

Case 10 | Issue 40 – Abuse of Position for Sexual Purpose (APSP)

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Forming an inappropriate relationship with a vulnerable victim

An officer visits a vulnerable victim he met in his policing duties, raising issues about:

- *Guidance around maintaining professional boundaries*
- *Giving out personal contact information*

This case is relevant to the following areas:

Professional standards 

Public protection 

Overview of incident

Mrs A reported to the police a domestic incident involving her ex-husband. PC B went to Mrs A’s home and completed some initial actions. These included filling out a domestic abuse, stalking and honour-based violence (DASH) risk assessment form and taking a statement. The DASH risk assessment identified there was a high risk of serious harm to Mrs A. PC B recorded Mrs A was vulnerable and anxious about the situation.

PC B returned to Mrs A’s home the following day. He said he gave her a leaflet containing information about support services she could access. According to the incident log, PC B returned to take another statement from Mrs A.

Mrs A told the IOPC that during one of PC B’s visits they had a conversation about chess and she invited him over for a game. PC B later called Mrs A to update her about the investigation. Mrs A said she again invited him over to play chess. Mrs A told the IOPC PC B told her he could not get involved as he had taken her statement and was still involved in the investigation. The investigation was passed to a safeguarding unit around this time.

PC B emailed Mrs A a couple of days later to arrange a chess game using his personal email address. PC B said they arranged a date and time that worked for both of them.

On the day of their arranged chess game, Mrs A said PC B arrived at approximately the time they agreed. PC B’s Mobile Data Terminal (MDT) GPS location information showed PC B was near Mrs A’s home for approximately two hours.

Mrs A said they played a few games of chess and spoke about their hobbies and interests. Mrs A stated PC B did not make any sexual advances towards her. PC B told the IOPC he did not

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view their meeting as a date as he saw Mrs A as a friend. He also maintained nothing sexual happened between them.

Over the course of the next two weeks PC B's MDT GPS location information showed he was in the vicinity of Mrs A's home eight times. On some days, the GPS information showed PC A had been in the area on more than one occasion.

PC B's deployment record showed he was not deployed to the area around Mrs A's address on the days the GPS data showed him as having been there. In PC B's second interview he admitted to meeting and speaking with Mrs A on two further occasions. He also said he was in the area of her home on the other occasions highlighted by the MDT information after they met and played chess the first time. On the occasions PC B said he was in the area of Mrs A's address, he claimed this was not to visit her but was in relation to "past and... current personal life issues". PC B declined to explain what he meant by this.

One day, Mrs A was visited by outreach workers. She told them about her meeting with PC B where they played chess. The outreach workers told her not to contact PC B again. On the same day, Mrs A said she contacted PC B to tell him they could not be in contact anymore. Mrs A said PC B was very professional, understanding and apologised to her when she told him they could not be in contact.

The IOPC was unable to verify when Mrs A made the phone call to PC B to inform him they would have to cease contact. However, several of the occasions when PC B's MDT GPS location data showed him in the vicinity of Mrs A's address were after the outreach workers spoke to Mrs A.

PC B informed his inspector about the meeting he had with Mrs A where they played chess approximately a week after the outreach workers spoke with Mrs A. The inspector told PC B not to contact Mrs A again under any circumstances.

A few days later PC B provided a written account of his meeting with Mrs A to his sergeant by email. Later that day, PC B's MDT location was recorded as in the vicinity of Mrs A's home on two occasions.

A statement was provided by Temporary Police Sergeant (T/PS) C, a colleague of PC B. T/PS C said PC B told him about going to Mrs A's home on two occasions and that, on both occasions, they had spoken. T/PS C said PC B acknowledged he had "missed a bit out" when he made the disclosure to his supervisor. T/PS C also recalled PC B telling him Mrs A had told PC B it was not right for them to talk to each other and had shouted at PC B to leave during one meeting. PC B disputed this account and stated Mrs A had never shouted at him to leave.

At the time of this incident, PC B had completed an online training package on sexual misconduct and abuse of position (which includes emotional relationships). When asked about this training, PC B said he had no recollection of it but did accept he had completed it. He said he did not believe he had formed an emotional relationship with Mrs A because he did not believe Mrs A to be his girlfriend. He said he saw their relationship as a friendship.

PC B accepted that Mrs A met the definition of vulnerable set out within the online training package he had completed, namely that she was someone who is "able to be physically, emotionally, or mentally hurt, influenced or attacked". This was also reflected in the DASH risk assessment PC B carried out. The online training package was also clear in stating officers must not give out personal contact details to any victim, offender or witness.

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The College of Policing issued guidance on maintaining a professional boundary between police and members of the public prior to this incident. This guidance was highlighted on the force intranet. PC B confirmed he had never seen this guidance before his interview with the IOPC.

PC B said he did not believe contacting Mrs A and having a friendship with her was inappropriate as her investigation had been handed to the safeguarding unit. PC B said that following Mrs A's contact with outreach workers, he conducted his own research and came to understand that their relationship may have been inappropriate. He stated it was following this realisation that he informed his inspector about his friendship with Mrs A.

Type of investigation

IOPC independent investigation

Outcomes for officers and staff

PC B

1. PC B was found to have a case to answer for gross misconduct. This was in respect of the allegations he used his position as a police officer to pursue an inappropriate relationship with a vulnerable female and intentionally omitted to give full details when disclosing this relationship to his inspector. PC B resigned from the force. A misconduct hearing was held where misconduct was proven.

Questions to consider

Questions for policy makers and managers

1. What steps does your force take to make sure all officers and staff are aware of College of Policing guidance on maintaining professional boundaries between police and members of the public?

Questions for police officers and police staff

2. Would you have been aware that forming a relationship with a vulnerable victim is in breach of the Standards of Professional Behaviour?