

July 2023



HAMPSHIRE & ISLE OF WIGHT

**CONSTABULARY**

# Abuse of position

for a sexual purpose or improper  
emotional relationship

# Abuse of position for a sexual purpose or improper emotional relationship (APSP)

## Definition

Hampshire & Isle of Wight Constabulary work to the definition as outlined by the Independent Office for Police Conduct (IOPC) which is as follows:

An abuse of position is any attempt, by a person serving with the police, whether on or off duty, to inappropriately or illegitimately take advantage of:

- their position as a person serving with the police
- the authority their position as a person serving with the police affords them
- any powers conferred on them by virtue of their position as a person serving with the police

The term 'sexual purpose' should be interpreted widely to include any relationship, communication, action or gratification of a sexual nature with a member of the public. It is not necessary for the pursued sexual purpose to have been achieved.

An improper emotional relationship is any emotional or personal relationship between a person serving with the police and a member of the public which a reasonable person would consider to be a serious breach of appropriate professional boundaries. It is not necessary for the pursued improper emotional relationship to have been achieved.

We have used APSP as an abbreviation for any type of abuse of position described above.

## Does this happen in Hampshire and the Isle of Wight?

Unfortunately we have had cases of APSP in our constabulary but they have been dealt with robustly and the perpetrators have been dismissed from the force. We strive to send out the message internally and externally that this will not be tolerated.

The number of APSP allegations we receive are in single figures every year but we remain proactive in ensuring that all our officers, staff members and partner organisations know the precursor behaviours linked to abuse of position for a sexual purpose so that they feel able to approach us if they are concerned about the behaviour of an officer or staff member.

## Case Study 1

PC Green was a police officer working on the Isle of Wight

Used contact details obtained at a vehicle stop to make off-duty contact with a vulnerable woman he had met at the scene

PC Green exchanged texts with her for some months before meeting up with her off-duty

Was not reported by the victim herself but she did give evidence at the gross misconduct hearing

PC Green resigned under investigation. At the hearing in May 2023 it was found he would have been dismissed had he still been a serving officer.



## Case Study 2

PC Cooke was a police officer working in Basingstoke

He used personal information gathered at the scene of police incidents to contact vulnerable women whilst off-duty on at least four occasions

He went on to have a sexual relationship with a woman who had contacted police to report domestic abuse

Only one of his victims reported concerns herself

PC Cooke was dismissed and added to the College of Policing's barred list in April 2021.



## Officer and staff behaviours associated with APSP

- Inappropriate physical contact towards or service users
- Speaks to your service user privately / behind closed doors
- Solo contact – no other police present
- Reasons for contact / visit seem thin
- Over familiarity with the service user / different when speaking to others - body language changes
- Gives personal contact details
- Contact is via personal social media / apps
- Nurturing dependence specific to them
- Officer or staff member visiting areas associated with sex work off-duty

## Victim behaviours associated with APSP

- Has a perception the officer or staff member is a 'knight in shining armour'
- Is contacted or visited by an officer when they are off-duty
- Continued contact after investigation is complete
- Growing dependence on a specific officer
- Can be defensive or shuts down if the relationship is questioned
- May have received gifts from the officer
- Use of familiar names / nicknames for each other
- Level of service seems excessively high

## Points to note

- Perpetrators of abuse of position can be male or female.
- Victims of abuse of position can also be either male or female.
- Improper emotional relationships are not always romantic or sexual in nature; if an officer or staff member forms a close improper relationship with a member of the public and discloses to them (for example) that they have difficulties in their personal lives, the member of the public may feel pressured or persuaded to offer them assistance, such as financial support.
- Victims of abuse of position may not always feel that they are victims. Any relationship an officer or staff member develops with a member of the public as a direct result of coming into contact with that person through the course of their duties will be considered abuse of position (APSP) by Hampshire & Isle of Wight Constabulary.

# Reporting concerns

## Contacting the Anti-Corruption Unit

Email: [acu@hampshire.police.uk](mailto:acu@hampshire.police.uk)

Website reporting form for members of the public:

[www.hampshire.police.uk/fo/feedback/tc/thanks-and-complaints](http://www.hampshire.police.uk/fo/feedback/tc/thanks-and-complaints)

(please use the standard complaints form)

## Report anonymously

Call Crimestoppers: 0800 555 111

Please ensure you provide enough information for us to identify both the victim and the officer or staff member you are complaining about. We may not be able to proceed with an investigation if we have insufficient information from you.

## Report to an independent agency

Independent Office for Police Complaints (IOPC) website reporting form:

[www.policeconduct.gov.uk/complaints-reviews-and-appeals/make-complaint](http://www.policeconduct.gov.uk/complaints-reviews-and-appeals/make-complaint)

# Details to include in a report

Please include as many of these details as you can:

- The victim's name, date of birth, address and details of any vulnerability
- Name and collar number of the officer or staff member involved
- Details regarding the extent, and any evidence, of officer / staff communication with the victim
- Whether the contact was via work and/or personal devices (if known)
- Any evidence that the officer has come into contact with victim for a lawful policing purpose
- Your contact details

Written consent from your service user to report issues on their behalf will mean that you will be treated as their appointed agent and will mean that you receive updates on the progress of your report every 28 days.

Not having your service user's consent does not prevent you from making a report but it does mean that you would not receive 28 day updates, unless we needed you to provide evidence as a witness.

# What happens next

We will log the details of your report and then make our own initial enquiries to see if we can find any evidence to support your complaint.

If we find the report to be substantiated, we will begin misconduct proceedings. The subject of the report will either be suspended or given directed duties which do not bring the officer or staff member into contact with the public. The report will be assigned an Investigating Officer (IO) who will be your main point of contact throughout proceedings.



We may need to take a statement from you and from your service user if they are supporting our investigation. At this point we will see if you and your service user need any additional support and with your consent we will make referrals on to external support services.

APSP is considered gross misconduct so this would be dealt with at a hearing rather than a meeting. It is possible that a criminal case may run alongside the gross misconduct hearings and if it does, this will need to take priority and will take place first. If you or your service user are asked to give evidence at a criminal court, it would likely take place outside of Hampshire and the Isle of Wight. We would make sure you were supported at court and can arrange for you to visit the court before the hearing and give you a tour of the building and an idea of what will happen on the day of the trial. If a guilty verdict is recorded in the criminal case, it would mean we could initiate a fast track gross misconduct hearing relying on the conviction as our evidence. We would be seeking the officer or staff member's dismissal and that they are placed on the College of Policing's barred list.

Assuming that there is no criminal case and we are just continuing with gross misconduct proceedings, we may ask you and / or your service user to attend a gross misconduct hearing. Hearings do not take place in a court building but hearings for police officers are public and members of the public can apply to attend to watch. Again, if you are asked to attend to give evidence in person we would ensure that you are supported throughout. Possible outcomes of a misconduct hearing range from written warnings to dismissal, although of course it is possible for the result to be that there is no case to answer. Sometimes the subject of the misconduct hearings will resign before a hearing date is set; in these circumstances we would still look to proceed with the hearing and it will be decided at the hearing whether the officer or staff member would have been dismissed if they were still serving. When a decision is made to dismiss an officer or staff member they will be added to the College of Policing's barred list.

If you are called as a witness or you are acting as your service user's appointed agent, we will let you know the outcome of the case and will confirm this for you in writing.

Outcomes from misconduct meetings and hearings are publicised on our website.

## Appeals

The IOPC (Independent Office of Police Conduct) will be advised of all reports of APSP we investigate. If you are not happy with the outcome of your complaint you are able to request the IOPC review the action we have taken or you can lodge an appeal with them against the outcome of the case. You can visit their website at [www.policeconduct.gov.uk](http://www.policeconduct.gov.uk) and search 'Reviews and appeals'.

## How to contact us

If you would like to arrange an awareness raising session for your organisation or have further questions about what you have read, please email [preventACU@hampshire.police.uk](mailto:preventACU@hampshire.police.uk)

If you have concerns about an issue you are aware of and would like some advice, please email our dedicated mailbox below which is covered by our Detective Sergeants between 08:00 and 16:00 hours, Monday to Friday. You can report APSP to the mailbox or you can do so via our website by completing an online complaints form which will be reviewed by our teams. This online form is available to the general public should they wish to contact us directly.

### Email

to report APSP concerns: [acu@hampshire.police.uk](mailto:acu@hampshire.police.uk)

to arrange presentations for your whole organisation: [preventacu@hampshire.police.uk](mailto:preventacu@hampshire.police.uk)

### Online

for the public to report concerns: [www.hampshire.police.uk](http://www.hampshire.police.uk) (thanks and complaints)

