

Case 2 | Issue 40 – Abuse of Position for Sexual Purpose (APSP)

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PCSO exploiting fear of crime

Contact with a victim of attempted burglary, raising issues about:

- *Maintaining professional boundaries*
- *Use of personal devices and social media*

This case is relevant to the following areas:

Neighbourhood policing



Professional standards



Overview of incident

Ms A called police to report an attempted burglary at her property. She reported a group of young men had visited properties on the road and tried to open the front doors. Ms A had CCTV capturing the incident. She was asked to email it to the team investigating the burglary. An incident log was created. A few days later Ms A called police to say she knew the details of the offender.

PCSO B was tasked to go to Ms A's property. He made an appointment for that evening. PCSO B went to Ms A's property with another officer, taking an account and details from her about the offender. During his second visit, PCSO B promised to give her the crime number. He sent this the following day. The offender was arrested the next day and charged with attempted burglary.

The following day PCSO B sent Ms A a text with a crime reference number and put an 'X' (meaning a kiss) at the end of the text. Ms A replied with an 'X' on her message. They continued to exchange messages. In one Ms A wrote "I owe you a drink for helping me."

Ms A told the IOPC she felt anxious after the incident and scared to leave the house. She reportedly mentioned this to PCSO B and he offered to install a burglary kit at her property. She agreed. Two weeks after the attempted burglary, PCSO B visited her to install the kit. It was at this point Ms A said the flirty banter between them started over text and continued for the next few weeks.

Their relationship became physical a month after they first met. PCSO B visited her property in uniform and they kissed when he went to leave. A few weeks later their relationship became sexual. They had oral sex and then eventually full sex. Ms A reported sometimes PCSO B

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would be on duty when he visited her and at other times he was not. Ms A said at no time did she consider the sexual activity to be non-consensual.

PCSO B ended the relationship when Ms A told him she loved him.

Almost a year after the incident, police received a referral from the Crimestoppers an onymous reporting line. The referral provided detail about PCSO B's contact with an unnamed woman, later identified as Ms A. It alleged they were engaged in a sexual relationship. PCSO B was described as visiting Ms A during afternoon or evening shifts, often arriving in a police car which he parked away from the property to avoid suspicion. The woman was described as vulnerable, living alone, and with learning difficulties. Ms A later disclosed she suffered with anxiety but had no other medical issues or conditions.

The referral noted PCSO B had been messaging Ms A using his work mobile phone and via Facebook Messenger. Although she was engaging in sexual contact, the referral said she did not want to be involved with him as he was married and had young children. It also noted she believed if she told anyone about the situation, she would get in trouble. She was also worried about being burgled again and PCSO B exploited this fear in order to keep seeing her.

Billing enquiries from the PCSO's work device also showed he had significant contact with other women, more than what would reasonably be expected of someone in his role. The investigation revealed evidence that PCSO B had also sent personal text messages to two further vulnerable women who he had met in the course of his duties using his work device.

A telematics review of the vehicles used by PCSO B between the date of the incident at Ms A's property and the date of the Crimestoppers referral showed a police vehicle assigned to PCSO B had stopped on four occasions in the vicinity of Ms A's home.

Forensic analysis of PCSO B's work device showed only one text message between PCSO B and Ms A which said "Have you got my messages." A total of 38 calls were made from PCSO B's device to Ms A's number. Thirty of these calls were less than five seconds and may have gone unanswered. There were no calls registered from Ms A's number to PCSO B's device. There were no applications installed on the device relating to social media sites and no applications installed with a messaging facility. Billing records confirmed more than 2000 messages had been exchanged between PCSO B and Ms A, but these were not found on the phone when downloaded.

A forensic download of PCSO B's personal mobile phone showed no Facebook Messenger messages or chats between PCSO B's device and Ms A during the period in question. Messages were sent from Ms A's device to PCSO's device after he had been served with a notice of investigation but there was no evidence to support he responded to any.

Ms A told the IOPC that PCSO B contacted her and informed her he was under investigation. He asked that she "just say it was flirty texts".

PCSO B told the IOPC he repeatedly attempted to end the relationship with Ms A but that she threatened to inform his employer and his wife of their relationship. He said he actively chose not to inform his sergeant because he knew he would lose his job for his actions.

Ms A confirmed that PCSO B had tried to end their relationship due to concerns around his job and his wife. Ms A estimated he had done this two or three times and, on each occasion, they

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would decide to be friends and remain on friendly terms. However, something would happen and they would resume a physical relationship.

Ms A noted that on one occasion, she had a row with PCSO B and threatened to tell his boss about their relationship. She explained she had no real intention of doing this and noted it was just said in the 'heat of the moment'. She would not have carried out her threat.

Type of investigation

IOPC independent investigation

Findings and recommendations

1. No organisational learning recommendations were issued as part of the investigation.

Outcomes for officers and staff

PCSO B

1. PCSO B was found to have a case to answer for gross misconduct.
2. PCSO B pleaded and was found guilty of misconduct in public office. He was sentenced to 12 months imprisonment.
3. A special case hearing was convened and PCSO B was dismissed without notice. PCSO B had already resigned from the force ahead of the hearing.

Questions to consider

Questions for policy makers and managers

1. What steps does your force take to monitor officer's use of work devices, including mobile phones, to look for evidence of patterns which could indicate potential abuse of position for a sexual purpose?
2. How do you make sure officers and staff are aware of the College of Policing guidance 'Maintaining a professional boundary between police and members of the public'?