (PC) Samantha Lee

21. PC Lee was served with a notice of investigation on 10 May 2021 which outlined the following allegation which, if proven, was assessed as amounting to misconduct:
 - PC Lee was the formally allocated officer in the case (OIC) for the indecent exposure investigation on 4 March 2021 according to the associated crime report.
 - On 3 March 2021, PC Lee added three updates to the crime report relating to this indecent exposure, which included noting the registered owner was the only male insured to drive the vehicle and a search for this male on PNC had yielded no results.

- There was no evidence of PC Lee taking any further action in relation to identifying the suspect or progressing the investigation further before it was taken over by another team on 10 March 2021.
- There was, therefore, an indication her work on the investigation did not meet the standards expected of her, as laid out in the MPS general investigation policy.

22. It was assessed this allegation could amount to a breach of the following standard of professional behaviour:

- Duties and responsibilities

23. PC Lee provided a written response dated 2 June 2021 and denied any allegation of misconduct.

24. A further notice of investigation was served on PC Lee on 15 November 2021 with the following additional allegation which, if proven, was assessed as amounting to gross misconduct:

- On 2 June 2021, PC Lee provided a written response to the IOPC in which she stated she had been informed by the manager of the fast-food restaurant that CCTV was not available. She further stated she carried out integrated intelligence platform (IIP) checks in relation to the vehicle.
- Evidence indicated CCTV was available at the time she attended the fast-food restaurant and that she did not carry out any IIP checks in relation to this incident.

25. It was assessed this allegation could amount to a breach of the following standard of professional behaviour:

- Honesty and integrity

26. PC Lee attended a gross misconduct interview on 18 November 2021. PC Lee provided an account in response to the allegations put before her.

Acting Police Sergeant (A/PS) A¹

27. A/PS A was served with a notice of investigation on 27 April 2021 which outlined the following allegation which, if proven, was assessed as amounting to misconduct:
- A/PS A was formally allocated as supervisor for the indecent exposure investigation on 1 March 2021 according to the associated crime report.
 - There was no evidence of A/PS A taking any action before the investigation was taken over by a different team on 10 March 2021.
 - There was, therefore, an indication his work did not meet the standards expected of him, as laid out in the MPS General Investigation policy.
28. It was assessed this allegation could amount to a breach of the following standard of professional behaviour:
- Duties and responsibilities
29. A/PS A provided a written response dated 1 May 2021 and denied the allegation of misconduct.

Summary of the evidence

30. To assist the decision maker in drafting their opinion, I have presented a summary of the evidence. During this investigation, a volume of evidence was gathered. After thorough analysis of all the evidence, I have summarised that which I think is relevant and answers the terms of reference for my investigation. As such, not all the evidence gathered in the course of the investigation is referred to in this report.

¹ A cipher has been used since our investigation found no case to answer against the sergeant. This is in accordance with the IOPC Naming Policy.

31. The following narrative has been informed by the telephone recording of the initial call to the MPS, associated crime reports, a witness account provided by the informant, accounts from the subject officers; professional statements obtained from the MPS and an audit of police systems.
32. The summary of the evidence will be structured as follows:
 - Initial call to the MPS reporting the incidents of incident exposure
 - Actions of PC Lee on 3 March 2021
 - Accounts from senior officers
 - Subject officers' accounts
 - Consideration of any potential links between subject officers and ex-PC Couzens.

Background

33. On the evening of 27 February 2021, Mr B, a manager at a McDonalds restaurant in South London, who was not working at the time, received a telephone call from another branch manager. He was informed by his colleague that a customer had '*flashed his private parts*' at staff that evening, he was also told the same thing had happened on a previous occasion. On 28 February 2021, Mr B returned to work and reviewed CCTV at the specific time the incident had occurred. He subsequently decided to phone the MPS to report the incident.

Initial call to the MPS

34. At 12.30pm on 28 February 2021, Mr B called the police to report a male customer had exposed his penis, to female members of McDonalds staff, from his vehicle while he was waiting to collect and pay for his food. His call was answered by control room staff from the MPS. Mr B explained the incident had occurred at the restaurant's drive-through facility. Mr B stated

the staff members had told him it was evident the man's penis was out on purpose as his trousers were *"fully down"*.

35. Mr B explained the man had exposed himself in this way on two occasions. The first incident had occurred at approximately 11.50pm on 7 February 2021. Mr B explained to the call handler that as the CCTV had not been obtained from this incident, it had not been possible to identify the registration number of the vehicle involved. However, the staff knew what the man looked like, his food order and had retained the customer's receipt in case he returned and exposed himself again.
36. Mr B told the call handler that at approximately 8.35pm on 27 February 2021 the man exposed his penis a second time to female staff, whilst using the drive-through. Mr B stated the man used the same bank card to pay on both occasions, as shown on the retained receipts. Mr B provided the call handler with the make, model and registration number of the vehicle which he believed to have been involved.
37. Mr B and the call handler discussed that the location of the restaurant was on the border of the MPS and Kent Police. The call handler explained he would transfer the call to Kent Police who would make contact with Mr B. The call handler subsequently spoke with Kent Police who advised the location was in fact an area covered by the MPS.
38. The call handler graded the matter as being appropriate to be dealt with by way of an appointment. The call handler phoned Mr B back and notified him that the first available appointment for police to attend was on 3 March 2021. A time of midday was agreed. Mr B asked if the staff members who witnessed the indecent exposure had to be present for this appointment. The call handler told Mr B if they provided an account beforehand that should suffice.
39. During the conversation, the call handler accurately recorded the information provided by Mr B on the computer aided dispatch (CAD) record. A CAD record is used to record information obtained from calls from the public and to despatch officers to calls. It has several fields to

record pertinent information such as contact details and a remarks field where the call handler will record additional information. The CAD will also contain a previous actions field which lists what action has been completed and when.

40. At 1.02pm on 28 February 2021, it was logged on the CAD record that the local resolution team would be asked to create a skeleton crime report, known as a crime reporting information system (CRIS) report. CRIS is an electronic management system for the recording and processing of crime in the MPS. It allows users to create, update and view crime reports. A skeleton crime report is essentially a report which has the minimum information input to ensure the matter was recorded on the system.
41. At 1.13pm, the results of a PNC check were recorded. The PNC records details of convictions, cautions, reprimands, warnings and arrests also details relating to vehicles. A search of this system confirmed the registered keeper of the vehicle, with the registration number provided by Mr B, was a Mr Wayne Couzens and his details were added to the report, including an address in Kent. No date of birth was provided as part of these search results.
42. At 5.17am on 1 March 2021, an update on the CAD confirmed a skeleton crime report had been set up. At 5.30am, PC Jordan Couzens was allocated as the officer in the case (OIC).
43. At 5.39am, PC Jordan Couzens transferred the information contained within the CAD record onto the crime report, including the results from the PNC check confirming Mr Couzens as the registered keeper.
44. PC Jordan Couzens provided an account to the IOPC in which he explained he was posted to assist with the local resolution team at Sutton Police Station for one week. He produced a skeleton crime report by copy and pasting information from the CAD. PC Jordan Couzens confirmed he did not notice the name "Wayne Couzens" when he set up the skeleton crime report. He did not enter any details on the suspect page of the

report, this page would have required PC Jordan Couzens to input specific details for a suspect, for example Wayne Couzens' name and address.

45. The MPS have reviewed the vetting database and provided confirmation to the IOPC that PC Jordan Couzens does not have any known working or familial connections to ex-PC Wayne Couzens. PC Jordan Couzens also confirmed, as far as he is aware, he is of no relation to ex-PC Couzens.
46. At 5.42am on 1 March 2021, the crime report was allocated to A/PS A and there were no further updates made. A/PS A explained he was a supervisor on the local resolution team at this time. He was responsible for ensuring the skeleton crime reports were created in a timely manner, namely within 24 hours. In this case the skeleton report was completed on 1 March 2021 and was, therefore, in his view, fully compliant with the Home Office crime reporting standards.
47. A/PS A stated that once a skeleton report was created, the local resolution team supervisor (in this case him) would be shown as the OIC on the report until an appointment had been attended.

3 March 2021: Appointment at McDonalds and evidence recovery

48. On 3 March 2021, PC Lee was assigned to attend appointments booked for that day. In her written response, PC Lee explained this role entailed attending a pre-arranged one or two-hour appointment which could involve speaking with a victim of crime or following up on a skeleton report created by the local resolution team.
49. In interview, PC Lee further explained the appointment car would usually be allocated to a basic trained police driver and estimated she would carry out this role approximately twice every twelve weeks, based on the number of basic police drivers on her team.
50. PC Lee stated she would usually look at the CAD record relating to an appointment to assess whether there were any known risks to consider prior to attending. She would then attend the address to gather as much

detail as possible from the victim before adding this information to the crime report.

51. On 3 March 2021 she attended two earlier, unrelated, appointments before meeting with Mr B at the McDonalds restaurant. This was her last appointment of the day. In her written response, PC Lee explained the purpose of her appointment at McDonalds was to follow up on an allegation of sexual offences. She noted the crime report did not contain an action plan which she said was normal. Instead, it presented as a cut and paste from a CAD record and included a PNC check showing a registered keeper of the vehicle involved.
52. In interview, PC Lee explained that, upon arrival at McDonalds, Mr B took her to the back office where the CCTV system was situated.
53. In her written response, PC Lee stated Mr B confirmed he was not a witness to the offence himself and provided her with the following information:
 - Staff had on two occasions reported that a man had exposed himself to female members of staff whilst the man was collecting and/or paying for food in the drive-through.
 - One of the female staff members subsequently called a male member of staff at the time, however when the male member of staff approached, the man stopped exposing himself.
54. Mr B provided an account to the IOPC in October 2021 in which he emphasised he was unable to recall much specific detail, as he had since engaged with several people in relation to the incident. Mr B stated PC Lee stayed for approximately 15 to 20 minutes during which time she also asked him what had happened. Mr B said he described what he knew about the incident in line with what is detailed above.
55. PC Lee wrote in her pocket notebook the time and details of the appointment including the reference number of the CAD record and crime report, registration, and description of ex-PC Couzens as well as the two

dates and times of the alleged indecent exposure. One of the dates was recorded as 14 February 2021 in error. PC Lee further noted the offence occurred only when the man was inside a vehicle and when females were taking the order.

CCTV

56. During the appointment a discussion took place between PC Lee and Mr B in regards to CCTV. As noted above their conversation took place in the office at McDonalds where the CCTV system was located. PC Lee did not obtain any CCTV during the appointment nor did she make any contemporaneous notes in regard to whether CCTV was available.
57. CCTV from McDonalds was subsequently obtained by the team now investigating the offences. This CCTV shows vehicles in and around the restaurant but does not contain images of people's faces.
58. In her written response PC Lee specifically stated she asked Mr B about CCTV and was told CCTV from the drive-through autodeleted. She therefore noted that there was no CCTV available of the offence or the offender.
59. Mr B recalled that he and PC Lee went together into the room which contained the CCTV system, where he showed her CCTV footage. Mr B explained the footage was eventually burned onto a disk, but he was unable to recall whether this was in the presence of PC Lee or on a later occasion. Mr B recalled he told PC Lee footage would delete after 30 days. He said he also explained to her the possible time discrepancy between the CCTV and real time.
60. There appears to also have been a system at the drive through which took a photograph of customers when they placed their order. This image then appeared at the screen of the member of staff who hands over the order so they can confirm they are giving the order to the right person.

Photographs from this system are not stored anywhere after they have been taken and are not part of the CCTV system.

61. Mr B recalled having a discussion with an officer about how to retrieve photographs of customers from the drive through both at the beginning of the investigation and later in August. He added the IT department had confirmed to police that these photographs were deleted or not stored on the system, so it was not possible to retrieve them.
62. In interview, PC Lee was specifically asked about her enquiries regarding CCTV based on the evidence that CCTV had existed at the time of her appointment which she had not obtained or record on the crime report. She said Mr B informed her the CCTV showing the drive-through took a photograph of each driver but was on a rolling deletion so would automatically delete after the customer had collected their order. Therefore, there was no available CCTV of the offence or the suspect.
63. PC Lee said she thought Mr B was incorrect in stating they had watched CCTV footage together. PC Lee stated Mr B was likely to have spoken to many officers since the incident occurred and, therefore, PC Lee believed he was mistaken.

Accounts from witnesses

64. In her written response PC Lee said she asked Mr B if any of the witnesses were at work when she attended the appointment, adding she would have taken an evidential statement if that had been the case. However, she was informed that they worked on a different shift. PC Lee stated taking a statement from Mr B would have been hearsay evidence and, therefore, she was not able to obtain any evidential statements during the appointment.
65. Mr B explained in his statement that he had obtained accounts from the staff who had witnessed the incident which he provided to the police, but he was unable to recall whether he provided these to PC Lee or officers who attended at a later date. Mr B explained he was subsequently

informed the accounts were not sufficient and police attended to obtain additional statements from the staff. PC Lee did not make reference to obtaining such accounts either on the crime report completed on 3 March 2021 or in her written response.

66. In interview, PC Lee was specifically asked if she was provided with these written accounts as the team investigating the offences did not have possession of them. PC Lee stated that during the appointment Mr B read out accounts from staff members which were written on scrap paper and included a rough description of the suspect and the names of the witnesses. PC Lee asked Mr B if she could take these accounts away with her, which he agreed to.
67. Copies of three accounts, handwritten on plain white paper have been obtained by this investigation. These accounts contain basic information about the incident, including the time and date and basic circumstances. Two of the accounts provide some description of the suspect who is described as roughly 50 years old, white with grey stubble. Both witnesses describe the suspect as having been wearing a face mask at the time limiting what they could see of his facial features.
68. PC Lee stated in interview she did not obtain details of the witnesses' shift patterns or availability, stating it would have been the responsibility of the My Investigation Support Team (MIST) to meet with them and obtain statements. The investigation support team progresses volume crime investigations.

Receipts

69. Mr B detailed in his statement that he provided PC Lee with the physical paper receipts which showed the details of the food order the man involved in the incident had made. This included the time the order was placed, and the last four digits of the payment card used. He further explained he told PC Lee he was unable to precisely match the timings

obtained from the receipt with the CCTV footage and, therefore, was unable to identify the vehicle.

70. In her written response PC Lee did not mention receiving any receipts from Mr B. She was therefore asked about this in interview during which PC Lee informed the IOPC she had obtained two receipts of the suspect's order which she took back to the police station.

Other matters

71. Mr B stated he also showed PC Lee messages he had sent to a group chat with colleagues on his mobile phone. This included photographs of a vehicle from CCTV which they thought was involved. Mr B confirmed in his account he now believed this was the wrong vehicle.
72. PC Lee said Mr B informed her he had a photograph of a vehicle, but he did not believe it was the vehicle involved. He showed this to her and she noted this vehicle had a different registration number to the one she had recorded.
73. PC Lee did not take copies of this photograph or the messages in the group chat and this information was not recorded on the crime report.

Follow up actions: System checks and crime reporting

74. In her written response, PC Lee described returning to the police station and completing checks on the vehicle registration number using the PNC. These checks confirmed the keeper of the vehicle as a Mr Wayne Couzens. The results from these checks did not provide ex-PC Couzens age, ethnicity or occupation.
75. PC Lee emphasised that the information of the registered keeper of the vehicle did not necessarily mean Mr Couzens was the driver of the vehicle at the time of offences were committed. She stated she conducted checks using Mr Couzens' name and a rough age of approximately 40 to see if

there was any adverse information known about him. No results were returned from these searches.

76. An audit of the PNC system showed PC Lee conducted the checks she described between 12.39pm and 12.56pm on 3 March 2021. It was not possible to get a copy of ex-PC Couzens' record exactly as it would have looked on this date. However, a copy of his record from June 2021 only had reference to offences relating to Ms Everard indicating he had no record on 3 March and PC Lee's search would have returned no results relevant to him.
77. The MPS also confirmed Wayne Couzens was not circulated as wanted on the PNC. Circulating someone as wanted notifies officers nationally that a person needs to be arrested in relation to an offence.
78. PC Lee further stated in her written response that she conducted a check on the integrated intelligence platform to see if anything was known about the vehicle. This is a MPS computer programme designed to search across several MPS databases. She said there were no results returned from this search. She added she did not have access to the police national database (PND) to conduct cross border national checks. PND is a national intelligence and information sharing system. This was confirmed by the MPS.
79. An audit of the integrated intelligence platform showed PC Lee did not carry out any searches related to this incident on 3 March or any other time thereafter. The MPS also confirmed that searches on the integrated intelligence platform for ex-PC Couzens returned no relevant matches. Therefore, if PC Lee had conducted the searches she said she had the searches would not have assisted the investigation at that time.
80. PC Lee was provided with the integrated intelligence platform audit as part of her disclosure prior to her interview with the IOPC. During the interview, she stated it was her genuine belief she had conducted checks on this system as this was something she would normally do for a case such as this, but she must have been mistaken on this occasion.

81. The IOPC subsequently reviewed an audit of the number of integrated intelligence platform searches PC Lee had carried out throughout February 2021. This confirmed she had conducted three such searches over two days during this month.
82. An audit also showed PC Lee did not create an intelligence report for the incident.
83. The MPS confirmed that checks on the integrated intelligence platform do not provide information of those employed as police officers. This information would only come up if someone was recorded on the system as a victim, witness or suspect and they had provided their occupation to the police. They also confirmed that checks can be conducted to identify if someone was a police officer but there would be done through the intelligence bureau rather than by an officer themselves.
84. At 12.53pm, PC Lee updated the crime report with the following information:
 - The suspect screen, including Mr Couzens' name, registered address, and an estimated age of 40 to 50 years based on the information obtained from the PNC.
 - The vehicle was registered to one male and the only other driver insured was a female spouse.
 - The information provided was that when the suspect heard it was a female taking his order he would drive to the next window with his penis out. If a male was to give him his food order the suspect would put his penis away.
 - *'All accounts'* confirm these circumstances.
 - The suspect had done this on two separate occasions: on 14 [sic] February 2021 and 27 February 2021.
 - Advice had been provided to staff that they should call the police if he returned and ask him to park up whilst waiting for his order, pending police arrival.

- The names of the staff members who had witnessed the incidents were listed. It was noted their ages ranged from 16 to 30.
- The matter required further investigation and the suspect would need to be arrested for indecent exposure.

85. In interview, PC Lee stated she used the witness accounts provided by Mr B to assist her with writing the crime report as they included witness names and details. However, the crime report did not specifically reference the witness accounts she had been provided, there was no reference to the receipts Mr B gave to her and no notes in regards to CCTV enquiries.

86. There were no further updates made on the crime report on 3 March 2021.

87. In her written response, PC Lee stated her view of the incident was as follows:

- It was a fairly low level of indecent exposure.
- The offender had stopped his behaviour when challenged.
- The incidents were spread over a period of time.
- The police had not been called until the following day.
- There was no intelligence to suggest a higher risk, for instance targeting a specific member of staff.
- The offence had been conducted from a vehicle with a *'barrier'* between the offender and any victims.
- There was no intelligence suggesting a linked series of incidents of indecent exposure.

88. PC Lee stated she felt she had conducted a suitable level of risk management in her role taking into consideration the time, resources and information available to her. She said there were still outstanding investigative actions before any substantive arrest or caution could take place, particularly obtaining witness statements with a detailed description of the suspect. Consequently, she marked the report as requiring further investigation and not closed. PC Lee stated she would normally add

outstanding actions to the crime report for the next officer to review and progress but could not recall whether she did so in this instance. PC Lee also said in interview she would normally write about CCTV on the crime report but on this occasion she had not done so.

89. In interview, PC Lee was asked whether the witness accounts and receipts could have assisted with identifying a suspect. She explained the evidential part of the receipt would be retained to show the time and date of the order and the last four digits of the payment card. She said it was difficult to state whether the receipts could have assisted with identifying a suspect, adding that the payment card could have been stolen, but she thought it might have provided enough suspicion to arrange an identification parade.
90. PC Lee was further asked in interview about the possibility of the witness accounts and receipts providing grounds for arrest. PC Lee responded by stating she did not believe there was enough evidence for an arrest. She referred to the possibility of a registered keeper's enquiry which would involve knocking on the door of an individual to confirm that they were the driver of a vehicle registered at that address and matched a description given. She stated this would be sufficient evidence for the suspect to attend a voluntary police interview, but added this would not have been possible in this instance, as she had not been able to obtain witness statements and the informal accounts she had in her possession would not have sufficed.
91. In interview, PC Lee was asked if there were any additional checks she could have conducted to confirm the driver of the vehicle in this instance. PC Lee stated a PNC and insurance check were the main options available but added the caveat that an insurance check would determine who was insured to drive the vehicle but would not provide proof of who was driving when the offence was committed.

92. In the days that followed, PC Lee explained that her responsibility was attending emergency response calls with no time to review her ongoing crimes during the shift.
93. At 9.23am on 4 March 2021, the crime report indicated PC Lee was formally allocated the investigation and was assigned as the officer in the case, this refers to the officer with responsibility for the matter.
94. In A/PS A's written response he said he would periodically go through the skeleton crime reports he was responsible for to see if there were any updates. He further stated that the onus was on the officer who attended the appointment to update the crime report and amend the officer in the case to themselves and the supervisor to their line manager. A/PS A added that it was the decision of the officer who attends the appointment as to whether any further investigation is required.
95. He stated he reviewed the crime report for this matter on 4 March 2021 and changed the officer in the case to PC Lee as he had noted she had attended the appointment but had not allocated herself. He further stated he should have changed the supervisor to PC Lee's line manager. PC Lee's manager was, however, not assigned to the crime report. A/PS A provided no explanation of why this was not done in this case. A/PS A confirmed this was his last involvement in this matter.
96. No further actions or enquiries were recorded on the crime report up to and including 10 March 2021, after which the vehicle and registered keeper were identified as being of interest in a high-risk missing person investigation. The investigation was then taken over by the murder investigation team investigating Ms Everard's kidnap.
97. PC Lee had a period of rest days between 8 and 11 March during which she was informed she was still shown as the officer responsible for the indecent exposure crime report and that it was linked to the death of Ms Everard. She said she was surprised to hear the crime report was still shown as being allocated to her and not transferred to MIST. She further stated that if she had known the crime report had not been transferred, she

would have either progressed it herself or raised the matter with a supervisor.

98. In interview, PC Lee explained her understanding was that when you are assigned as an officer in the case, you will receive a memo on the crime report system requiring you to tick a box to provide acknowledgement of this, so you are either aware further investigation is required, or so you know to speak to a supervisor regarding moving the case elsewhere. PC Lee also explained she would receive an email from a supervisor if there was no activity on a crime report for a seven-day period after being allocated as the officer in the case.
99. PC Lee confirmed she did not go back into the crime report after 3 March so never received a memo to state she had been allocated as the officer in the case on 4 March, nor did she receive an email from a supervisor. PC Lee also stated she had never been informed it was her responsibility to assign herself as the officer in the case.
100. An audit of the crime report shows that PC Lee did not access the record at any time after 3 March 2021.

Meeting on 12 March 2021

101. On 10 March 2021, the same day the investigation into the indecent exposure was taken over by the murder investigation team, the matter was also referred to the IOPC for investigation of the actions of PC Lee and A/PS A.
102. On 12 March PC Lee returned to work after a period of four days off. On her return she met with Superintendent (Supt) Robert Shepherd and Inspector (Insp) Rita Jones who informed her of the IOPC investigation.
103. Supt Shepherd said he recalled PC Lee was surprised there was an investigation into her actions as she felt this matter had been one of her better cases in terms of crime reporting. Supt Shepherd said PC Lee told him there was no available CCTV of the reported indecent exposure,

explaining the CCTV footage automatically deleted after a customer finished using the drive-through. PC Lee also mentioned to Supt Shepherd she had received receipts from Mr B which might contain the bank card or vehicle registration details of the suspect.

104. Insp Jones described that either during or straight after this meeting, PC Lee removed the witness accounts and receipts she had received from Mr B from her body armour pocket and asked what she should do with them. PC Lee expressed to Insp Jones that she thought both the accounts and the receipts were not evidential. Insp Jones noted the items were not in an evidence bag at the time and PC Lee gave her the impression that she would have thrown the items away.
105. Insp Jones stated PC Lee put the accounts and receipts in an evidence bag before handing them to her. Insp Jones said she then put them in a secure locker and later handed them to the murder investigation team. Insp Jones said she did this on the instruction of Supt Shepherd who had advised PC Lee it would look strange for her to book the items in as exhibits on that day, 12 March 2021.
106. In interview, PC Lee stated she kept the witness accounts and two receipts received from Mr B in a folder in her bag. She said she used the accounts to help write the crime report up on 3 March but was not going to keep them after this as, in her view, they were not evidential. She said when she attended the meeting on 12 March, she showed Supt Shepherd and Insp Jones the items and they were exhibited.

Officer accounts: Further evidence

Supervising officers

Superintendent Robert Shepherd

107. Supt Shepherd, who is responsible for the boroughs of Bromley, Croydon and Sutton, provided a statement to assist the investigation. In his account, he gave an insight into the different roles and responsibilities surrounding the creation and progression of a crime report.
108. Supt Shepherd confirmed A/PS A's team would have set up a skeleton crime report containing minimal details to ensure the crime was recorded on police systems, within 24 hours, as per the national reporting standards and in alignment with MPS policy and process.
109. He further explained the crime report would have been passed to PC Lee's team who would have assigned it to her in her capacity as the appointment car officer on the day in question. It would then be the responsibility of PC Lee to attend the destination, meet the victim and/or witness and take a full crime report.
110. Upon PC Lee returning to the station, Supt Shepherd stated further intelligence checks would have been completed on the car registration and this would have been input on to the crime report. He added that A/PS A would not have seen the crime report at that stage as it was no longer his responsibility once the skeleton report had been created and supervised. Supt Shepherd further explained the report would have remained in PC Lee's work file until solved or closed.
111. Supt Shepherd explained it was the responsibility of PC Lee's sergeant to ensure that cases were progressed and to provide support and advice where necessary. According to policy, Supt Shepherd said a sergeant

should look at crime reports every seven days. However, it was more common for a sergeant to do so every set of shifts, which consisted of six days working followed by four days off.

Chief Inspector Louise Sargent

112. Chief Inspector (Ch. Insp) Sargent provided a statement to the IOPC describing her expectations of how a crime would be recorded and the minimum standards of an initial investigation. Ch. Insp Sargent is the professional standards lead for Southwark and Lambeth and, prior to this, she worked in the South Area and had responsibility for the local resolution team, which included managing skeleton crime reports and crime recording.
113. Ch. Insp Sargent confirmed she did not know ex-PC Couzens or PC Lee, although she stated their names were familiar to her. She did however know A/PS A.
114. Ch. Insp Sargent explained it was standard procedure for a scheduled appointment to be made if a crime was reported and the suspect was not on scene, and if the crime did not fall under a certain crime type.
115. She further stated A/PS A was the local resolution team supervisor and had the responsibility of owning the crime report until an officer attended the location to complete the initial investigation and assigned themselves as investigating officer.
116. Ch. Insp Sargent explained, at that point, there would not be enough information on the crime report for any initial investigation to take place or to make an informed risk assessment. Instead, the local resolution team supervisor would ensure the crime had been recorded and check the CAD record to certify an officer was scheduled to attend and an appointment was suitable.
117. Ch. Insp Sargent stated the MPS control room own the appointment calendar and borough officers do not have access to change it. She added

the officer assigned to the appointment car had a time schedule to adhere to. The creation of a skeleton crime report involved no initial investigation and therefore the officer attending the appointment would need to start from scratch and ask questions regarding witnesses, CCTV, the suspect, and may on occasion be required to take a victim statement or formally identify a crime scene.

118. Ch. Insp Sargent explained the attending officer would be expected to notify their sergeant if they needed extra resources, for example for additional enquiries or to make an arrest. If the CCTV was not accessible, the attending officer would be required to document that on the crime report and record any actions taken or relevant contact details obtained. This was to ensure further enquiries could be made. Ch. Insp Sargent also stated the appointment car postings could be very busy and officers would often finish late due to the number of checks and paperwork required.
119. In relation to an allegation of indecent exposure, Ch. Insp Sargent stated she would expect the investigating officer conducting the initial investigation to go back to the police station to undertake an intelligence check on both the suspect and victim. Ch. Insp Sargent said she would also expect intelligence on the registered keeper of the vehicle and the vehicle itself, to determine if it had been involved in other crimes. Ch. Insp Sargent stated that it was not routine to check police systems to see if a suspect was also a police officer.
120. Ch. Insp Sargent explained the difference between a person of interest and a suspect. She stated it was in the judgement of the officer to ascertain whether, based on the information provided by the victim, the individual should be contacted for an interview or an arrest. However, Ch. Insp Sargent said that this could not be done until it had been verified who that person was, through a description, custody imaging, a victim statement or completed intelligence checks. She further stated that just because someone was the registered keeper of a vehicle, it did not necessarily mean they were the suspect in the incident.

121. Ch. Insp Sargent said every case was different and any investigation into crime must be proportionate to the level of risk and crime type. She explained she would expect the attending officer to take a victim statement, but other actions would depend on the circumstances. She added she would expect the officer to speak to witnesses, secure CCTV at the earliest opportunity and document any enquiries onto the crime report. She stated that South Area had recently got a team known as the “my investigation support team” (MIST), who owned most volume crime investigations, and so most emergency response officers, such as PC Lee, did not have their own crimes/cases.
122. With regard to supervision, Ch. Insp Sargent stated A/PS A had already completed the initial supervision of the skeleton crime report. Therefore, the crime report would not have been flagged to another supervisor until seven days had passed. Ch. Insp Sargent explained the onus was on the investigating officer to change the supervisor on the crime report to their own supervisor if keeping the investigation. She added the supervisor could make an informed decision regarding the level of supervision required depending on the officer’s experience.

Inspector Rita Jones

123. Insp Jones, PC Lee’s second line manager, provided a statement to the IOPC, to assist understanding of what was required before a person was shown as wanted and/or missing for an offence on the PNC. She explained a form must be completed which included mandatory information such as a date of birth or an approximate age. She further added a detailed description of the suspect would be required if they were not already someone who held a PNC record.
124. Insp Jones went on to state that a checklist of enquiries also had to be completed before an officer would have authority to show a person as a suspect on the PNC. A case file should contain sufficient information such as statements from victims and/or witnesses, CCTV and an interview plan. Furthermore, Insp Jones explained at least one arrest enquiry would need

to be conducted. For instance, if the results of an arrest enquiry had confirmed the person did not reside at an address, further enquiries to establish an address would be required before the suspect could be placed on PNC and shown as wanted and/or missing.

125. Inspector Jones also provided confirmation that emergency response officers such as PC Lee did not carry a significant workload as most crimes are handed over to MIST to deal with. She explained that at most they would carry two or three crimes however, she stated, PC Lee did not have any other crimes on her workload at the time of the incident.
126. Insp Jones confirmed that in March 2021, all investigations arising from appointments would be handed over to MIST to progress as long as an acceptable level of investigation had been completed.
127. Insp Jones also stated that since this incident, she'd had concerns about the standard of PC Lee's work, explaining she has had to prompt PC Lee to complete basic mandatory sections of some police reports.

Police Sergeant Kelly Cooper

128. PS Cooper was PC Lee's direct line manager on 3 March 2021. She provided an account to the IOPC detailing how crimes, such as indecent exposures, were dealt with on her team at that time. Specifically, with reference to whether a response officer, such as PC Lee, would retain an investigation or hand it over to MIST. Additionally, to discuss whose responsibility it was to assign an officer as OIC on a crime report.
129. She stated indecent exposure investigations are not common and she had not received specific training on how to investigate or supervise an indecent exposure. However, she would expect an appointment car officer to complete primary investigative actions which would include any CCTV and house to house enquiries and to obtain any victim or witness statements if time allowed. Upon return to the station an officer should

conduct intelligence checks, book in any exhibits and record actions in full on the crime report.

130. PS Cooper said there was no requirement for her to review the appointments attended by an officer on her team, unless something was brought to her attention by the officer themselves, for example if they required assistance or could not attend the appointment. Furthermore, she stated the crime report would then be assessed by a detective sergeant in MIST, who review all appointments attended on a particular day. The agreement in place at the time meant MIST took on all appointment car investigations. To pass a crime to MIST, PS Cooper stated an officer would have to make contact with MIST detective sergeant to discuss and allow them to review the crime report. She said that the appointment car officer would only become the OIC if MIST detective sergeant believed the crime had not been completed to a satisfactory standard by the appointment car officer.
131. PS Cooper did not recall speaking to PC Lee about the process of handing over an investigation to MIST. However, she said that all officers received an office wide email about the process, and it was up to the officers themselves to be aware of any updates.
132. PS Cooper stated she supervised PC Lee between July 2020 and August 2021. During this time she had minimal cause to speak to PC Lee about the quality of PC Lee's work.
133. In regard to ex-PC Couzens, PS Cooper said that she knew him in passing due to her team (C Team) handing over to his team (B Team) four out of every 6 shifts while based at Bromley Police Station.

Chief Inspector Julian Hagley

134. Chief Inspector (Ch. Insp) Julian Hagley works within the professional standards department, in the South Area of the MPS, and provided an account in regards to the process for a person being circulated as wanted on the PNC. He explained there was no policy that gave specific actions

required before circulating a suspect as wanted on PNC. He stated this would be down to the investigator action plan set by the supervisor, the associated risk and known facts would have to be part of the consideration. He added it was important there was sufficient evidence and information to give officers a power of arrest. For instance, officers had to show what enquiries had been completed before authority to circulate on PNC had been granted.

135. Ch. Insp Hagley further stated the greater the risk, the more important it was to consider circulation on the PNC to locate the suspect. He said in this instance, based on what was known at the time, the risk associated with the indecent exposure would have been low.

Subject officers' accounts

136. Most relevant aspects of the subject officers' accounts have been detailed above. This section will outline specific areas of PC Lee's accounts not yet detailed.

Account of PC Lee

137. PC Lee emphasised in her interview with the IOPC that her written response was provided without reference to the crime report. She had been on a period of extended leave so secure access to the report could not be provided. She explained she was therefore trying to recall events that had occurred three months prior and therefore she was mistaken in some areas when providing her initial written response. PC Lee was provided with the crime report and other material ahead of her interview.

Training and experience

138. In her written response, PC Lee stated she had nearly five years of previous experience in the police service and was currently attached to an emergency response team at Bromley Police Station.

139. In interview, PC Lee confirmed she had not received any specific training about indecent exposure, but she felt confident investigating such matters. She estimated she had dealt with two or three other instances of indecent exposure over the previous five years. PC Lee further stated she had received training in relation to evidence gathering for a primary and secondary investigation.

My Investigation Support Team (MIST)

140. In her written response, PC Lee provided some background on the investigative process, explaining the system had recently changed and officers assigned to attend appointments would no longer retain investigations. Instead, cases would be transferred to a dedicated team with more capacity, known as the My Investigation Support Team (MIST). PC Lee was under the impression her actions would be reviewed by a supervisor and the report would be allocated to an officer from MIST for further investigation.

141. PC Lee explained in interview that she would usually carry approximately two or three crimes at a time because of her role within emergency response. She added that if a crime looked as if it involved a lot of work it would be allocated to MIST, and appointments would go to MIST straight away. PC Lee stated she would go into her work file during any spare time she had during a shift.

142. In interview, PC Lee stated the process in regards to handing crime reports to MIST changed approximately one or two months prior to this incident. She explained the change was implemented because response officers had to prioritise attending emergency calls, whereas MIST officers had time to conduct further enquiries such as viewing and obtaining CCTV, taking statements, or looking for suspects. PC Lee clarified she never received an email or any form of communication to confirm the change in process but had spoken to her supervisor who had told her what should happen with investigations under this system.

143. PC Lee further explained in interview that her understanding was MIST would deal with any cases not deemed serious enough to be investigated by the criminal investigation department (CID) such as low-level thefts and sexual offences. PC Lee was unable to recall how many cases she had handed over to MIST prior to this one.
144. In interview, PC Lee explained that once a crime report was completed, it would get checked by a supervisor to ensure all the relevant information has been recorded and, if deemed up to standard, it would then be passed to MIST work file. She explained it would usually be a duty sergeant from her own team reviewing the report but sometimes it would be another sergeant if she was nearing the end of her shift. In this instance, PC Lee stated it would have been a sergeant from the following team who would have been responsible for reviewing the crime report. PC Lee said that when a supervisor reviews a crime report, it would usually be taken out of the work file and sent to a supervisor working within MIST so it could then be allocated to a MIST officer.
145. PC Lee confirmed in interview she did not speak to a supervisor about the incident. She explained she would usually do so only in instances where she had a question about how best to deal with something. PC Lee further stated she felt she had done what was needed for the crime to be passed to MIST for further investigation.

Concluding remarks

146. In interview, PC Lee denied that her workload had an impact on how she handled this matter and added that, had she been aware she was the officer in the case, she would have investigated it further. She did not check the CRIS report again as she did not realise the crime was still allocated to her. PC Lee also denied that her actions were affected by the fact it was the last appointment of her shift. PC Lee responded by stating it would have been to her advantage to ensure that nothing was missed as

otherwise the next team would refuse to take the crime and it would remain in your work file.

147. PC Lee concluded her written response by stating she denied her actions amounted to misconduct and that she had dealt with her responsibilities both diligently and to the best of her ability.

Connection to ex-PC Couzens

148. During the course of the investigation, it was considered whether there is any evidence to suggest the subject officers had a link to, or prior knowledge of, ex-PC Couzens. This was considered due to the fact ex-PC Couzens had been a serving member of the MPS at the time. A summary of the key evidence obtained in relation to this is outlined below.

Officer accounts

149. In the written responses of PC Lee and A/PS A, both officers confirmed they did not know ex-PC Couzens and were unaware he was a serving police officer at the time of their involvement with the indecent exposure investigation. PC Lee added she did not have any cause to check he was a police officer during her involvement in the initial investigation.

Previous postings

150. The IOPC were provided with the career history of ex-PC Couzens, PC Lee and A/PS A and reviewed their previous postings within the MPS. Whilst it appears ex-PC Couzens and PC Lee worked out of Bromley Police Station at the same time, there is no indication of any overlap in terms of their roles and allocated teams. There was no suggestion A/PS A and ex-PC Couzens had worked together previously.
151. In interview, PC Lee stated she would generally only interact with her own team, C Team, other than, for instance, when another team were providing a handover. She added she would pass the opposite shift pattern when

working on a night shift, which was usually the A Team and the E Team. PC Lee further stated she did not know other teams at Bromley very well as she had not been there for long.

152. According to his MPS career history, ex-PC Couzens was on the B Team whilst working at Bromley Police Station until 2 February 2020.

153. PS Cooper stated C Team would handover to B Team four out of every six shifts. Shift pattern data provided by Supt Shepherd supports this. However, PC Lee did not start on C Team until 27 July 2020, after ex-PC Couzens had left the team. Prior to this time PC Lee had not been posted on the same team or area as ex-PC Couzens.

154. It is of note that all three officers, PC Lee, A/PS A and ex-PC Couzens appeared to start on a South Area response team on 6 February 2019. The MPS explained this was the date in which the boroughs of Bromley, Croydon and Sutton were merged into one area known as the South Area. Supt Shepherd advised that all officers from these boroughs would be shown as having an identical start date, but this was purely for administrative reasons.

Training records

155. The training records of A/PS A and PC Lee were reviewed and compared against the training record of ex-PC Couzens. There was no evidence to suggest the subject officers had attended any recorded training course alongside ex-PC Couzens.

Previous investigations

156. The MPS searched police systems from January 2019 until present and provided confirmation that A/PS A and PC Lee were not linked to any crime reports or investigations associated with ex-PC Couzens in this period.

Legislation, policies and guidance considered

157. 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.

Police and Criminal Evidence Act (PACE)

158. Section 24 PACE provide police officers with a power to arrest a person without a warrant in certain circumstances.

159. This sections provides the following:

1) A constable may arrest without a warrant

(a) anyone who is about to commit an offence;

(b) anyone who is in the act of committing an offence;

(c) anyone whom he has reasonable grounds for suspecting to be about to commit an offence;

(d) anyone whom he has reasonable grounds for suspecting to be committing an offence.

(2) If a constable has reasonable grounds for suspecting that an offence has been committed, he may arrest without a warrant anyone whom he has reasonable grounds to suspect of being guilty of it.

(3) If an offence has been committed, a constable may arrest without a warrant—

(a) anyone who is guilty of the offence;

(b) anyone whom he has reasonable grounds for suspecting to be guilty of it.

(4) But the power of summary arrest conferred by subsection (1), (2) or (3) is exercisable only if the constable has reasonable grounds for believing that for any of the reasons mentioned in subsection (5) it is necessary to arrest the person in question.

(5) The reasons are—

(a) to enable the name of the person in question to be ascertained (in the case where the constable does not know, and cannot readily ascertain, the person's name, or has reasonable grounds for doubting whether a name given by the person as his name is his real name);

(b) correspondingly as regards the person's address;

(c) to prevent the person in question

(i) causing physical injury to himself or any other person; (ii) suffering physical injury;

(iii) causing loss of or damage to property;

(iv) committing an offence against public decency (subject to subsection (6)); or

(v) causing an unlawful obstruction of the highway;

(d) to protect a child or other vulnerable person from the person in question;

(e) to allow the prompt and effective investigation of the offence or of the conduct of the person in question;

(f) to prevent any prosecution for the offence from being hindered by the disappearance of the person in question

Met CC Appointments Protocol

160. This policy covers public appointments, which were introduced by the MPS in order to increase victim satisfaction. It further outlines the officers' responsibilities when attending these appointments.

National Contact Management Guidance and Principles

145. The NCMG dictates the principles for call grading by police call handlers. It separates police response into Emergency and Non-Emergency response. These are explained in more detail below:

Emergency (response within 15 minutes – I grade)

This category of call is to an incident occurring now likely to involve;

- Danger to life
- Use or immediate threat of violence
- Serious injury to a person
- Serious damage to property

For an allegation of crime it is an emergency if:

- The crime is likely to be serious and in progress
- An offender has been disturbed at the scene
- An offender has been detained and is likely to pose a risk to others

For a traffic collision it will be an emergency if:

- It is likely to involve serious personal injury
- The road is blocked or there is a dangerous build-up of traffic

If the above do not apply we will still treat the call as an emergency if:

- The call handler has strong and objective reasons for believing the call should be classified as an emergency
- Force deployment priorities require an emergency response

Non-Emergency (Any other police response)

Priority – response within 60 minutes. This grade is used when the call handler acknowledges there is a degree of importance or urgency associated with the call but where an emergency is not required, including:

- There is genuine concern for somebody's safety
- An offender has been detained but poses no risk to others
- A witness or other evidence is likely to be lost
- A person involved is vulnerable or upset
- Force/neighbourhood priorities require a priority response.
- A hate incident/crime is reported.

Scheduled Appointment – response within 48 hours. Where a contact does not require an immediate or priority response but still requires police attendance will result in a scheduled appointment. These circumstances typically arise where:

- The response time is not critical in apprehending offenders.
- The matter is service–orientated and a better quality of initial police action can be provided by a pre-arranged police response by a suitable police resource.

161. Where a non-emergency contact requires an appointment to be scheduled, the caller should expect, if appropriate, an appointment will be made at a time that fits in with the caller's life and within 48 hours of them making contact

Making an appointment

162. When a call is received, the operator will decide upon the grading of the call and the appropriate response. Where a scheduled appointment (E grade) is deemed appropriate, the operator will look at the relevant appointment car on the portal and the caller will be offered the next available appointment or the next most suitable time.

163. The policy stipulates all appointments should be arranged within 48 hours of first contact with the police, or as soon as possible thereafter. It further states for non-domestic appointments it is possible for an appointment to

be made at any time within the next seven days as long as there is no risk and the victim agrees.

164. *'In all cases where appointments are not made within 24 hours, a CRIS report must be created within those 24 hours'*. It is the responsibility of the LRT to complete the skeleton CRIS report from the CAD record.

Officer responsibilities for appointments

165. The officer attending the appointment should complete intelligence checks at the start of their shift using CAD, IIP and PNC.
166. The officer must ensure a time of arrival is added to the CAD record. The appointment is met if officers attend up to 45 minutes before and 30 minutes after the appointment time.

MPS Policy – CAD compliance

167. This policy explains that the correct recording of a crime is a Home Office requirement, and a crime should be recorded within 24 hours. If a crime is reported via CAD and is not yet on CRIS it is not searchable. Therefore, the requirement to create a CRIS within 24 hours means that the risk can be better assessed if the victim cannot be spoken to in that time.

LRT responsibilities

168. It is the responsibility of the LRT sergeant to ensure all CAD records scheduled for appointment are identified and the LRT are tasked with creating a skeleton CRIS within 24 hours.

MPS Policy – Crime recording and crime outcomes

169. This policy provides guidance for officers and staff regarding the recording and closing of crime records. It outlines different scenarios of when a

potential crime should or should not be recorded and is aligned with the National Crime Recording Standard (NCRS) and the Home Office Counting Rules (HOCR) for recorded crime.

170. The policy stipulates that all officers and staff must ensure a CRIS report is created if they receive information that suggests a notifiable offence has been committed or alleged.

171. The policy further outlines the potential consequences of under-recording crime, namely:

- *‘Victims are failed because the crimes against them are not investigated...’*
- *‘The community is failed because our system of public justice requires offenders to face the law and its sanctions, and if they escape justice not only is it denied, but more victims may be created, increasing the harm done to the community and its safety and security’*
- *‘The levels of crime will be wrongly under-stated, and so detection rates may as a consequence be artificially high...’.*
- *‘Police chiefs will lack the reliable information which they need to make sound decisions on the deployment of their resources...’.*

MPS Policy – First responder: rape and serious sexual assault policy

172. This policy provides guidance to officers and staff who receive an allegation of rape or serious sexual assault. It outlines key actions at the point of primary investigation and should be read in conjunction with the MPS general investigation policy (detailed below). This policy does not specifically reference indecent exposure and it is not clear whether this would fall under the definition of a “serious sexual assault”

173. The following investigative actions are deemed of relevance to this investigation:

- Witnesses
 - Obtain full details for victims and witnesses.
 - Include alternative contact details.
- CCTV
 - Identify CCTV cameras and agree the parameters with a supervisor.
 - Record camera locations.
 - Ensure footage is secured wherever possible.
 - View in situ and make notes if footage cannot be seized.
- Suspect identification
 - Ensure suspect description is recorded and circulated.
 - Seek early identification of suspect.
 - Make sure appropriate intelligence is gathered on suspect.
 - Consider conducting local area search for suspect.

MPS Policy – General investigation

174. This policy sets out the minimum standard of investigation expected of an investigator. It is intended to be a guide and not a definitive list of actions an officer must take.

Initial investigation – frontline

175. The actions listed below are the expectations of an officer at the start of the investigation with regards to victims, witnesses, suspects, crime scenes and forensic opportunities. Officers are expected to use their judgement and to continually identify, assess and manage risks when

completing these steps. Only those deemed of particular relevance to this investigation are detailed:

General actions upon arrival

- Full details of the incident should be established and all alleged offences must be investigated. What happened, when it happened, where it happened, who was involved and why, should be established.
- All investigative actions taken at the scene should be recorded, either directly onto the CRIS or in note form which should be later transcribed onto the CRIS report.
- Ensure the safeguarding of any person involved in the investigation by assessing all victims / witnesses / suspects / persons in line with the Vulnerability Assessment Framework (VAF).
- Complete a CRIS report before the end of duty and ensure the CRIS number is recorded on the CAD record.
- Record any relevant intelligence on CRIMINT.

Scenes

- Search the scene for CCTV and seize / exhibit any CCTV, ensuring the details are entered on the CRIS. If unable to seize it, it should be viewed in situ and an MG11 should be completed detailing what has been viewed. Record any negative CCTV enquiries on the CRIS.
- Any image or footage of a scene should be evidenced in an MG11 detailing its taking, exhibiting and storage. CRIS should be updated with the exhibit number and its location, and a summary of what the footage shows.
- Consider the suitability of tasking the Automatic Number Plate Recognition (ANPR) team, available 24 hours a day.

Victims and witnesses

- Obtain full contact details for victims and witnesses, including their preferred method of contact, alternative phone numbers and email addresses.
- A statement should be obtained from the victims and witnesses as soon as is practicable with consideration given to their future availability and cooperation. Significant witnesses should be identified and dealt with appropriately.
- Any contact or attempted contact with the victim should be recorded on the CRIS, in addition to any investigative actions that arise.
- The CRIS number should be provided to the victim prior to going off duty.

Suspects

- Ensure the description of the suspect(s) is recorded and circulated. Include details of the vehicle(s) the suspect may have used.
- Undertake arrest enquiries where suspects are known and grounds exist.

Other investigative actions / enquiries

- Ensure the CRIS report is created with comprehensive details of all actions taken. This must be completed prior to going off duty.
- Record on CRIS any results of searches performed on police systems to ensure a full intelligence picture is known for further investigation.

Further investigation – Front line guidance

176. Suspects

- Ensure suspect details are recorded on CRIS on suspect pages as soon as identified.
- Ensure appropriate circulation of known suspects (including on PNC). Make sure key post-arrest actions are clearly set out and all required case papers are available.
- Formulate arrest strategy.

Further investigation – Supervisory actions

177. *‘Supervisors should determine the level of supervision necessary based upon the capability of each of their officers, the nature of the incident presented to them and their assessment of the frequency of the supervision required. This removes the burden upon supervisors to conduct detailed and routine supervision of each task conducted by every officer on their team...’.*

178. The policy further states that supervisors remain accountable for decision making and must ensure they are confident in the capability of each officer before reducing levels of supervision.

179. It stipulates supervisors should:

- Ensure all contact with the victim is recorded.
- If required, supervise CRIS entries and assign investigative actions accordingly.
- Review all evidence obtained during the initial investigation. Identify areas where further information or clarification is required.
- Allocate crime to a detective or other appropriate investigator, ensuring they have the necessary skills and have acknowledged the crime.

- Record progress on the investigation to date and further actions as appropriate. Update the investigation plan and make an entry on the CRIS supervision page.

Crime supervision and ongoing management

180. The policy stipulates there is no longer a requirement for sergeants to supervise and tick the initial supervision box for every CRIS report created. Investigating officers must bring the attention of a supervisor to reports, tasks or incidents which should be subject to supervision or oversight due to the level of threat, harm, opportunity and risk. It is for the supervisor to then determine whether full and detailed supervision is required.

Workloads

181. The policy states that investigating officers' workload should be monitored by supervisors to mitigate against an excess workload, taking into consideration both volume and complexity of cases. It outlines that a case load greater than 13 can cause a greater risk of case exhaustion.

College of Policing, Authorised Professional Practice

182. The College of Policing is a national, professional body for everyone who works for the police service in England and Wales.

183. The College of Policing publishes guidance, called Authorised Professional Practice (APP), which acts as an authoritative source of professional practice for the police service. Police officers are expected to have regard to the APP when performing their duties, however, the guidance does not need to be followed in situations where an officer is able to justify acting in a way which is not compatible with the APP.

College of Policing – Managing investigations

Investigative actions

184. *‘This is any activity which, if pursued, is likely to establish significant facts, preserve material or lead to the resolution of the investigation. The volume of actions should be proportionate to the type of investigation’.*

Actions during the initial investigation stage

185. The policy recognises the initial actions are dependent on the circumstances of the allegation, but the following examples are provided:

- Obtaining initial accounts from victim(s) / witnesses
- Locating and securing material such as CCTV footage
- Identifying or preserving scenes
- Arresting the offender(s)

College of Policing - Investigation process

Initial investigation

186. The policy outlines that the quality of an investigation is significant in gathering material leading to the detection of crime. It is vital that those responsible for conducting the initial investigation ensure material is not lost.

187. *‘Investigations should be conducted thoroughly, and investigators should not assume that a crime cannot be solved or that someone else will carry out an investigation at a later stage’.*

Fast track actions

188. The APP guidance defines fast track actions as:

‘any investigation actions which, if pursued immediately, are likely to establish important facts, preserve evidence or lead to the early resolution of the investigation’.

189. The guidance further states: *‘the first chance to obtain material may be the last. Identifying these actions during the initial investigation stage produces the most effective outcome. A delay in protecting, preserving or gathering material may result in evidence being contaminated or lost’.*

Comprehensive records

190. It is recognised that a comprehensive record of all enquiries completed during the initial investigation is advantageous in enabling supervisors to assess the quality of the investigation and facilitating the handover of the investigation if allocated to another investigator.

College of Policing – Code of Ethics

191. The following standards of professional behaviour will be considered in the analysis section of the report:

Duties and responsibilities

192. To meet this standard, officers must:

- Carry out their duties and obligations to the best of their ability.
- Take full responsibility for, and be prepared to explain and justify, their actions and decisions.
- Use all information, training, equipment and management support they are provided to keep themselves up to date on their role and responsibilities.

Honesty and integrity

193. To meet this standard, officers must:

- Act with honesty and integrity at all times.
- Use their police identification or warrant card for policing purposes only.
- Not gain a personal advantage that could give the impression they are abusing their position.

Analysis of the evidence

194. On receipt of the report, the decision maker is required to record their opinion about whether there is a case to answer for misconduct or gross misconduct by the people to whose conduct the investigation relates, and whether the performance of those people is satisfactory. Within the analysis, I will not make any determinations on any these matters.

195. The first part of the analysis will consider the allegations against PC Lee; the second part will address allegations against A/PS A. Finally, other matters considered during this investigation will be analysed.

PC Samantha Lee

Initial investigation

196. PC Lee was responsible for attending three arranged appointments on 3 March 2021 as part of her role as the appointment car officer. Her last appointment of the day was to attend a McDonalds restaurant in South London to follow up an allegation of indecent exposure, reported to police three days prior.

197. During the appointment, PC Lee spoke with Mr B, the restaurant manager, and ascertained that a male customer had exposed himself to female members of staff on two separate occasions whilst using the drive-through. PC Lee recorded some details in her pocket notebook.
198. PC Lee stated she believed she had conducted a suitable level of risk management in her role in the appointment car, considering the information available at the time. She stated she viewed the incident as fairly low level, explaining a specific member of staff had not been targeted, there was a physical barrier between the offender and any victims, and there was no intelligence to suggest a linked series of incidents.
199. The College of Policing, Managing Investigations guidance states that investigative actions should be "*proportionate to the type of investigation*". PC Lee would therefore be required to take proportionate action based on her understanding of the incident at the time.
200. The MPS first responder policy on rape and serious sexual assault outlines the expectations of an officer at the point of primary investigation. This includes obtaining full details of victims and witnesses and, where possible, viewing and securing CCTV.
201. I have identified key points in regards to PC Lee's actions which may be of assistance to the decision maker when reaching her conclusions on whether PC Lee has a case to answer:
- a) CCTV
 - b) Witness accounts and receipts
 - c) Arrest considerations
 - d) System checks
 - e) Record keeping
 - f) Roles and responsibilities
202. These will be dealt with separately below.

CCTV

203. There is a clear inconsistency in the evidence in relation to what CCTV was available when PC Lee attended the appointment on 3 March. Subsequent to this date CCTV from the incident on 27 February was provided to the police. This footage did not show faces of customers but did show vehicles including registration plate numbers. However, PC Lee is consistent in her account that Mr B did not tell her this footage was available when she attended the appointment, and she was under the impression no CCTV existed which showed the offender or the offence.
204. Mr B told the IOPC he could recall showing PC Lee the relevant footage when she attended the appointment on 3 March. He also told her the footage would delete after 30 days. It is clear from Mr B's account to the call handler on 28 February that he knew CCTV existed at that time. Although he did not specifically tell the call handler he had watched the footage this appears to have been implied by reference to the fact he had been unable to watch CCTV in regards to the previous incident. It also appears that the way in which Mr B identified the vehicle registration he provided to the call handler was by viewing the CCTV. The decision maker may consider this information to add weight to Mr B's account that he showed PC Lee the footage or at least informed her of its existence on 3 March.
205. As well as the CCTV system, the McDonald's restaurant has a system which takes photographs of customers going through the drive-through. This system is used to ensure the right food order gets to the right customer. These images are not stored on the CCTV system or anywhere else and can therefore not be retrieved. It appears some discussion took place between PC Lee and Mr B about this system.
206. PC Lee described the drive-through footage as autodeleting in her written account and later in her interview. Additionally, Supt Shepherd and Insp Jones recalled PC Lee explaining this to them in a meeting 12 March. This could be seen to indicate PC Lee was referring to the photographs taken

of customers at the drive-through rather than the CCTV and support her stated belief CCTV did not exist. The decision maker may wish to take into consideration whether there may have been confusion on PC Lee's part as to what was available and what was autodeleted. Additionally, it would not be wrong to say there was no footage of the "offence or offender", as described by PC Lee, as the footage which was available did not show the offence taking place or the suspect's face.

207. In consideration of PC Lee's actions in regard to the CCTV the decision maker may wish to specifically consider the following:

- CCTV was available from the McDonalds at the time PC Lee attended the appointment.
- A discussion took place between PC Lee and Mr B, however there are differences in their recollection of what was discussed as details above.
- Mr B appears to have already viewed the CCTV prior to PC Lee attending the appointment indicating he knew it was available.
- PC Lee told superiors on 12 March, before she was aware that the question of CCTV would be an issue in the IOPC investigation, that Mr B had told her the footage from the drive-through automatically deleted and was therefore not available.
- PC Lee made no record on the crime report in relation to CCTV and what Mr B had told her despite saying she would normally do this.

208. It is also of note that PC Lee did not make any notes or provide any account of other potential CCTV opportunities in the area, for example other business or council CCTV.

209. The MPS general investigation policy requires officers' to search for CCTV and exhibit any CCTV, it states negative CCTV enquiries should be recorded on the crime report. The details that an officer should ensure the crime report is updated with comprehensive records of all action that has been taken.

210. Based on the above the decision maker will need to consider:
- a. Whether PC Lee carried out her duties in relation to enquiries regarding CCTV in line with expectations.
 - b. The gathering of CCTV is an important part of any criminal investigation as per the general investigation policy.
 - c. The reason for any discrepancies in the evidence between the accounts of PC Lee and Mr B.
 - d. Whether PC Lee adequately recorded her actions in regards to CCTV on the crime report.

Witness accounts and card receipts

211. The MPS call handler had previously confirmed with Mr B that the witnesses did not need to be in attendance for the appointment but requested that statements were provided beforehand. Therefore, PC Lee was unable to obtain any evidential statements from witnesses during her visit.
212. Mr B had obtained witness accounts from the staff who had witnessed the incident, these were handwritten on plain paper, or 'scraps' of paper. Two of these accounts provided details of the suspect's description, key information for any future investigation. He also provided PC Lee with receipts from the two food orders the suspect had made at the times of the indecent exposures. These receipts contained the last four digitals of the card used to pay for the order which was again potentially useful information in identifying a suspect. However, none of these items were logged on the crime report and there is no evidence PC Lee exhibited them immediately after her appointment.
213. On 12 March 2021 when PC Lee was told of the IOPC investigation into her actions she produced these items and provided them to Insp Jones. Insp Jones recalled that she thought PC Lee did not consider them to be evidence and would have thrown them away. PC Lee, in her own account,

said that she did not consider the accounts as evidential, even though they contained the witnesses account of what had occurred. PC Lee stated she thought the only evidential parts of the receipts were the dates and last four digits of the card number however she did not note this on the crime report or commence any enquiries in relation to checks using this information. PC Lee subsequently put receipts and account in an exhibit bag and handed them to Insp Jones.

214. PC Lee failed to include in her written response to the IOPC, provided on 2 June 2021, that she had obtained these items however, as a subject of the investigation, she was under no duty to provide an account about these items and she had not, at that time, been specifically asked about them.
215. The MPS general investigation policy requires officers to take statements from witnesses and victims as soon as it is practicable to do so. It also states the crime report should contain comprehensive detail of all actions taken and should be completed before an officer goes off duty.
216. The decision maker may wish to consider PC Lee's actions in relation to the witness accounts and receipts specifically:
 - a. Whether PC Lee handled these items appropriately.
 - b. Whether PC Lee showed understanding of the significance of these items to any future investigation.
217. Additionally, PC Lee did not obtain any details in regard to the witnesses' availability, contact details or future work pattern. She stated she believed this would be done by the investigation team and the matter would be passed on to (MIST).
218. The MPS general investigation policy outlines officers have a duty during the initial investigation to obtain full contact details for victims and witnesses.
219. College of Policing guidance on the investigation process stipulates an investigation should be conducted thoroughly and it should not be

assumed *'that someone else will carry out an investigation at a later stage'*.

220. The decision maker may wish to consider whether PC Lee's actions were in line with this guidance and other policy in regards to initial investigation of a crime

Arrest considerations

221. PC Lee stated in interview she did not believe there was sufficient evidence and grounds to conduct an arrest on 3 March 2021, despite it being noted on the crime report that the suspect would need to be arrested. PC Lee referenced that in particular that assessment was based on the fact no witness statements had been obtained so there was no formal account of the suspect's description. This is supported by the account provided by Ch. Insp Sargent who confirmed a suspect cannot be contacted for a voluntary interview or arrested until it has been verified who that person is, for instance through obtaining a description from a victim statement.

222. PC Lee based her assessment on the fact she had been unable to obtain formal witness statement from the victims and those who witnessed the incidents. She stated it was her belief that without this evidence it would not have been appropriate to consider arrest or calling ex-PC Couzens in for a voluntary interview. She considered the accounts she had were not evidential.

223. In her written response, PC Lee explained whilst Wayne Couzens was the named registered keeper of a vehicle, it did not necessarily mean he was the suspect in the incident. This was echoed by Ch. Insp Sargent who made the same point. Additionally, PC Lee said the receipts may have been of assistance, but the card used could have been stolen.

224. The information PC Lee did have at the time was as follows:

- A vehicle registration with the registered keeper shown as a Mr Wayne Couzens had been identified by Mr B was being involved but she did not obtain any CCTV to confirm this and the vehicle registration was not in accounts of the witnesses.
- She had informal accounts from staff providing a rough description of the suspect as being white, middle aged (or approximately 50 years old), grey stubble and wearing a face mask.
- Till receipts with the last four digits of the card used to pay for the suspects food order, these were the same from both incidents.

225. PC Lee did not carry out, or request, any checks using the card number from the receipts. Although it is unlikely these checks would have been completed fast time, they were not requested and there was no note on the crime report to indicate that such checks could be carried out to help identify a suspect.

226. PC Lee had carried out checks on PNC using the registration number and the name "Wayne Couzens" and an approximate age. However, this returned no information. The information returned in regard to the registered keeper of the vehicle believed to be involved in the matter did not include a date of birth or ethnicity so PC Lee did not know whether this person met the description on the informal witness accounts.

227. Despite her recollection that she did, PC Lee did not undertake checks on the integrated intelligence platform. However, any such checks would not have returned results relating to ex-PC Wayne Couzens.

228. Section 24 of the Police and Criminal Evidence Act (PACE) allows an officer to conduct an arrest without warrant if they have reasonable ground to suspect a person has committed an offence. The officer must then believe an arrest is necessary for a list of prescribed reasons.

229. The decision maker may wish to consider whether PC Lee would have had grounds to suspect ex-PC Couzens to have committed the indecent exposure offence and should have considered an arrest on 3 March.

Alternatively, whether PC Lee could have taken any action to request ex-PC Couzens attend a voluntary interview in regards to the matter or a request for Kent Police to carry out a registered keeper check at the address logged on the system for ex-PC Couzens to establish whether he matched the description of the suspect.

230. The MPS provided confirmation Mr Couzens was not circulated as wanted on PNC. The MPS general investigation policy states there should be appropriate circulation of the suspect's description and the vehicle on PNC and arrest enquiries should be conducted where suspects are known, and grounds exist. However, Insp Jones provided clarification that a checklist of enquiries has to be completed before authority was received to circulate a suspect on PNC. She said a case file should contain statements, CCTV, and an interview plan. This is further supported by Ch. Insp Hagley who emphasised the importance of sufficient evidence to give officers the power of arrest. Based on the information PC Lee had at the time it is likely to have been insufficient grounds to circulate Mr Couzens as wanted on PNC or conduct an arrest in this instance.

System checks

231. PC Lee completed a PNC check which confirmed the keeper of the vehicle as a Mr Wayne Couzens. She also conducted speculative person PNC checks using an approximate age range of 40 to 50. In her written response, she stated she conducted a check of the integrated intelligence platform on the vehicle. However an audit of this platform showed no such checks were completed.
232. PC Lee updated the crime report with the results of the PNC check, including that the vehicle was registered to one male, the only other person insured was a female, and that the PNC check had returned no matches. PC Lee also detailed the circumstances of the offence and the names of the witnesses, further noting the matter required looking into and the suspect would need to be arrested for indecent exposure. PC Lee made no further updates on the crime report after this point.

233. In interview with the IOPC, PC Lee acknowledged she had produced her written response without any reference to the crime report, explaining an integrated intelligence platform check was something she would usually do but she had been mistaken in her initial response. PC Lee did not give any further explanation as to why she did not conduct an integrated intelligence check in this instance.
234. Whilst there is no MPS policy that clearly defines what specific system checks are required during the initial stages of an investigation, Ch. Insp Sargent stated in her account she would expect officers to obtain intelligence on the registered keeper of the vehicle and the vehicle itself, to determine if it had been involved in other crimes. It is for the decision maker to consider whether the PNC check conducted by PC Lee was sufficient in the circumstances or if greater steps should have been taken to collect further intelligence on Mr Couzens. The decision maker may wish to note it is not standard practice to check police systems to ascertain if a suspect is also a police officer.

Record keeping

235. PC Lee updated the CRIS record after her appointment in accordance with policy and marked the report as requiring further investigation. However, the CRIS record did not include reference to the following:
- CCTV enquiries PC Lee had made
 - Written accounts received from Mr B
 - The till receipts obtained from Mr B
 - Detail of further lines of enquiry and an action report
236. In interview, PC Lee stated she would normally document outstanding actions and provide a CCTV update on the CRIS report but was unable to provide an explanation as to why she did not do so on this occasion.
237. College of Policing guidance recognises comprehensive records of the enquiries made during the initial investigation is advantageous both in

enabling supervisors to assess quality and to aid the handover to another investigator. The MPS general investigation policy also stipulates all investigative action taken at the scene should be recorded on the CRIS report and this should be completed before the end of duty.

238. Based on the above the decision maker will need to consider whether the evidence suggests the CRIS report was comprehensively updated in accordance with the MPS general investigation policy

Roles and responsibilities

239. PC Lee is an emergency response officer but was assigned the responsibility of attending appointments on 3 March 2021. PC Lee further explained she would usually be responsible for two or three crimes at a time due to the core of her work being on emergency response. This was confirmed by Insp Jones who stated emergency response officers tend not to carry significant workloads as most crimes are handed over to MIST. She confirmed PC Lee did not have any other cases on her workload at the time of the incident.
240. In her written response, PC Lee explained there had been a recent change in process and officers assigned to the appointment car would no longer retain investigations. Instead, officers from MIST would take over the investigation because of their increased capacity to conduct further enquiries. In interview, PC Lee explained a sergeant would review the crime report before it was transferred to a MIST supervisor. PC Lee clarified this process was explained to her by a supervisor, but she never received any formal communication detailing this change in process.
241. The IOPC has been unable to locate any policy or guidance that clarifies whether it is a requirement for MIST to take over the investigation from an officer who previously attended an appointment and conducted the initial investigation. However, the evidence provided by Supt Shepherd suggests that, in his opinion, the crime report should have remained in PC Lee's work file until solved or closed. In response to this, PC Lee stated in

interview that some senior officers may lack awareness regarding the recent change in process. It is further noted PC Lee had no other cases on her workload at the time, suggesting it may have been uncommon for her to be allocated as the OIC for investigations.

242. College of Policing guidance on the investigation process stipulates an investigation should be conducted thoroughly and it should not be assumed '*that someone else will carry out an investigation at a later stage*'. PC Lee explained in interview she thought it would be the responsibility of MIST to arrange obtaining statements from the witnesses. She also documented on the crime record that the matter required looking into further and the suspect would need to be arrested for indecent exposure. This evidence suggests PC Lee expected MIST officers would follow up on the main lines of enquiry in this investigation.
243. It appears confusion may have been caused by PC Lee not allocating herself as officer in the case nor allocating her line manager as supervisor. It appears PC Lee would have been expected to do this and by doing so would have alerted her manager that the matter needed to be allocated to MIST. This was further complicated by A/PS A allocating PC Lee as the officer in the case on 4 March but not allocating her supervisor. Again, this would have led to PC Lee's supervisor being unaware the matter was not being progressed. It also meant PC Lee's supervisor would not have been able to carry out supervision.
244. Furthermore, PS Cooper stated that the investigation would have been taken over by MIST had they deemed that the initial investigation had been completed to an acceptable standard. However, it was the responsibility of the appointment car officer to make MIST detective sergeant aware of the investigation.
245. It is for the decision maker to consider whether it was reasonable PC Lee expected the investigation to be continued by an officer from MIST, and to further assess whether she conducted a full initial investigation in the circumstances.

The supervision provided by A/PS A

246. A/PS A was the supervisor on the local resolution team and held responsibility for ensuring skeleton crime reports were created within 24 hours of a crime being reported to the police. In his account, A/PS A recalled sending the CAD record relating to the indecent exposure to his team to enable them to create a skeleton crime report. This was completed by PC Jordan Couzens on 1 March 2021.
247. A/PS A reviewed the crime report on 4 March 2021 and formally allocated the investigation to PC Lee after noting she had attended the appointment. In his account, he thought he had amended the supervisor on the crime report to PC Lee's line manager, but the evidence suggests A/PS A was mistaken as this appears not to have been done. A/PS A confirmed this was his last involvement with the matter. He clarified in his account it was the responsibility of the attending officer to decide what, if any, further investigation was required.
248. The MPS policy on CAD compliance states it is the responsibility of the local resolution sergeant to ensure all CAD records scheduled for appointment are identified, and to task the local resolution team with creating a skeleton crime report within 24 hours. A/PS A did not have responsibility for investigating the crime or completing and supervision of PC Lee's actions.
249. The statements written by Ch. Insp Sargent and Supt Shepherd provided further confirmation the local resolution team supervisor is responsible for owning the crime report only until an officer attended the location to complete the initial investigation.
250. The MPS policy on general investigations provides a list of supervisory actions expected of case supervisors which includes reviewing evidence obtained during the initial investigation and identifying where further information is required. As the supervisor of PC Lee was not formally

allocated on the CRIS report, it is not possible to attribute any responsibility to her supervisor in this instance.

251. The decision maker may wish to determine whether the supervision provided by A/PS A was adequate in the circumstances and in accordance with policy and procedure. The following points may assist the decision maker in forming this assessment:

- A/PS A fulfilled his responsibilities by ensuring the skeleton crime report was created within 24 hours of the initial report to police.
- MPS policy and witness statements from senior officers all support the account of A/PS A in stating the crime report is no longer the responsibility of the local resolution team supervisor at the point when an officer attends an appointment to complete the initial investigation.
- The supervisory responsibility of the initial investigation belongs to the line manager of the officer in the case. In this instance, A/PS A was mistaken in thinking he had updated the crime report to allocate PC Lee's line manager as case supervisor. As there was no supervisor allocated, the crime report was not accessed, and no supervisory actions taken.

Other matters

Whether ex-PC Couzens was known by the subject officers

252. The evidence obtained throughout the investigation gave no indication that PC Lee and A/PS A had any prior association with ex-PC Couzens. Both officers stated in their accounts they did not know him, nor that he was a serving police officer. The IOPC reviewed the officers' training records and career histories including previous investigations they had worked on and

there is no evidence to suggest the officers and ex-PC Couzens were known to each other.

253. PC Lee and ex-PC Couzens both worked on the borough of Bromley at the same time but were allocated to different teams. PS Cooper stated that her team would hand over to ex-PC Couzens' team four out of every six shifts. This was enough for PS Cooper to know ex-PC Couzens in passing. However, PC Lee did not join the team until after ex-PC Couzens had left the unit.

254. There is also no evidence there was any way PC Lee and A/PS A could have reasonably known ex-PC Couzens was a serving MPS officer at the time of their involvement with this matter. This information is not flagged when conducting a PNC check and, therefore, would have never been recorded on the CAD and crime report. The account of Ch. Insp Sargent provided further supporting evidence that it is not routine to check police systems to see if a suspect is also a police officer.

255. Whilst the decision maker may consider it difficult to definitively state PC Lee and A/PS A had not previously encountered ex-PC Couzens during their career in the South Area of the MPS, there is no evidence to indicate they had any association that could have had an impact on their actions and decision making in this case.

Grading of the initial call

256. Although not formally part of the terms of reference for this case it is necessary to consider whether the initial grading of this incident as being appropriate for an appointment was correct.

257. The National Contact Management Guidance and Principles outline that a matter is appropriate for an appointment when a contact does not require an immediate or priority response but still requires police attendance. The principles further state that this may be the case where a response is not time critical in apprehending an offender.

258. Factors which may have led to the matter being suitable for a priority response, that is a response within 60 minutes, would include:

- There was genuine concern for somebody's safety
- An offender had been detained but posed no risk to others
- A witness or other evidence was likely to be lost
- A person involved was vulnerable or upset

259. In this case it appears an appointment was an appropriate response based on the fact that the offence was reported the following day and was not in progress. The offender was not at the scene and it was unlikely evidence would be lost through a slower response time. Although the allegation was of a sexual offence, due to the nature of what had occurred there were no concerns for the ongoing safety of any of the staff at the restaurant and those who have witnessed the incident were all staff and could be contacted at a later date for statements.

260. Appointments are booked by the call handlers rather than the officers in the police area who attend them. The next available appointment to speak to Mr B was 3 March. It would therefore not have been possible to book an earlier appointment and officers from Bromley Borough would not have been able to access the appointments to alter them and attend any earlier.

Learning

261. 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.

262. **Potential learning to be considered by the decision maker**

I have identified the following areas of potential learning for the attention of the decision maker, to inform any recommendations they may wish to make:

- It is apparent there have been inconsistencies in understanding of the role of MIST throughout this investigation. The specifics of this are detailed above. However, the decision maker may wish to consider whether the MPS should review the relevant guidance in regards to MIST to ensure clarity on when the team should be utilised and who's responsibility it is to allocate cases to MIST.
- Consideration of whether MPS computer systems, such as the integrated intelligence platform, should contain details of those employed by the MPS, and return this information when relevant searches are conducted.
- Confirmation from the MPS of what steps have been taken to ensure indecent exposure incidents are allocated to the teams most appropriately trained and skilled to deal with them.²

Next steps

263. 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.

² Please note, the wording of our potential learning reflects our initial findings at the time we issued our report to the MPS. Our recommendations issued to the force can be found [our website](#).

264. 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

265. 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.

266. If they decide that there is such an indication, they must decide whether it is appropriate to refer the matter to the CPS.

267. 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 (VRR) 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/IO
PC_victims_right_to_review_policy.pdf](https://policeconduct.gov.uk/sites/default/files/Documents/appeal_forms/IO_PC_victims_right_to_review_policy.pdf)

Conduct matter

Operation Karatash

Investigation into the Metropolitan Police Service investigation following a report of indecent exposure on 28 February 2021

- > Independent investigation report
- > Appendices

Appendix 1: The role of the IOPC

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

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

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

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

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

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

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

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

Terms of Reference

1. To investigate:

a) The decisions made and actions taken by the OIC in relation to the report of indecent exposure and whether they took adequate steps to progress the investigation.

b) Whether the case supervisor adequately supervised the investigation into the indecent exposure.

c) Whether the actions of the OIC and the case supervisor were in line with any local or national policies, procedures or legislation.

2. To investigate whether there is any indication the OIC or case supervisor knew PC Wayne Couzens or were aware the suspect of the indecent exposure investigation was a serving police officer with the MPS.

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 Catherine Hall, Operations Manager. 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 18 March 2021.