

# THE POLICE CONDUCT REGULATIONS 2012

## PS 1056 RICKI VAUGHAN

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### PANEL DECISION ON FACTS AND CONDUCT

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1. This is the Panel's decision and reasons in relation to facts and conduct.

#### **Introduction:**

2. The hearing in relation to facts and conduct has taken place in public over 4 days between 13 and 16 September 2021. The Chair imposed a condition on those attending to anonymise references to a number of witnesses by the use of ciphers: PC A (the complainant, a police constable supervised by the Officer, Sergeant Ricki Vaughan ("PS Vaughan") in the community safety unit (the "CSU") at Hatfield police station and with whom an out of work relationship (the character of which is in dispute) existed, which provides the context for these proceedings) and a number of further witnesses who are members of the public, known in these proceedings as Ms B, Ms C, Ms D, Ms E and Ms F.
3. The Panel wishes to record its thanks for the assistance it has been provided with throughout the hearing by Mr Ley Morgan, Counsel for the Appropriate Authority (the "AA") and by Mr Lewis, Counsel for PS Vaughan (also the "Officer").
4. Before the hearing commenced a case management hearing was held on 31 August 2021 before the Chair sitting alone. A number of procedural matters (including timetabling, redactions<sup>1</sup> and use of ciphers) were dealt with and written submissions regarding a dispute about the admission of hearsay evidence were directed. Those submissions were received and evaluated. Separate written rulings have been rendered in respect of redactions and

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<sup>1</sup> Matters relating to redactions were resolved ahead of the hearing by a ruling dated 3 September 2021 and subsequent ruling on hearsay, which further impacted on redactions, on 8 September 2021. It was agreed by both parties that it was appropriate for the Chair to deal with issues relating to redactions. For the avoidance of doubt the Chair confirms that, in so far as she has been privy to material that has not been put before her fellow panellists, she has put it out of her mind and it has played no part in the decisions that have been reached by the Panel.

ciphers, dated 3 September 2021, and in respect of the admission of hearsay evidence, dated 8 September 2021.

5. As detailed in the Regulation 21 Notice<sup>2</sup>, PS Vaughan has faced [23] charges concerned principally with two areas of behaviour: (i) his conduct in the workplace and (ii) relationships formed, or attempted to be formed, through his work as a police officer.
6. The charges are not numbered but are grouped together under italicised headings. In summary the charges PS Vaughan faces are:
  - 6.1. Under the hearing “Behaviour in the Workplace”, charges are levelled in respect of various interactions with PC A, PC Haughton, Ms B and more generally in relation to “Inappropriate Behaviour”. The allegations are wide ranging and cover sexually related comments, coercive and controlling behaviour in a domestic context and race related comments amongst other matters (all of which are set out in the Regulation 21 Notice and the associated hearing publicity notice and are matters of public record);
  - 6.2. Under the heading “Relationships Through Work as a Police Officer”, PS Vaughan is alleged to have formed, or attempted to form, relationships with four women, Ms C, Ms D, Ms E and Ms F, who are members of the public and who PS Vaughan met in his capacity as a police officer.
7. These matters are variously alleged to amount to breaches of Standards of Professional Behaviour (“SPBs”) including those relating to Honesty and Integrity; Equality and Diversity; Authority, Respect and Courtesy; Orders and Instructions; Duties and Responsibilities and Discreditable Conduct.
8. PS Vaughan did not, at the opening of the hearing, accept that his conduct in whole or in part amounted to misconduct or to gross misconduct in respect of any of the charges.

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<sup>2</sup> The Notice was amended during the hearing on the AA’s application to correct the date appearing at paragraph 7 to October 2018 (instead of May 2017).

**The Panel's approach to these proceedings:**

9. The Panel have approached their decision making by keeping in mind the purpose and character of police misconduct proceedings. The primary purpose being not to punish the officer but to protect public confidence in, and the reputation of, the police service by holding police officers accountable and making clear that improper behaviour will not be left unchecked. A secondary purpose is to be declaratory of high professional standards and a final purpose is to protect the public and officers and staff by preventing similar misconduct recurring in the future.
  
10. The Panel has also had regard to a framework of regulations and guidance, in particular the following:
  - 10.1. The Police (Conduct) Regulations 2012 (the "Regulations") including in particular the Standards of Professional Behaviour (the "Standards" or the "SPB") at schedule 2;
  
  - 10.2. 2018 Home Office Guidance (the "HOG"), including in particular chapter 1, summarising the Standards;
  
  - 10.3. The Code of Ethics, which provides examples of what officers are expected to do and not to do and which the Panel read side by side with the SPB in schedule 2 of the Regulations;
  
  - 10.4. The definition of misconduct given at reg 3(1) of the Regulations: "a breach of the Standards of Professional Behaviour";
  
  - 10.5. The definition of gross misconduct given at reg 3(1) of the Regulations: "a breach of the Standards of Professional Behaviour so serious that dismissal would be justified".
  
11. The Panel has observed that the burden of proof rests throughout on the AA and that the standard of proof in these proceedings is the civil standard (reg 33(14)), which is a "*single unvarying standard*", per Mitting J in *IPCC v Harman* [2008] EWHC 2191 (Admin), with

no sliding scale. In this regard the Panel has had regard to paras 2.264 to 2.266 of the HOG which state relevantly:

*“Conduct will be proved on the balance of probabilities if the persons conducting the hearing are satisfied by the evidence that it is more likely than not that the conduct occurred.”*

and

*“The more serious the allegation of misconduct that is made or the more serious the consequences for the individual that flow from a finding against him or her, the more persuasive (cogent) the evidence will need to be in order to meet that standard. This does not mean that the standard is higher. It means only that the inherent probability or improbability of the conduct occurring is itself a matter to be taken into account when weighing the probability and deciding whether on balance the conduct occurred.”*

12. The Panel has read and considered the decision of Wyn Williams J in *Chief Constable of Wiltshire v Police Appeals Tribunal (Paul Woollard Interested Party)* [2012] EWHC 3288 (Admin), noting that in order to prove a breach of the Standard relating to Discreditable Conduct it is not necessary to prove that actual discredit has been brought to the police service; it is sufficient that the officer’s behaviour had the potential to do so. For the avoidance of doubt, where the Panel has assessed any breach of that particular standard it has borne this in mind in making its assessment and reaching its conclusion.
13. Given that some of the charges relate to breaches of the Standard of Honesty and Integrity, the Panel has also had reference to the examples of meeting this standard given in the Code of Ethics.
14. The Panel has listened carefully to all of the oral evidence. We have read and carefully considered every item of the other evidence before us. We have repeatedly reminded ourselves of the need to consider all of the evidence in the round as to how events unfolded and how these were perceived, both by PS Vaughan and those he was interacting with. We considered the totality of the evidence and submissions made. We do not propose to deal with each and every aspect of the evidence or submissions made, extending as they do over several hundreds of pages and over almost a week of intense and long hearing days, but we

state our main conclusions. We have considered the discrete allegations separately, bearing in mind the aspects of the evidence relevant to the different allegations made.

15. In this case we also received written evidence from a more senior colleague, Chief Inspector Tannis Perks, which included evidence going to PS Vaughan's character and performance at work. This evidence included what Chief Inspector Perks observed to be his professionalism and high standards of work. Good character cannot of itself provide a defence to the allegations made in this case. It is, however, evidence that the Panel has taken into account in the following ways:

15.1. The fact of this evidence supports PS Vaughan's credibility;

15.2. This evidence is relevant to propensity, i.e. that it might mean that PS Vaughan was less likely to have acted in the way, or to have had the intentions or motivations contended for by the AA.

16. The facts of the case are a matter of record. The accounts of the witnesses not called to give oral evidence are clearly contained in the papers before the Panel. The evidence of witnesses, including PS Vaughan, who gave oral evidence is a matter of record.

17. Before setting out its findings the Panel considers it appropriate to set out its assessment of the main live witnesses who gave evidence germane to the charges before us.

**The Panel's assessment of witnesses giving live evidence:**

18. Some important witness evidence in this case has been provided as hearsay, per my ruling on this matter dated 8 September 2021 (the makers being variously unable or unwilling to attend). This includes the account of a key witness, the complainant PC A, who was unable to attend due to ill health<sup>3</sup>, as well as the members of the public Ms C, Ms D, Ms E and Ms F. The accounts of witnesses not called to give oral evidence are contained in the papers before the Panel and the Panel has paid close attention to their contents. Where we have had cause to refer to statements made by those who did not attend or to other hearsay

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<sup>3</sup> Evidence from the Occupational Health Unit (the "OHU") as to the impact of attending the hearing upon him was received and accepted.

evidence, we have carefully evaluated its weight not only by making an assessment of its inherent credibility and likelihood by reference to other facts we have found but also to other factors including, for example, to whether there are documents in support, or whether the evidence is supported by other witnesses, the evidence of the Officer or other supportive factors. Our evaluation of the evidence and the weight we deem appropriate to attach to it is discussed further at appropriate points in the context of our fact finding, below.

19. It is, however, useful to deal separately with the hearsay evidence of PC A given its centrality to many of the charges against PS Vaughan. In order to contextualise this properly we do so at the relevant part of the Panel's findings of fact below.

20. Turning to the individual live witnesses (in the order in which they appeared at the hearing):

20.1. James Moat: presented as a very upright person, with a high moral code. He approached his evidence and the questions put to him in a careful and rather guarded way. It was difficult for the Panel to tell whether his guardedness was due simply to nerves due to the setting (although this seemed to us relatively unlikely given Mr Moat's long experience as a former police officer) or whether he sought to distance himself somewhat from elements of his written evidence that were detrimental to PS Vaughan. The Panel nonetheless found his evidence to be truthful, carefully considered, balanced and evidently the product of considerable experience as a former police officer and latterly as an Assistant Investigator. Two points in particular struck the Panel as especially noteworthy. The first related to messages, which Mr Moat had seen, sent by PS Vaughan to Ms F relating to discussions between them about her leaving her boyfriend and moving in with PS Vaughan. When pressed during cross examination about the description of these messages in his written statement as "...*blunt and nasty*", Mr Moat accepted that "*nasty*" was putting matters too high and that "*blunt*" was the correct description of the messages in question. The other was that it was plain from the tone and content of his live evidence, in a way that had not been as apparent simply on the written evidence, that in relation to PS Vaughan's relationship with Ms E (the deputy manager of a licensed premises falling within PS Vaughan's remit as licensing officer) Mr Moat felt uncomfortable about the role PS Vaughan had as the police officer with responsibility for licensing. Mr Moat was pressed in cross examination as to whether or not he was concerned that PS Vaughan

had been compromised as the licensing officer. He replied that he had been worried about it, although he confirmed that he had not raised his concerns with anybody else;

20.2. PC Hayley Twist: gave evidence very briefly. Although she lacked recall of specifics, for example dates and precise words spoken, the Panel felt this was, to a degree, understandable given that the principal focus of questions to her was not the recall of specific and noteworthy incidents but rather general patterns of behaviour, plus the fact that the working relationship she was describing with PS Vaughan was at least 4 and half years ago (although she could not recall a precise date for their working together in the IRT Control Room, PS Vaughan had moved to Hatfield CSU by May 2017 and therefore their contact predated this move). The Panel noted that another witness, PC Webster was giving evidence on similar points and in relation to the same period and had much clearer recollection of details. Nonetheless, PC Twist presented as credible in relation to the areas she did have recall of, in particular her evidence that she and PS Vaughan were working in an enclosed unit or area in the centre of a room where there was a traffic of police officers passing by to the left and the right of the central unit. Her oral evidence stated that PS Vaughan would stand up “*quite frequently*” to observe female police officers passing by and make sexually motivated comments upon them, which she interpreted as “*banter between the guys in the team*”. PS Vaughan accepts, in broad terms, that this took place albeit contextualising it by explaining that PC Twist and others were involved in matchmaking for him (which PC Twist readily admitted under cross examination) and states that his comments were directed solely to identifying those women he found attractive for that purpose, rather than being lewd or crude. To this end he denies PC Twist’s oral evidence that his observations or comments on female officers would include comments such as “*I know what I’d like to do to her.*” For reasons which will be explored more fully below, but which include the plain evidence of PS Vaughan’s language about women evidenced in WhatsApp messages recording PS Vaughan’s reference to Ms C: “*Odds on me shagging her*”, the Panel preferred the evidence of PC Twist on this point;

20.3. PC Webster: was another junior colleague of PS Vaughan’s from the IRT Control Room. She was a confident and articulate witness. The Panel assessed her as reliable and her recall of dates and details was strong. She gave very clear evidence regarding her recollection of comments made by PS Vaughan regarding Ms B at the

end of their relationship, at a time when PC Webster saw him as “*hurt...not somebody violent or aggressive, just somebody that, for some reason, it wasn’t working for.*” She accepted that she was involved in matchmaking for PS Vaughan and agreed with a suggested characterisation of PS Vaughan at the time she knew him as “*...sad, lonely and desperate.*”

20.4. PC Haughton: attended to give evidence on day two of the hearing. The Panel found her to be a very impressive, truthful witness. She presented her evidence in line with this assessment in a measured, calm, confident and entirely straightforward way. Indeed she was described by PS Vaughan himself during his own cross examination as “*golden*” and “*a dream*”. One of the allegations relating to PC Haughton is that PS Vaughan ignored attempts by her to contact him to discuss her WLB application. On this point she gave evidence that she had sent emails to him from her home email address and that she had attempted to telephone him. PS Vaughan denies receiving the messages. The Panel fully accepted PC Haughton’s evidence, including her evidence as to her attempts to contact PS Vaughan. It is important to record that PS Vaughan takes no issue with PC Haughton’s account on this and has not sought to suggest that her evidence is false or wrong on this point. He instead makes the observation that there may be many reasons why, if the Panel accept that PC Haughton sent messages or made phone calls to him, they were not received by him. The Panel’s assessment of this is considered in more detail below;

20.5. Ms B: was another good witness in terms of her clarity and presentation, giving evidence with notable and impressive composure on sensitive matters which held some difficult emotional implications for her. The Panel was, however, troubled by the fact that it became apparent that Ms B’s evidence had been given following her being informed by PSD that PS Vaughan had allegedly made untruthful and derogatory comments about her after their break-up. There was, in the Panel’s view, no reason for her to have been told this in order for her to provide her evidence regarding the nature of her relationship with PS Vaughan. It was not suggested that Ms B was able to offer any comment on whether or not PS Vaughan had or had not made disparaging remarks about her to others after their break-up (indeed the AA’s counsel accepted this point when pressed about it in closing). Nor was it the case that any such comments, if made, reflected the details of their time together rather than PS Vaughan’s reaction to the

relationship ending. The effect<sup>4</sup> of telling Ms B this was, in the Panel's assessment of her evidence, to upset her and introduce a feeling of betrayal and bitterness. This, in the Panel's view, introduced, or at the least had the propensity to introduce, a new lens through which Ms B reviewed her previous relationship with PS Vaughan. This is in no way a reflection on the inherent truthfulness of Ms B, who gave her evidence candidly and bravely. It does, however, seem to the Panel that being informed of this (at that stage unproven) allegation of derogatory comments about her has understandably slanted Ms B's view of her former relationship with PS Vaughan (she said that, after having been informed of this in a phone call from PSD she felt that PS Vaughan was "...*disrespecting our relationship...*") and this led her to reconsider and place a new emphasis on incidents that occurred over the course of their history together. This inevitably affects the Panel's ultimate assessment of the motivations for, and weight to be given to, her evidence;

20.6. Assistant Investigator Claire Morris: was an animated and engaged witness who provided detailed, balanced evidence concerning her experience of PS Vaughan as a supervisor in the CSU at Hatfield (which was, by her account, for the most part very positive, save for deficiencies in communication about her workload following her return from a maternity leave), her perception of PS Vaughan's relationship with Ms B and her observation of PS Vaughan's behaviour in commenting on female colleagues;

20.7. PS Vaughan: gave evidence over the course of one and a half days. The Panel found that there were some limited areas of his evidence where his answers were untruthful. For example, in what the Panel concludes to be an effort to excuse his acknowledged wholly inappropriate texting to PC A by blaming inebriation (PS Vaughan suggested this himself in cross-examination: "...*the inappropriateness was as a result of alcohol consumption*"), he gave evidence concerning his drinking on 23 October 2019. The Panel has concluded his evidence on this point was false. PS Vaughan stated that he had consumed two pints of beer in the White Hart pub with PC A. He asserts that he was not impaired and was fit to drive on this volume of alcohol, but that when he had driven home he then consumed two more pints very quickly

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<sup>4</sup> For the avoidance of doubt the Panel notes the effect only - it is not suggested that this was the reason for informing Ms B. It is accepted that this was a well-intentioned, albeit misjudged, sharing of information.

indeed before messaging PC A, by which point he says he was drunk. The timings that he offered under testing on this varied and were uncertain (in contrast to the majority of his other evidence where he presented his answers with a notable sense of certainty), and were ultimately wholly implausible. On the Officer's initial oral account he and PC A left court in St Albans at around 4.30pm, picked up their cars and then drove separately to the White Hart pub in Welwyn and stayed for a drink (which PC A asserts in his case was two pints of beer). There is, separately, hearsay evidence which tends to support this from Ms C herself, stating that they arrived in the pub at around 5pm. However at other points during his cross examination, seemingly realising the difficulties and implausibility of having been sober upon leaving the pub and driving home but then drunk at the point of texting (which began only very shortly later at 6.13pm), PS Vaughan attempted to suggest that he had arrived in the pub much earlier. The effect was one of vacillation and evasion;

20.8. The Panel also found that PS Vaughan was not telling the truth in relation to his statement that his only goal in his exchange of messages with Ms C was to encourage her to apply for an administrative role in the CSU and, in particular, that he had no ambitions of entering into a sexual relationship with her. He asserts that the exchanges with PC A are mere "*banter*" and not to be taken seriously as revealing his true intentions. Rather, PS Vaughan asserts, the more sober and professional exchange making arrangements with Ms C, which took place only very shortly afterwards, are the true indication of his aims. The Panel found that wholly implausible given the unambiguously sexualised and lewd tone and content of the almost contemporaneous exchanges with PC A. The Panel also notes that there are "hooks" even in the more professional-seeming exchanges with Ms C, which will be considered in more detail below. These matters have led the Panel to conclude that PS Vaughan was not telling the truth when he asserts he had no goal of a sexual relationship with Ms C;

20.9. The Panel also concluded that PS Vaughan was untruthful in relation to his evidence that references to offering PC A a half day off work in return for providing his phone number to Ms C were not actually a bribe to induce PC A to do so, but rather simply a joke between them because the time off had already been offered and agreed between them on a previous occasion. This matter is considered in more depth below,

but for completeness in its assessment of PS Vaughan's veracity at this stage, the Panel notes its conclusion here;

20.10. Under cross-examination PS Vaughan also asserted that PC A had altered the key exchange of messages between them by deleting a message from the chain (this having never been raised before in these proceedings). For the avoidance of doubt the Panel completely rejects this interpretation and finds that there are no missing messages. Not only is there no "Message deleted" indication in the chain, which the Panel uses the equivalent of judicial notice to observe would have been the case on the WhatsApp platform where the messages were exchanged, but neither the flow of the message content nor the timing of the messages indicates any missed text. The Panel has, after careful reflection, afforded PS Vaughan the benefit of the doubt in relation to the point he raised regarding the missing WhatsApp message and concluded that this demonstrates a tendency to shoot from the hip, rather than that the Officer was lying, but certainly the evidence he gave on this point was a cause for concern and, we have concluded, was unreliable;

20.11. However, the Panel has reminded ourselves that just because a person lies about one thing it does not automatically follow that they are lying about everything. Aside from the areas indicated above, we did not conclude that PS Vaughan was a dishonest witness overall. With the limited exceptions referred to above we concluded that his evidence was truthful. His answers were often candid about even unattractive points working against him (for example in relation to the allegation in Ms D's account of his degradation of the work colleague he had rebuffed because she was "*too curvy*" (which is simply mentioned in passing in a hearsay account with no objective evidence to support it), when challenged with this PS Vaughan made no attempt to shy away from it and frankly accepted "...yes, *that is what I said...*"; and the same is true, for example, of the allegations that he made comments about passing female officers while in IRT and at Hatfield CSU). PS Vaughan appeared to have a relatively blunt communication style, somewhat misjudging where to make a joke. He presented, in the Panel's view, a paradoxical mixture of self-confidence (he was, for example, willing to pushback against questions or statements he disagreed with, often attempting to talk over Mr Ley-Morgan, Counsel for the AA, or answering rhetorically) and yet lacking in self-esteem (as to which the Panel notes, for example, the unchallenged evidence of PC

Webster on this point and PS Vaughan's self-image and perceived concerns re his appearance). Similarly, he at once presented as a person for whom following the rules at work was important (for example, he several times referenced his insistence that matters be properly and formally recorded ("*I like it auditable*") but also lacking in insight as to when he might not be following the rules himself (for example, he did not appear to have considered any risk of a potential conflict of interest arising in relation to his dating of Ms E, the manager of a licensed premises for which he was the licensing officer; similarly his acknowledgment that he had not read the policies regarding Bullying and Harassment and the Abuse of Authority for Sexual or Emotional Gain policies because he "...*thought he had a pretty good grip on it already...*");

20.12. The Panel was troubled by the attitude to sanctions and management action that he evinced during his cross-examination. In 2017 PS Vaughan was given an action plan (the "Action Plan") relating to development of his understanding of different faiths as a means of resolving a complaint made against him by a former Hate Crime Officer who had made allegations that PS Vaughan had failed to respect his religion. PS Vaughan sought to minimise the disciplinary import of this by emphasising that PSD had concluded no case to answer for a full disciplinary complaint, instead noting some organisational learning from the incident. In doing so he skirted over the fact that the Action Plan was, nonetheless, a formal management response in consequence of errors by him. He also emphasised that there were some problems with the Action Plan he was given in that two of the modules of learning the plan cited for completion were no longer available. In due course this was drawn to PSD's attention and PS Vaughan was passed as having completed the plan despite having been unable to do so in fact because of the non-availability of the relevant packages. From this, PS Vaughan commented in evidence that the action plan was "...*not worth the paper it was written on*", save for visiting the religious institutions which he had found helpful. PS Vaughan was then given formal Management Action on two subsequent occasions (November 2018 and May 2019). Again PS Vaughan sought to minimise those matters, postulating that the first arose as a result of the Hate Crime Officer being dissatisfied with the Action Plan outcome and, in what PS Vaughan perceived as an act of recrimination, had reported him directly to PSD in respect of offensive comments PS Vaughan had been overheard making to a colleague who enjoyed weightlifting regarding his alleged

use of steroids. The second Management Action relates to “*conversation/comments that had been alleged to have been made which were deemed to be on occasion, unprofessional*”<sup>5</sup> and no further details of the underlying basis for the complaint are known to the Panel. However the Panel noted PS Vaughan’s attitude to and characterisation of this, when questioned about it: “*It was a local resolution only and that has been recorded as such by PSD.*” While the Panel acknowledged the difficulties with the initial Action Plan containing errors, we found PS Vaughan’s characterisations and attempts at minimisation of the management responses to his workplace behaviour as a whole lacking in insight as to the real purposes of the various management responses;

20.13. The Panel also observed a distinction in PS Vaughan’s attitude to women between those in whom he saw the potential for a romantic or sexual encounter, as opposed to those it appears he did not. With those he did not, he appeared to enjoy positive and often very supportive relationships, as evidenced, for example, in his productive and notably very sensitive line management of Claire Morris. By contrast, as disclosed in his oral evidence, PS Vaughan’s attitude to women he identified as potential romantic or sexual partners was notably one-dimensional and limited. Although the Panel observed that PS Vaughan’s ultimate goal appeared to be to find a partner for a long term loving relationship, the Panel concluded that he was also undoubtedly seeking contact with women for sex (as evidenced in the exchanges with PC A regarding Ms C (“...*odds on me shagging her...*”) and that he was also seemingly looking for relationships with attractive women as a boost to his self-esteem. This was demonstrated in his attitude towards women with whom there was the prospect of a romantic or sexual relationship, which tended towards objectification based almost exclusively on physical appearance. For example: he sought to contextualise - and, with an obvious lack of insight, misguidedly attempt to soften the blow of - the evidence of PC Twist regarding his commenting on passing female officers by stating that he was not being not lewd but was merely assessing the looks of female officers and making observations of those he liked the look of with a view to being set up on a date with them; the unchallenged evidence of Ms D that he explained that the reason he had rejected a mutual colleague who had made an approach to date him was because

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<sup>5</sup> Noted from the face of the Management Action Form dated 24 May 2019.

she was “...*too curvy and would not get better with age...*”and in comments such as “*You haven’t seen how heavily women Photoshop themselves [on Tinder] – otherwise you would understand why I didn’t recognise [Ms D]”*).

**The Panel’s summary findings of fact on the balance of probability and the Panel’s assessment of PC A’s hearsay evidence:**

21. Having carefully considered all of the evidence before it and having assessed the reliability of the witnesses that appeared before it, the Panel is satisfied on the balance of probabilities that the matters which follow have been proved.
22. The key to much of the “Behaviour in the Workplace” allegations lies with the evidence of PC A. He is the complainant in these proceedings and many other areas, which form the basis of charges levelled at PS Vaughan, have arisen as a result of following up matters first notified by PC A.
23. Drawing from a contemporaneous timeline prepared by PS Vaughan in 2019 (the “Timeline”) as part of his management and review of progress of PC A, the Panel finds that PS Vaughan and PC A’s working relationship began in October 2018. The Timeline is a comprehensive and carefully prepared document which the Panel has found useful in these proceedings given that it is one of the few contemporaneous documents available and shines an objective light on details relevant to the allegations in this case, having been prepared entirely for the purposes of day-to-day management of PC A at the relevant time, without any shadow of these proceedings affecting its preparation. October 2018 was the point at which PC A, who had returned to work following a period of sick leave and had been posted to CSU on restricted duties, left the line management of his original supervisor, Sergeant Crawley and came under the line management of PS Vaughan.
24. It is relevant to note that PC A’s sick leave was due to a diagnosis of PTSD which arose as a result of a harrowing incident he had witnessed where a young woman committed suicide in front of a moving train. PS Vaughan gave clear and convincing evidence under cross examination that he was unaware of the underlying reason for PC A’s PTSD. Although he had been informed of the fact that PC A had PTSD, of his restrictions and how to manage them in the form of advice from the OHU, he was not informed of the reason for the

diagnosis, nor did he enquire about it or discover it through any other means. The Panel notes the comprehensive and contemporaneous nature of the Timeline and the fact that, despite the detail of that document regarding PC A's development and care, there is no reference or indication of any type that suggests that PS Vaughan did know the reasons underlying the PTSD diagnosis. The Timeline supports PS Vaughan's evidence. The Panel has also carefully reviewed all of the evidence before it and can find nothing, besides the bare assertion of PC A which was presented hearsay and not tested in these proceedings, to support the allegation (made in paragraph 8(c) of the Regulation 21 Notice) that PS Vaughan was aware that PC A had witnessed a young woman take her own life by running in front of a train. James Moat's evidence was that "*Ricki knew that [PC A] had dealt with incidents involving trains before*", but he goes no further than that and the Panel notes that Mr Moat does not suggest that PS Vaughan was actually aware that PC A had witnessed a suicide in front of a train. The Panel also notes that it would have been entirely reasonable, indeed good management, for PS Vaughan to enquire or to have been informed by others involved in supervising PC A's care, not least in order to ensure that any re-exposure to trauma was avoided. However we accept his evidence that, in fact, this did not happen nor was he informed about this by PC A or anyone else. Accordingly the Panel finds that at all material times PS Vaughan was not aware that the reason PC A was suffering from PTSD was because of his witnessing the suicide in front of a train referred to above.

25. The Panel notes a number of sources which point to PS Vaughan having been a careful, effective and skilful line manager for PC A. The Timeline, mentioned above, shows notable clarity, forward thinking and detailed attention to not only the views of the OHU and HR, but to those of PC A himself, plus the input of senior officers and Federation Representatives. It records the views of the force medical examiner, Dr Junker that PC A "*...felt well supported...*" and wanted to remain in post in the CSU. These views all combine to provide a comprehensive picture of both progress PC A had made in the space of 1 year since his line management by PS Vaughan had begun, in particular illustrating that he had been able to move to almost full hours, had begun to undertake court work and problem orientated investigative work and had made other important progress. The Panel notes the evidence of Chief Inspector Perks who notes that career rehabilitation steps had been achieved as a result of PS Vaughan's supervision of PC A and that of James Moat, who noted in oral evidence that at one point in 2018 PS Vaughan had moved away from

the CSU and that he, PC A and Jan Nicholls wrote with a request to bring him back to supervise the unit, which was in due course granted.

26. In tandem with the progress of PS Vaughan's management and rehabilitation of PC A, the Panel finds that a close friendship developed between them. It is noted that PC A's written statement seeks to portray the relationship differently. It gives a number of ways in which it might be perceived that he had been friends with PS Vaughan but explains those away by saying that PC A felt pressure and fear that he would be singled out by PS Vaughan and therefore went along with "...instigated banter..." and that he felt "drawn in" by PS Vaughan to commit to act of familiarity and friendship that did not in fact reflect how he says he actually felt. PC A sums this up by saying "[PS Vaughan] was my work supervisor, not a friend from outside of work." The AA's case, based PC A's retrospective characterisation of his relationship, is that PC A's ostensible friendship relationship with PS Vaughan was a pretence to avoid being picked on at work and not in fact a genuine friendship.

27. Although the Panel recognises that friendships between officers of different ranks do run the risk of being influenced by one officer's seniority over another, the Panel is, on this occasion, unable to find support for concluding that PC A's characterisation is accurate. The evidence before the Panel includes frank and friendly text exchanges including an exchange of messages on 17 September 2019 (which PC A complains about, but only in relation to the content of pictures and captions sent as part of the exchange) which reveal PC A asking many questions revealing genuine warmth between the pair, unforced interest in and intimate knowledge of PS Vaughan's private life and relaxed, good humour between them. The evidence also indicates a history of pub visits, regular curries and going on holiday together to Portugal all of which runs contrary to PC A's retrospective characterisation of a "forced" friendship and suggests instead that a friendship between PS Vaughan and PC A did exist. PS Vaughan's own account, which the Panel accept, is that this was a genuine friendship and the Panel finds that the evidence supports this on the balance of probabilities.

28. It is evident that what the Panel has found to be a friendship between them at some point turned sour. A number of possible explanations were presented by PS Vaughan and postulated by the AA as to why the friendship had changed from PC A's end. These

included the suggestion that PC A resented PS Vaughan's firm line management of him when, following a successful charity barbeque PC A had arranged with the assistance of PS Vaughan, PC A carried on following up aspects of the charity work instead of turning his attention back to CSU matters. Similarly it was suggested that PC A was attempting to use police resources to achieve traffic calming measures for his village and that PS Vaughan, in addressing and redirecting him on this, had irritated PC A. It was postulated on other occasions that certain sexually charged and inappropriate remarks had crossed a line for PC A and that this led to a rapid reassessment of his friendship with PS Vaughan.

29. It is not necessary for the Panel to draw any conclusions as to which of these, or any other reasons, is correct. It is, however, noted that whatever the reason for the change in the character of their relationship, there appears to be real anger and resentment on PC A's part and his evidence contains, in consequence, a number of areas where a revision of history appears to have taken place in order to ignore positive points and instead paint PS Vaughan in a wholly disadvantageous light. For example James Moat's evidence was that he, PC A and Jan Nicholls wrote in support of PS Vaughan in an effort to bring him back to supervise CSU when he was temporarily moved to another station, which speaks to the approval and esteem that they held for PS Vaughan at that time. PS A's statement fails to mention this. It also omits the evidently successful and sensitive career development and management he received from PS Vaughan which enabled him to go from an officer unable to walk into the ballroom area of the station at Hatfield, to an officer confidently and successfully dealing with closure orders and contributing usefully to the CSU team. This is testified to by CI Perks, James Moat (particularly in his oral evidence) and evidenced in documentary form in the Timeline. By contrast PC A's account includes a statement he makes suggesting that PS Vaughan was lazy and hands-off in his work (which the Panel notes finds absolutely no echo in any other part of the evidence against PS Vaughan). In this part PC A states "*...I have also taken on a lot of the Ant-Social Behaviour duties as well as duties I believe that should be performed by [PS Vaughan]. When I was posted to CSU I was not given a defined role. I took on the closure orders on properties and attend Court to obtain these. This came about as RV did not like going to Court.*" The flavour given by this section of PC A's evidence is that he was brought into the CSU already well able to obtain closure orders and undertake policing work around ASB matters. It does not reflect what the Panel finds was the true position, based on the range of other evidence which supports this, which was that PC A entered the CSU as an officer needing careful rehabilitation and line management in

order to find roles that properly and sensitively accommodated the special needs his PTSD generated, that he had no prior knowledge of and indeed was initially reluctant to take on closure order work but rapidly found his feet under the tutelage of PS Vaughan.

30. From these omissions and re-castings the Panel concludes that PC A's hearsay account, which it has not been possible to test in these proceedings, is, in places, partial and lacks balance and accuracy. In the absence of cross-examination of PC A to explore some of these issues and to substantiate and properly contextualise allegations he makes against PS Vaughan, the Panel felt able to ascribe very little weight and value to the evidence of PC A. This was particularly so in areas where it was his word against that of PS Vaughan and in any other areas where his account was at odds with other plausible or assessable evidence. In areas where PC A produced documentary evidence (for example screen shots of text messages etc) his evidence was more useful and the Panel had the ability to read the full text of exchanges and evaluate other associated evidence, including that from PS Vaughan and other witnesses, in order to assess and contextualise it.
31. Turning back to the relationship between PS Vaughan and PC A and the fact-finding exercise, the Panel notes that with the growing friendship came sensitivities and difficulties arising from blurred boundaries. It is noted that these can be difficult to avoid where friendships and working relationships arise between senior and junior officers in direct line management positions unless the strictest professionalism is observed. Many of the matters complained of in the charges before the Panel relate to a lack of professionalism and an overstepping of these boundaries.
32. Other areas of complaint, including those listed under the Regulation 21 heading "Relationships Through Work as Police Officer", arise from other domestic and working relationships outside of the friendship of PS Vaughan and PC A.
33. Because the matters making up the charges are relatively disparate and do not readily lend themselves to linear fact-finding account by way of a preface, the Panel takes the view that it is more accurate and comprehensible to deal with each charge or allegation one by one and to contextualise and note its further findings of fact in relation to each point.
34. For completeness, at paragraph 8 of the Regulation 21 Notice six matters are set out which it is said that PS Vaughan was aware of at all material times. The Panel notes PS Vaughan's

admission that he was aware of all of these matters, save for that at 8(c) (i.e. that PC A had witnessed a young woman take her own life by running in front of a train.) The basis for the Panel's finding in respect of paragraph 8(c), namely that PS Vaughan was not aware of this at the relevant times, is set out above.

35. The Panel is reminded that the AA bears the burden of proving the charges on the balance of probabilities and that PS Vaughan does not have to prove anything.

**Charge 1: mimicked PC A's Irish accent (para 9(a) Reg 21 Notice):**

36. This charge is framed as follows: PS Vaughan mimicked PC A's Irish accent.

***Facts:***

37. The fact of this conduct is admitted by PS Vaughan.

38. However PS Vaughan denies any misconduct and seeks to contextualise this by suggesting that it was not inappropriate *per se* to have mimicked PC A's accent. Rather, he says, that the context in which this occurred rendered the mimicking appropriate (i.e. these were jokey references, which PC A joined in with and gave as good as he got, rather than mocking references). PS Vaughan also asserts that this does not amount to discrimination within the definition provided in BCH01/039 Bullying and Harassment Policy (the "Bullying Policy").

39. The Panel heard live evidence from PS Vaughan as to the joking and banter-based interactions he had with PC A which led to him mimicking PC A's Irish accent, including his evidence that PC A himself would, in a similar vein, make references to PS Vaughan's Italian heritage. We have read PC A's account, which does not refer to any reciprocal "banter" by him. We prefer PS Vaughan's account of the context for the reasons explored above regarding the weight we have ascribed to PC A's untested statement and the general quality of PS Vaughan's evidence. On the balance of probabilities we find that PS Vaughan's description of the way in which the interactions proceeded, as jokes and banter-like exchanges, is accurate. However we also deem it plausible and, on the balance of probabilities, more likely than not, that per his statement, PC A tolerated and joined in with this with outward good humour because it was a (sadly) common occurrence in a number

of settings, not just with PS Vaughan, and that although he did so, in fact, as per his account, he experienced this as a “singling out” and was understandably offended by it.

40. Furthermore, the Panel did not agree with the submission made on PS Vaughan’s behalf that contextualisation of this behaviour as good humoured banter meant that the behaviour was appropriate or that it did not amount to a breach of policy or Standards of Professional Behaviour. In the Panel’s assessment, it was incumbent upon PS Vaughan as the more senior officer and a leader in charge of the CSU, to behave professionally, courteously, appropriately and respectfully in his interaction with PC A. Mimicking another person’s accent, which has at its root the belittlement of a person with a different heritage from one’s own, however much it may appear in the moment that it is merely an exchange in good humour, is not professional, courteous, appropriate or respectful.

41. The Panel also notes that the Code of Ethics imposes particularly onerous duties upon police leaders, of which PS Vaughan was undoubtedly one in the context of his supervisory role as sergeant in CSU:

**Leaders**

1.4.4 All police personnel in leadership roles are critical role models.

1.4.5 As someone in a police leadership role you will: take personal responsibility for promoting and reinforcing the standards set out in this Code of Ethics.

42. Accordingly, the Panel finds that it was wholly inappropriate for PS Vaughan to have behaved as he did.

***Breach of Standard***

43. The Panel is satisfied that this behaviour is in breach of the Standard of Professional Behaviour concerning Authority, Respect and Courtesy, in that PS Vaughan failed to act with self-control or tolerance, failed to treat his colleague, PC A with respect and courtesy, and failed to respect his right to work in an environment free from hostility, harassment, victimisation, discrimination, intimidation and bullying.

44. The Panel is also satisfied that PS Vaughan’s behaviour is in breach of the Standard concerning Equality and Diversity, in that he discriminated (as to which, see further below) against PC A because he is of Irish heritage.

45. The Panel concludes that there is also a breach of the Standard relating to Discreditable Conduct, in that PS Vaughan’s behaviour in this regard brings discredit upon the police service and undermines confidence in it because a reasonable member of the public would be justifiably concerned that a police officer failed to treat colleagues with courtesy and respect and behaved in a discriminatory way towards colleagues.

46. As to the Standard relating to Orders and Instructions, PS Vaughan has submitted that the definition of discrimination in the Bullying Policy is not met by his behaviour (and this is also potentially relevant to the finding of a breach of the Standard of Equality and Diversity above). The Panel disagrees. Discrimination is defined at paragraph 3.8 of the Bullying Policy and includes the following “*Discrimination by perception is another form of direct discrimination whereby an individual is treated in a certain way because, for example, of how their sex is perceived.*” This behaviour involved PS Vaughan treating PC A in a certain way (i.e. mimicking him) because of how he was perceived as a person of Irish heritage. Furthermore, the Panel notes paragraph 3.7 of the Bullying Policy which states:

*“What constitutes bullying and harassment. ACAS states that due to differences in perceptions and what individuals view as acceptable, it can sometimes be difficult to define bullying and harassment. BCH therefore will view the following examples as potentially amounting to harassment and bullying:*

...

- *Hostile or offensive comments or acts against another related to their colour, race, nationality, ethnic or national origins...*”

...

Given that the Panel has found that the mimicking of his accent was more likely than not to have been perceived as an offensive act by PC A, the Panel is satisfied that the Policy is demonstrably breached by PS Vaughan’s behaviour. The Panel notes that the Code of Ethics in relation to the SPB relating to Orders and Instructions states any decision (and here the Panel notes that all behaviours interacting with more junior officers involve an

element of decision making, not least in relation to what is and is not appropriate behaviour) that transgresses policing policies must be able to withstand scrutiny. In the Panel's view this behaviour, having no justification and being offensive, does not withstand scrutiny. The Panel is therefore satisfied that this SPB is also breached.

**Charge 2: referred to the Irish rugby team as "Paddys" (para 9(b) Reg 21 Notice):**

47. This charge is framed as follows: PS Vaughan referred to the Irish rugby team as "Paddys".

***Facts:***

48. The fact of this conduct is admitted by PS Vaughan.

49. PS Vaughan's response to this, and PC A's evidence about it, is identical to that in relation to charge 1. The behaviour is part of the same chain of events and the Panel notes that it is important not to over-compartmentalise incidents. In this case, given the way in which the Regulation 21 Notice is set out, it is unavoidable that the various incidents are assessed separately but the Panel seeks to pay appropriate heed where charges, such as this, are evidently part of the same chain of conduct.

50. The Panel's rationale applied above in relation to mimicking PC A's Irish accent, applies with equal force and in the same respects to the derogatory (as the Panel finds it was) use of the term Paddies when referring to the Irish rugby team. Using racially or heritage based slang as a way of referring to other Irish people again has at its root the belittlement of those with a different heritage from one's own, and is not professional, courteous, appropriate or respectful. There is a degree of difference in the behaviours between charge 1 and charge 2 which the Panel has noted and assessed, namely that PC A referred to himself as "Paddy" and indeed had changed his name by deed poll to use that name. In the Panel's assessment this does not, however, excuse the use of the term by PS Vaughan as a derogatory shorthand for the Irish rugby team.

***Breach of Standard***

51. For the same reasons as are set out above in relation to charge 1, the Panel is satisfied that Standards of Professional Behaviour concerning Authority, Respect and Courtesy; Equality and Diversity; Discreditable Conduct and Standard relating to Orders and Instructions have been breached by PS Vaughan's admitted behaviour.

### **Charge 3: Questioned when PC A would return to wearing a uniform**

52. This charge is framed as set out above.

#### ***Facts***

53. Both this and charge 4, which overlaps with it arise in relation to a one to one meeting between PS Vaughan and PC A early on in PC A's deployment to CSU. PC A reports as follows:

*“RV made several comments during this meeting and as a result I had an acute stress reaction. Comments such as “When are you going to start wearing your uniform again?” This completely took me off guard. Reports from OHU stated that I should never wear the uniform again and RV was aware of this. Every so often he would make comments such as “would you even just wear a police jacket?” Although he had read all the feedback reports from the OHU it was as if he did not believe them and thought he could make me better...”*

PC A reports feeling unwell at the thought of putting on his uniform as it was so closely associated in his mind with the traumatic events he had witnessed and which had led to him developing PTSD. He reports that he left the room and vomited and when he returned *“...RV then wanted to know when I was returning to full time hours. Again I felt like crap.”*

54. PS Vaughan's case on this point is best taken from the Timeline (produced not for the purposes of these proceedings but in 2019 for a review of PC A's progress with superior officers – therefore, in the Panel's estimation, being evidence of particular good quality):

*“On Thursday 11<sup>th</sup> October Sgt Vaughan held a 1-1 meeting with [PC A] where general welfare was discussed and the level of support reviewed. There was also a discussion around realistic work goals but this discussion was cut short when [PC A] had an acute stress reaction. It was clear that [PC A] was not as well as we had been led to believe. Of note – just the mention of putting a uniform on again in the future caused a significant reaction.*

*A decision was made that [PC A] would be temporarily restricted from identifying himself as a police officer outside the police station (also voluntarily working additional hours) for his own protection until reviewed by OHU.*

*[PC A] was referred back to OHU and specific questions were asked in relation to [PC A's condition]."*

55. The two accounts chime to a great extent about the facts that took place, and indeed PS Vaughan admits that the conduct alleged in charge 3 (and charge 4, see below) took place. He denies, however, that there was any inappropriate element to the way in which these questions were asked. Far from the intrusive and aggressive characterisation placed upon them in PC A's written account, PS Vaughan asserts that they were asked sensitively and out of necessity in the context of his professional management of a phased working return for PC A where part of PS Vaughan's role was to establish the answers to these questions in order to put in place appropriate steps and goals.
56. The Panel accepts PS Vaughan's account of his handling of this situation. It is plain from the Timeline, and from the accounts of other witnesses including CI Perks and James Moat, that PS Vaughan approached the handling of PC A's PTSD with sensitivity and his management of PC A's phased return to work with care, having regard to the input of not only PC A himself but OHU, HR and other senior officers. PC A's account of this meeting and the tone of these questions is not only out of step with this, and therefore inherently implausible, but also out of step with the evidence of Claire Morris, who's contemporaneous note to PS Vaughan regarding his handling of her own mental health and physical issues records her deep gratitude for his sensitivity. Although it was noted by some witnesses that PS Vaughan could, in some circumstances, be blunt and prone to misinterpretation (for example James Moat's evidence regarding PS Vaughan's messages to Ms F), it is nowhere suggested by anyone other than PC A that his handling of PC A's development and issues was less than appropriate and careful.
57. Accordingly, the Panel is unable to conclude that on the balance of probabilities these questions were asked in the way described by PC A or in any way that was other than for sound, necessary policing reasons and in a way that was entirely appropriate.
58. Given its findings that PS Vaughan's Panel is not satisfied, on the balance of probabilities, that there is any breach of standard by reason of the actions of PS Vaughan in relation to this charge.

**Charge 4: Questioned when PC A would return to working full hours**

59. This charge is framed as set out above.

***Facts***

60. The relevant facts relating to this are set out above in respect of charge 3. The questions regarding return to wearing a uniform and return to working full hours occurred in the same meeting and are considered above.

61. For the same reasons as are set out above in relation to charge 1, the Panel is not satisfied that there was any breach of standard by reason of the actions of PS Vaughan in relation to this charge.

**Charge 5: PS Vaughan told PC A that he had spoken to someone at Borehamwood police station about an incident involving him before his PTSD had been diagnosed**

62. The charge is framed as set out above.

***Facts***

63. PC A's allegation lacks any specificity. His written statement of evidence says little more than the scant and ambiguous way in which the charge itself is framed. He is coy to the point of obfuscation about the complaint he makes (he simply refers to PS Vaughan referring to "an incident...which brought back so many bad memories..." with an accompanying un particularised suggestion that PS Vaughan may have deliberately attended Borehamwood station with a view to obtaining information to hold over PC A), providing no detail of what was actually said to him, why it upset him or the basis on which he concluded that PS Vaughan had attended Borehamwood police station in order to obtain information about PC A. This is an embarrassing charge and one which PS Vaughan it was difficult for PS Vaughan to answer fairly. The Panel is unable to draw any adverse conclusions against PS Vaughan on this charge given the ambiguity in the framing of the charge, the lack of particulars and the lack of any proper detailed evidence from PC A as complainant on this point,

64. If the Panel is wrong in concluding as it has done above, the Panel is then forced to construct the details of the charge from PS Vaughan's attempt to answer it in his Regulation 22 Response. This perhaps offers some clues to PC A's coyness in that PS Vaughan's evidence on this point identifies that this matter relates to a rumour of an affair PC A was alleged to have had with a colleague at Borehamwood police station when he served there before being diagnosed with PTSD. PS Vaughan admits the bare facts of the charge, such as they are, but asserts that he was not at the station attempting to "dig the dirt" on PC A but rather learnt about this innocently when he was at Borehamwood investigating an allegation of sexual harassment and poor performance by a member of his team and it was mentioned by an interviewee that it was "...*common knowledge...*" that the complainant in that matter had previously had an affair with PC A.
65. Having learnt of this and realising the sensitivity to PC A, PS Vaughan states that upon his return he took PC A into a private room and, because he felt PC A had a right to know about the existence of this rumour, indicated that he had learned something personal about PC A's marriage connected with Borehamwood and asked whether anything had happened during his time at that station that could lead to rumours being spread about him. He says that he did not indicate outright what he had learned but that PC A was "...*very closed on the matter, he made it clear he did not want to know what had been said and I could see he was extremely agitated by it. PC A told me he wanted me to put his Borehamwood days behind him and leave it there...I absolutely did not go down there to dig up dirt as PC A suggests, I was there in the course of my duty investigating a highly sensitive matter.*"
66. The Panel accepts PS Vaughan's detailed and plausible account of this matter. The charge is, accordingly, not made out on the balance of probabilities. The Panel is not satisfied that there was any breach of Standards by PS Vaughan's behaviour.

**Charge 6: PS Vaughan upset PC A by "hitting" on his friend's girlfriend following a trip to Portugal (paragraph 9(f)(i) Regulation 21 Notice)**

67. This charge is framed as set out above.

***Facts***

68. The bare facts of the charge are admitted by PS Vaughan, although he denies that the behaviour was inappropriate and it is submitted on his behalf that the character of the behaviour, being entirely private, is not relevant to assessment of breaches of professional standards.
69. The particular facts relevant to the Panel's assessment of breach of standard which the Panel finds in relation to this charge (having assessed the evidence in the manner set out elsewhere), are that:
- 69.1. PS Vaughan went on holiday to Portugal with PC A, PC A's best friend, Richard and Richard's girlfriend;
- 69.2. Subsequently Richard's girlfriend arranged with PS Vaughan to rent his spare room;
- 69.3. PS Vaughan changed his mind about the arrangement following discussion with PC A, taking account of the fact that Richard was already married and there was a likelihood that he and his girlfriend would be at PC A's house a great deal in the interests of privacy for their relationship;
- 69.4. The withdrawal of his offer of the room was handled amicably on both sides and in the course of discussion by text with Richard's girlfriend PS Vaughan "*tested the water*" for the purposes of forming a relationship with her (this was how it was put during his evidence and it has been fully admitted that this is the same as "*hitting on*" her as per the terms of the charge);
- 69.5. The exchanges between PS Vaughan and Richard's girlfriend took place on PS Vaughan's personal mobile phone;
- 69.6. PC A was upset by the fact that PS Vaughan had reached out to Richard's girlfriend in this way, although it is unable to conclude to any sufficient standard exactly why and to what degree PC A feels upset.
70. The Panel acknowledges that this charge raises some particular difficulties because all of the conduct took place off duty, between private individuals and with no association with

PS Vaughan's police work. The Panel notes paragraph 1.28-1.29 of the HOG 2018, which point out that police officers have restrictions on their private lives but that these must be balanced against the right to a private life.

71. However the Panel takes the AA's point that this is framed not as a complaint that the conduct in hitting on Richard's girlfriend is in itself offensive, but rather that it upset PC A and that is said to render it a matter of complaint and an alleged breach of the Standards of Professional Behaviour.

72. Having carefully weighed all of these points, the Panel finds that the behaviour in question is so trivial and so private in character as to be unable to amount to a breach of any professional standard. Any upset felt by PC A does not serve to transform this into a work related complaint nor into a complaint of any merit or severity. Accordingly the Panel concludes that there is no breach of any SPB under this charge.

**Charge 7: PS Vaughan upset PC A by suggesting that his work had suffered as a result of him organising a fundraising BBQ (paragraph 9(f)(ii) Regulation 21 Notice)**

73. This charge is framed as set out above.

***Facts***

74. The bare facts of the charge are admitted by PS Vaughan, although he denies that the behaviour was inappropriate and submits that it was entirely proper line management of PC A (pointing out also that in tandem with his critical observation to PC A he also awarded PC A a good work minute in respect of his efforts over the charity barbeque).

75. The Panel read PC A's written account which underlies this charge;

76. PS Vaughan's account was far more reasonable, plausible, full, detailed and contextualised. Based on its preference of PS Vaughan's evidence in relation to this matter the Panel finds in relation to this charge that:

76.1. PC A enjoyed the organisation of the charity barbecue and the widespread positive feedback he received for it;

76.2. He had worked on it to the exclusion of his policing work. PS Vaughan had tolerated that in the knowledge that the barbecue was a one off, time-limited distraction for a good cause and with associated goodwill benefits;

76.3. After the barbecue's successful conclusion PC A continue to work on aspects of it, including following up with celebrities who had donated raffle prizes, even though the event was over and there was other pressing work for PC A to do;

76.4. PS Vaughan took PC A aside not for a "...big one to one, it was just a little conversation saying "Let's get our heads back in the game, time to draw a line and get back to work"" (per PS Vaughan's cross examination). PS Vaughan states that he was tactful in the manner in which he approached this and the Panel finds both that these are the gist of the words he used to PC A and that the situation was handled appropriately and with tact.

77. The Panel finds that PS Vaughan took appropriate management action as PC A's line manager in the face of PC A's ongoing distraction and failure to move on from the barbecue, which was to the detriment of his work. Accordingly the Panel concludes that there is no breach of any SPB under this charge.

**Charge : PS Vaughan upset PC A by telling him his teenage daughter was attractive and asking when she was 18 (paragraph 9(f)(iii) Regulation 21 Notice)**

78. This charge is framed as set out above.

***Facts***

79. It is alleged by PC A that a conversation between PC A and PS Vaughan took place on an unspecified date (simply stated to be "several months ago") after PS Vaughan had seen a photo of PC A's daughter, who was then aged 13. The context in which the photo was being looked at is not given. PC A simply alleges that PS Vaughan "...made very uncomfortable remarks about how attractive she looked and he wanted to know when she turned 18. I did bite back. I'm not going to let anyone speak about my child in that manner. She was 13 in the photograph. These comments were made in the office but I can't remember the date."

80. PS Vaughan denies this charge, stating that he has never made such a comment and that the suggestion that he would do so is disgusting.

81. This is a case of PC A's word against PS Vaughan's. Even though PS A states that it took place in the office with the chance that someone may have overheard such an exchange between PC A and PS Vaughan, no other witnesses are brought forward for corroboration. For the reasons given above in our assessment of PC A's hearsay evidence in areas where it is uncorroborated by other witnesses or by contemporaneous documentary evidence, the Panel is not satisfied on the balance of probabilities that this alleged conduct in fact took place.

82. Accordingly the charge is not made out.

**Charge : PS Vaughan upset PC A by sending him a message that included a photograph of a young girl with no arms and a caption regarding sex (paragraph 9(f)(iv) Regulation 21 Notice)**

83. This charge is framed as set out above.

***Facts***

84. It is alleged by PC A that on 17 September 2019, while PS Vaughan was recuperating from shoulder surgery at Flint House, he messaged PC A on his phone, sending him a series of images which PC A found insulting and which included an image of a young girl with no arms and a caption above it related to sex. PC A was particularly upset by this because his own mother had been wheelchair bound (there is no suggestion in evidence that PS Vaughan knew this) and he found the making fun of someone with a disability especially upsetting. A blurred screenshot showing the existence of images including one which it is possible to make out the outline of a young girl, fully clothed, with no arms, is provided, but the messages themselves have proven impossible to retrieve and therefore there is no documentary evidence to show the full page of the relevant image with any clarity.

85. PS Vaughan's account in his written and oral evidence, is that he did send images, including an image of a young girl with no arms, but that there was no associated caption about sex. He says that the image was a cartoon, not a photograph and that the caption was unrelated to sex, instead it related to being given a watch for Christmas.

86. The whole episode is unedifying and unprofessional. However the Panel is unable to conclude that on the balance of probabilities the image sent was a photograph of a young girl with no arms and a caption about sex, as per the terms of the charge, as opposed to a cartoon with a reference to being given a watch for Christmas as per PS Vaughan's explanation.

87. Accordingly this charge as framed is not made out on the balance of probabilities.

**Charge : PS Vaughan upset PC A by saying to him "Your missus has big tits" (paragraph 9(f)(v) Regulation 21 Notice)**

88. This charge is framed as set out above.

***Facts***

89. It is alleged by PC A that on an unspecified date PS Vaughan drove to PC A's house to show him a new car he had bought. The following day, "in work", PS Vaughan is alleged to have made comments about the size of PC A's wife's breasts.

90. PS Vaughan accepts that he did drive to PC A's house (and dates this 10 April 2019) pursuant to an invitation from PC A to do so, but denies this charge, stating that he has never made such a comment and pointing out that he had already met PC A's wife by this stage and also that PC A went on holiday to Portugal with him only a month later, which he says would be unlikely to have gone ahead had he made offensive comments about his wife only shortly before.

91. The Panel is unconvinced by the relevance of PS Vaughan's statement that he had already met PC A's wife by this stage. That, it seems to us, would be no prohibition against making a lewd observation on another occasion. However, this is again a case of PC A's word against PS Vaughan's and even though PS A states that it took place at work, with the chance that someone may have overheard such an exchange between PC A and PS Vaughan, no other witnesses are brought forward for corroboration. For the reasons given elsewhere in our assessment of PC A's hearsay evidence in areas where it is uncorroborated by other witnesses or by contemporaneous documentary evidence, the Panel is not satisfied on the balance of probabilities that this alleged conduct in fact took place.

92. Accordingly the charge is not made out.

**Charge : PS Vaughan upset PC A by getting him to look up a female probationer on Facebook having told him that he (PS Vaughan) would have asked her out if she had not said [s]he had a boyfriend (paragraph 9(f)(vi) Regulation 21 Notice)**

93. This charge is framed as set out above.

***Facts***

94. It is alleged by PC A that a young female probationer attended CSU's offices seeking help with a housing problem she was dealing with. PS Vaughan assisted her and took her out and that afterwards he reported to PC A that he had enquired about whether or not she had a boyfriend and said it was a shame when she said she did, as he would have otherwise asked her out. He asked PC A to look her up on Facebook and send him some photos.

95. In his Regulation 22 response PS Vaughan accepts that he did assist this probationer but denies that he asked PC A to look her up on Facebook or send him photos of her.

96. The Panel notes that there is no evidence from the probationer officer herself in relation to any contact with PC A on Facebook or indeed to her experience with PS Vaughan, nor is there any corroborative evidence from others in the CSU who might have overheard this exchange.

97. Accordingly this is a case of PC A's word against PS Vaughan's. It is also, the Panel notes, a matter which, without proper details from PC A as to why it upset him, appears to be trivial. For the reasons given elsewhere in our assessment of PC A's hearsay evidence in areas where it is uncorroborated by other witnesses or by contemporaneous documentary evidence, the Panel is not satisfied on the balance of probabilities that this alleged conduct in fact took place.

98. Accordingly the charge is not made out.

**Charge : PS Vaughan upset PC A by telling him that you would gladly jump in front of a train because of the pressures you were under (paragraph 9(f)(vii) Regulation 21 Notice)**

99. This charge is framed as set out above.

***Facts***

100. Counsel for the AA very properly and fairly conceded during the course of the hearing that the success or failure of this charge depended on the Panel's finding of fact as to whether or not PS Vaughan was aware, when he made this remark (as PS Vaughan admits he did), that PC A had witnessed a young woman commit suicide in front of a moving train. The AA accepted, by that concession, that there would only be a breach of Standards on PS Vaughan's part in respect of making this remark if he made it with this knowledge and therefore set out to upset PC A.

101. The Panel has considered this point in detail elsewhere and has found as a fact that PS Vaughan was not aware of what PC A had witnessed.

102. It is noted by the Panel that this deeply personal remark was ill judged by PS Vaughan in a professional context, although it is also noted that PS Vaughan was under proven stress and suffering from depression at the relevant time, which may have affected his ability to judge the appropriateness of how and where he expressed himself as regards his feelings. However none of these observations alter the fact that the Panel has found that PS Vaughan did not make the remark in the knowledge that PC A had witnessed a train suicide and as such the allegation as it is framed (namely by reference to knowledge at paragraph 8(c)) has not been made out.

**Charge: PS Vaughan upset PC A by offering him a half day off if he could get PS Vaughan's phone number to the barmaid of a pub (Ms C) (paragraph 9(f)(viii) Regulation 21 Notice)**

103. This charge is framed as set out above.

***Facts***

104. The Panel finds the following facts:

- 104.1. On 23 October 2019 PS Vaughan attended St Albans Crown Court with PC A where they were successful in obtaining a closure order;
- 104.2. PC A and PS Vaughan left court at around 4.30pm and collected their private cars from the police station. They then drove to a pub called the White Hart in Welwyn to have a drink together in order to celebrate their success at court;
- 104.3. They arrived at the pub at around 5pm. PS Vaughan consumed no more than two pints of beer, although the Panel is unable to say, on the balance of probabilities, exactly how much he drank;
- 104.4. Ms C, at the time an 18 year old barmaid, was working at the White Hart pub that evening. She already knew PC A relatively well, and PS Vaughan less well, as a result of Ms C having served food and drinks at the charity barbecue held at the police station;
- 104.5. After a relatively short time they left the pub. As they were leaving, Ms C approached PC A and asked about whether an arrangement could be made for her to spend time in the force control room (“FCR”) at Hatfield as she was interested in moving out of bar work and into working for the police. PC A deferred to PS Vaughan, who informed Ms C that working in the FCR was highly pressurized and with a high staff turnover, but that he was about to advertise for a different job, namely an administrative post, in his own department the PSU. She expressed interest but the conversation was cut short by the arrival of Ms C’s manager and PC A and PS Vaughan left the pub, parting company and driving to their homes;
- 104.6. At 6.13pm PS Vaughan messaged PC A via WhatsApp. The text of the exchanges between them ran as follows:

*“PS Vaughan - Good man. Dude get my number to that bird and you can have a half day Friday (winking face emoji).*

*PC A – (grinning face and thumbs up emojis)*

*PS Vaughan – Don't tell her that. Tell her I've got a job opportunity to talk about and also I need to want her about the pressures of the control room.*

*The half day won't cost you leave (winking face emoji)*

*PC A – Leave it with me.*

*She wants to spend a day in the office. When suits?*

*PS Vaughan – Btw. excellent work with the prep. Hopefully you are back on happy terms with me again (hysterical laughter and crying with laughter face emojis)*

*PC A – (shocked face emojis) I've always been on happy terms (crying face emoji) I'm chatting to her now.*

*PS Vaughan – Do the right thing and say to her shall I give you his number so you can sort. I'll do the rest (laughing tongue out emoji)*

*Or I'll tell your wife your texting an 18yo*

*(Guilty face emoji)*

*PC A – ("I've done something stupid", shocked face and hysterical laughter emojis) Right so she has your number. I've said confirm with you.*

*PS Vaughan – Quick change of profile pic (crying with laughter, thumbs up and hysterical laughter emojis)*

*Odds on me shagging her (hand up emoji)*

*PC A – (three "I've done something stupid" emojis) you're terrible. She could be our new teammate!*

*PS Vaughan – It's good to 'inject' enthusiasm. I should have done it with you to be fair."*

104.7. The Panel finds, despite claims by PS Vaughan to have rapidly drunk more pints of beer at home and becoming drunk, that he was not inebriated when he sent these messages. It draws this conclusion from the assessment described earlier of PS

Vaughan's lack of veracity on this point, from the unlikelihood of the timings and fact that he was sober when he drove home from the pub only very shortly before sending these messages, from the cogent tone and content of these and from the sobriety and cogency of messages he sent to Ms C almost contemporaneously, albeit very slightly later (i.e. at a point at which the effects of any recently imbibed additional alcohol would reasonably be thought to have become more pronounced). For the avoidance of doubt, the Panel does not regard being drunk as a defence to the consequences of sending these messages and would not have reached different conclusions from those set out below even if it had concluded that PS Vaughan was drunk;

104.8. The Panel concludes that, on the balance of probabilities, and considering the difference in rank between them, the way in which PS Vaughan drew their working relationship into the exchange, PC A's existing friendly relationship with Ms C, Ms C's youth (18 years old at the time) relative to PS Vaughan's age (39 at the time), together with way in which the exchange couples references an ulterior motive of sex with the potential for offering Ms C work experience, PC A was upset by the messages offering him a half day off in return for getting the number to Ms C.

105. PS Vaughan admits the fact that these messages were sent and that they appear to contain an offer to PC A of a half day off work in return for providing his phone number to Ms C. However, his defence to this charge - that by doing so he upset PPC A - is that he claims that the references were not actually a bribe to induce PC A to provide the phone number, but rather simply a joke between them because the time off had already been offered and agreed between them on a previous occasion. It is claimed that PC A knew this and therefore would not have been upset by the reference in the messages.

106. The Panel concluded that PS Vaughan was untruthful in relation to his evidence on this point. At the time at which these messages were sent, PS Vaughan had only very recently returned to work, having been off for some weeks recuperating from shoulder surgery. His evidence, seen for example in his prepared statement read out at interview, and not deviated from in his oral evidence, is that he had kept in touch with his team during this time and was aware that PC A had been working well in excess of his contracted hours without time off in lieu or any authorised paid overtime. He had also been contacted by Inspector Nash who told him that PC A looked exhausted and PS Vaughan had, before the text exchange

regarding Ms C took place, already spoken to PC A some days earlier about taking some time off. PS Vaughan's evidence is that PC A only wanted the half day on Friday referred to in the text exchanges and that he had already agreed it with PC A, which, PS Vaughan states, explains the laughing face emoji after this offer, and PC A's laughing responses to it, because it was a "...*tongue in cheek joke...*" between them based on "...*offering him something which was already owed to him and agreed*".

107. PC A's account does not accept this. However, this is not a case purely of PS Vaughan's word against PC A's on this point, because PS Vaughan wrote an email to Inspector Nash the following day stating "[PC A] *I am aware you have come in well before the start of your shift on quite a few occasions in the last couple of weeks, and also worked through until well after. Please make sure you take three hours back tomorrow, put it on your calendar and refer to this email. Thanks for all your hard work.*" The Panel also notes the references which PS Vaughan made on several occasions throughout his oral evidence that his working style is to ensure that management decisions he takes are fully "*auditable*", i.e. that they are properly recorded and there is a paper trail dealing with the decision making. From this and the careful recording of the half day in a formal email to Inspector Nash, which did not happen until after the offer to PC A had been made in the text exchange, the Panel concludes that it is highly unlikely that there had been a previous loose discussion leading to a prior agreement with PC A for a half day off on Friday and rather that, having offered PC A the half day in exchange for providing his number to Ms C, PS Vaughan felt bound to honour this and therefore formalised it by the email to Inspector Nash, creating the appropriate auditable paper trail. The Panel therefore rejects PS Vaughan's explanation of this matter.

### ***Breach of standard***

108. The Panel noted that this breach is limited by the way in which it is framed at paragraph 9(f)(viii) to addressing the upset caused to PC A. The Panel notes that the same facts are alleged again at paragraph 19 (i.e. charge 25) but the focus of that charge is the wrongdoing in the act of having offered PC A a half day off in exchange for obtaining Ms C's phone number, and the matter will be considered through that prism below.

109. The Panel notes the Code of Ethics "Policing Principles" at paragraph 2.1.1 states:

*“Every person working for the police service must work honestly and ethically. The public expect the police to do the right thing in the right way...”*

110. The Panel concludes that PS Vaughan’s behaviour in upsetting PC A breached the Standard relating to:

110.1. Authority, Respect and Courtesy in that PS Vaughan abused his authority by making an improper offer of time off to PC A in return for providing his phone number to a young woman who was interested in obtaining work experience with the police and in respect of whom PS Vaughan expressed a crude ulterior sexual motive. This standard was also breached by the Panel’s assessment that he failed to treat PC A and Ms C with respect and courtesy;

110.2. Discreditable Conduct in that the Panel considers that a member of the public would regard the offer of time off as a bribe to PC A and, given the context in which that was put to him (namely the references to an ulterior motive of sex with an 18 year old woman to be approached under the guise of discussions about work experience) your behaviour in upsetting him by messaging him in this way is a matter bringing the police service into disrepute. These are matters which the Panel has concluded by reference to the expanded guidance on the meaning and practical application of the SPBs provided by the Code of Ethics under the heading “Conduct”.

**Charge: PS Vaughan upset PC A by, during a text conversation with PC A about PS Vaughan having sex with Ms C, PS Vaughan referred to ‘injecting’ her and him with enthusiasm (paragraph 9(f)(ix) Regulation 21 Notice)**

111. This charge is framed as set out above.

***Facts***

112. The Panel finds the following facts:

112.1. The exchange of messages took place in the circumstances the Panel has set out in its fact-finding above;

112.2. The reference to ‘injecting’ Ms C with enthusiasm was a euphemism for sex with her. PS Vaughan admitted this when questioned by Superintendent Sandwell, the police Panel member;

112.3. the Panel was unable to conclude on the balance of probabilities that the allusion to sex extended to sex with PC A. There is no other indication in these proceedings that PS Vaughan was interested in PC A sexually or in homosexual relationships more generally. It is possible to read the message as a metaphor for sex with Ms C and then a reversion to a reference to actual (e.g. work-related) enthusiasm in respect of PC A, i.e. a reference to enlivening PC A’s attitude. However the Panel is unable to draw a conclusion on this point. It is, nonetheless, able to conclude that the message was objectively offensive by the use of the crude metaphor in relation to Ms C and by the ambiguity as regards the inclusion of PC A, capable of being read either as a reference to homosexual intercourse with PC A or a lack of enthusiasm or liveliness (which on the evidence before the Panel of PC A’s energy in organising events and executing his work, was unjustified) either of which were objectively offensive;

112.4. PC A was upset by this message.

### ***Breach of Standard***

113. On the basis of the facts found above, the Panel consider there to have been breaches of Standards by PS Vaughan in relation to his upsetting PC A by the euphemistic reference to sex with Ms C and the ambiguous reference to either sex or lack of energy and enthusiasm on the part of PC A. It is noted that this breach is limited by the way in which it is framed at paragraph 9(f)(ix) to addressing the upset caused to PC A.

114. The Panel concludes that the behaviour breaches the standards relating to:

114.1. Authority, Respect and Courtesy in that PS Vaughan failed to treat PC A and Ms C with respect and courtesy;

114.2. Discreditable Conduct in that the Panel considers that a member of the public would regard the references to an ulterior motive of sex with an 18 year old woman to

be approached under the guise of discussions about police-based work experience and the associated ambiguous references either to sex with PC A or to a crudely made and unwarranted criticism of PC A based on actual lack of enthusiasm, as matters bringing the police service into disrepute. These are matters which the Panel has concluded by reference to the expanded guidance on the meaning and practical application of the SPBs provided by the Code of Ethics under the heading “Conduct”.

**Charge : PS Vaughan ignored PC Andrea Houghton when she attempted to contact him regarding her work life balance application (paragraph 10 Regulation 21 Notice)**

115. This charge is framed as set out above.

***Facts***

116. The Panel finds the following relevant facts:

116.1. PC Houghton was returning from a five year career break. She had not herself sought out the role of Hate Crime Officer, but had been alerted to it by Chief Inspector Bilsdon. She had some limited contact initiated by that officer regarding putting in for the role. PC Houghton has two children and a partner who works a shift pattern with another police force. In order to accommodate their shared parenting responsibilities, PC Houghton made a Work Life Balance (“WLB”) application, seeking approval of a complex 72 week proposed shift pattern to mesh with her partner’s shifts. She was informed that her WLB application would need to be discussed with PS Vaughan as the line manager for future Hate Crime Officers in the CSU;

116.2. As set out above in relation to the Panel’s assessment of PC Houghton’s evidence, the Panel accepts PC Houghton’s evidence (written and oral) as to her attempts to contact PS Vaughan and finds that she attempted to call him and sent emails to him regarding her WLB application, but was unable to reach him by either means. The exact dates and number unknown but are estimated by PC Houghton to be, and the Panel accepts, somewhere between 2 and 10 emails sent over the space of a week, between 8 and 15 May 2019, plus an unspecified number of phone calls which were made before 8 May 2019;

- 116.3. These were calls from her personal phone and emails sent from her home email address;
- 116.4. PS Vaughan denies receiving any emails or phone calls from PC Haughton in advance of her arrival in the CSU team as newly appointed Hate Crime Officer in June 2019;
- 116.5. As to phone calls, it was established in evidence that a directory exists of work contact numbers. PC Vaughan's number related to a work phone which he had been issued with but had never been taken out of the box (although somewhat surprising, the Panel accepts this on the basis of the explanation PS Vaughan provided regarding his use of his personal mobile phone instead and finds it as a fact.) Accordingly, any calls that PC Haughton made to his work phone number would not have been received. In the event that she had left a voicemail he would have received an associated email, but the Panel accepts that he did not receive any such email. The work phone in question has, some time ago, been returned unopened and replaced with a new work phone;
- 116.6. The Panel is unable to draw any conclusions on the balance of probabilities as to whether PC Haughton called PS Vaughan's unused work phone number or another number, or as to any other possible explanations for why no calls or voicemails were received. A number of possibilities exist. For example it may be that PC Haughton dialled an incorrect number, it may be that she did not leave any voicemails, or there may be other explanations. In any event, the Panel are not satisfied on the balance of probabilities that PS Vaughan was aware of PC Haughton's attempts to make phone calls to him regarding her WLB application;
- 116.7. Similarly, the Panel was not satisfied on the balance of probabilities that PS Vaughan had ever received emails from PC Haughton regarding her WLB at the relevant time. PSD has been assiduous in checking materials throughout the long investigative stages of this matter and no such emails have been uncovered. PC Haughton was emailing from a home email address which may have led to messages being filtered and not received, there may have been an error in the email address used by PC Haughton, there may be other another explanation. These are not matters the Panel is required to work out. It is enough for us to conclude that we are not satisfied

on the balance of probabilities that PS Vaughan did in fact receive emails from PC Haughton;

116.8. The Panel is unable to conclude that on the balance of probabilities either emails or phone calls actually reached PS Vaughan. It follows that we are also not satisfied to the required standard that he ignored her attempts to contact him.

117. Accordingly this charge is not made out.

**Charge: when PS Vaughan first met PC Andrea Haughton he told her about the complaint that a colleague had made about him and made disparaging remarks about Ms Jan Nicholls (paragraph 11 Regulation 21 Notice)**

118. This charge is framed as set out above.

***Facts***

119. The Panel finds the following relevant facts:

119.1. The Panel accepts the evidence of PC Haughton that when she joined CSU she was made aware by PS Vaughan and others that “...*there had been some issues with a previous Hate Crime Officer (“HCO”) and tat he had been told to steer clear of hate crime, having nothing to do with it and that the previous HCO was even being managed by anther CSU sergeant*”;

119.2. The Panel also accepts her evidence that she was invited by PS Vaughan for a private conversation held in an office in which he elaborated on the situation regarding his relationship with the former HCO, explaining in some detail complaints the HCO had made against him;

119.3. In the course of the same conversation, PS Vaughan referred to a policy of not using personal mobiles in the office. He explained the origins of that policy as being because a member of the CSU administrative staff, Jan Nicholls, talked loudly on the phone and repeated conversations she had just had. He said she was a lovely lady but

complained that she was far too loud and that he had arranged for her to work in another office one day a week, in order to have a break from her;

119.4. PC Haughton concluded, and the Panel agreed, that it was useful to be informed of the reasons for the no mobile rule in general terms but that it was tactless and unnecessary to name individuals and make personal remarks about them.

***Breach of standard***

120. The Panel has reviewed the Code of Ethics guidance relating to the standard relating to Authority, Respect and Courtesy. We note that in relation to that standard the Code of Ethics states at paragraph 2.1:

*“According to this standard you must:*

- *Carry out your role and responsibilities in a...professional manner*

...

- *Ensure your behaviour and language could not reasonably be perceived to be abusive, oppressive, harassing, bullying, victimising or offensive by the public or your policing colleagues.”*

121. The Panel considers that there was no need for PS Vaughan to have commented to PC Haughton as he did. That is plainly not to say that all conversations between colleagues must be limited only to strictly necessary communication of information. However in this instance PS Vaughan was in a leadership position with the associated (and previously cited) responsibilities for professionalism. He was also not communicating information that was requested by PC Haughton, nor was it conversational or kind. To the contrary he was communicating unnecessary, uninvited, unfriendly, personal comment on colleagues in respect of his comments about Jan Nicholls, and unnecessary, irrelevant information regarding the previous HCO in respect of his comments on that situation. Both of these matters could reasonably be perceived as oppressive or offensive, and indeed were perceived by PC Haughton as “*tactless*” and “*unprofessional*”.

122. The Panel finds that although this behaviour is amongst some of the least serious it has had to consider in respect of PS Vaughan’s behaviour, nonetheless it does, on the balance

of probabilities, amount to a breach of the Standard relating to Authority, Respect and Courtesy.

**Charge: PS Vaughan told PC Haughton in front of others in the office that her work life balance application was nothing to do with PS Vaughan and if it were, he would not have approved it (paragraph 12 Regulation 21 Notice)**

123. This charge is framed as set out above.

***Facts***

124. The Panel finds the following relevant facts:

124.1. When PC Haughton was several weeks into her post as HCO she found that she had to adjust her proposed WLB in order to accommodate some compulsory shift pattern changes. She was working on this in the office when she asked PS Vaughan a question about her WLB in front of around 2 or 3 other members of the CSU working in the relatively small room;

124.2. At this point PS Vaughan was well aware of the (acknowledged) unusual and potentially complex, albeit thoughtfully considered, 72 week shift pattern that PC Haughton was proposing in her WLB application. He was also aware that Inspector Bilsdon had been in touch with PC Haughton both about the HCO role and had indicated his provisional support for the requested WLB. He had contacted Inspector Scott regarding PC Haughton's WLB application (although the Panel heard no evidence sufficient to establish precisely what PS Vaughan asked Inspector Scott about);

124.3. PS Vaughan responded with words to the effect that he was not interested, it was nothing to do with him, it had ben agreed with Inspector Bilsdon rather than him and so he wanted nothing to do with it and that if it had been a matter for him he would not have authorised it. PC Haughton pressed him on why, and he responded that he did not want to talk about it;

124.4. Evidence from other witnesses supports this (including James Moat who overheard this directly, and the written evidence of PC A on this point) and indeed PS

Vaughan accepted that this had happened in his cross examination and expressed regret, indicating his subsequent understanding of how to have handled this situation more appropriately;

124.5. At a date unknown sometime further on in time, PS Vaughan corrected what he had subsequently recognised (and admitted in his oral evidence) as rudeness and poor management of PC Haughton. He arranged a private meeting with her where he explained his position to her in detail, her WLB was more fully discussed and PS Vaughan approved an extension to the WLB application.

### ***Breach of standard***

125. The Panel has reviewed the Code of Ethics guidance relating to the standard relating to Authority, Respect and Courtesy, as above, and also the Standards relating to Equality and Diversity, Duties and Responsibilities and to Discreditable Conduct (in respect of which the Panel notes the Code of Ethics as stating that “...*you must keep in mind that the public expect you to maintain the highest standards of behaviour. You must, therefore, always think about how a member of the public may regard your behaviour, whether on or off duty.*”)

126. As to the standard relating to Authority, Courtesy and Respect, the Panel is satisfied to the appropriate standard that by his behaviour PS Vaughan failed to carry out his role and responsibilities as regards his interaction with PC Haughton over her WLB application in a professional manner. His response to her perfectly reasonable enquiry, about a matter of the utmost importance to her was dismissive, rude, offensive and oppressive. This was exacerbated by the fact that it took place in a public setting in front of colleagues and team members. Accordingly the Panel finds that, on the balance of probabilities, PS Vaughan breached the professional standard relating to Authority, Courtesy and Respect.

127. As to the Standard relating to Equality and Diversity, the Panel is satisfied on the balance of probabilities that PS Vauaghan’s treatment of PC Haughton amounted to a failure to treat her with fairness and impartiality as required for compliance with this standard. Furthermore the Panel notes the Code of Ethics examples in relation to this standard include a reference to “...*showing compassion and empathy...treat people*

*according to their needs...act and make decisions on merit, without prejudice and using the best information available...actively seek or use opportunities to promote equality and diversity*". The Panel takes account of the fact that PC Haughton was a female officer returning from a long career break and seeking support from the force to achieve a balance of work and home life and concludes that PS Vaughan's interaction with her on this topic fell well short of compliance with this standard.

128. As to the Standard relating to Duties and Responsibilities the Panel notes the Code of Ethics states that to comply with this standard officers must carry out their duties and obligations the best of their abilities and that examples in relation to this standard include references to "*...supporting your colleagues to the best of your ability in their work....*". t PS Vaughan's duties and obligations included reviewing PC Haughton's WLB application and maintaining a dialogue with her as to how it was working out in practice. His interaction with her also fell well short of compliance with this standard.

129. Furthermore the Panel has little doubt that a member of the public would consider the way in which PS Vaughan responded to PC Haughton rude, petulant and unprofessional. His response fell well below the high standards of professionalism and respect that the public expect to see in a police leader in his interactions with his staff. The Panel notes that PS Vaughan has handled other WLB issues sensitively (for example that of Claire Morris) Although the Panel takes note of this and the fact that he has also subsequently shown some insight into the way in which he handled this matter, this after the event reflection did not appear to encompass any appreciation of the importance of the WLB application to PC Haughton and does not absolve PS Vaughan of what the Panel also finds to be, on the balance of probabilities, a breach of the standard relating to Discreditable Conduct.

**Charge : PS Vaughan suggested to PC Haughton that she had made her work life balance application in an inappropriate way (paragraph 13 Regulation 21 Notice)**

130. This charge is framed as set out above.

***Facts***

131. The Panel finds the following relevant facts:

131.1. In a one to one mid-term review meeting between PS Vaughan and PC Haughton, PC Haughton asked PS Vaughan who she was due to meet with regarding her WLB application, given that he had made it clear he did not want anything to do with it;

131.2. PS Vaughan responded with words to the effect that he thought PC Haughton must have known someone, indicating Inspector Bilsdon or someone connected to him, as the WLB had all proceeded without him being included in the discussion. The Panel notes his denial of words with a plain implication of (as PC Haughton put it in her oral evidence) improper “*currying favour*” as regards the WLB application (which suggestion, for the avoidance of doubt, the Panel finds was baseless.) However in his oral evidence he did accept that whatever words he did use to communicate with PC Haughton were loaded and it was intended that PC Haughton should be able to “*read between the lines*” and infer the conclusion that PC Haughton duly reached;

131.3. On the balance of probabilities the Panel prefers the clear and convincing account of PC Haughton on this point.

***Breach of standard***

132. The Panel has reviewed the standard relating to Authority, Courtesy and Respect and is satisfied to the appropriate standard that by his behaviour PS Vaughan failed to carry out his role and responsibilities as regards his interaction with PC Haughton over her WLB application in a professional manner. His baseless slurring of her was rude, offensive and abusive. Accordingly the Panel finds that, on the balance of probabilities, PS Vaughan breached the professional standard relating to Authority, Courtesy and Respect.

133. As to the Standard relating to Equality and Diversity, the Panel is satisfied on the balance of probabilities that PS Vaughan’s treatment of PC Haughton amounted to a failure to treat her with fairness and impartiality as required for compliance with this standard. The Panel takes account of the fact that PC Haughton was a female officer returning from a long career break and seeking support from the force to achieve a balance of work and home life and concludes that PS Vaughan’s false accusation fell well short of compliance with this standard.

134. As to the Standard relating to Duties and Responsibilities the Panel notes the Code of Ethics states that to comply with this standard officers must carry out their duties and obligations the best of their abilities and that examples in relation to this standard include references to “...*supporting your colleagues to the best of your ability in their work...*”. PS Vaughan’s duties and obligations included reviewing PC Haughton’s WLB application and maintaining a dialogue with her as to how it was working out in practice. This interaction, which makes a baseless allegation of inappropriate behaviour against PC Haughton, is in the Panel’s view, totally unresponsive and fell well short of compliance with this standard.

135. PS Vaughan statement to PC Haughton was insulting and unprofessional. His response fell well below the high standards of professionalism and respect that the public expect to see in a police leader in his interactions with his staff. As with the previous, related charge, the Panel notes that PS Vaughan has handled other WLB issues sensitively (for example that of Claire Morris). Although the Panel takes note of this and the fact that he has also subsequently shown some insight into the way in which he handled this matter, this after the event reflection did not appear to encompass any appreciation of the importance of the WLB application to PC Haughton and does not absolve PS Vaughan of what the Panel also finds to be, on the balance of probabilities, a breach of the standard relating to Discreditable Conduct.

**Charge : PS Vaughan used his position as a police officer to form a relationship with Ms B (paragraph 14 Regulation 21 Notice)**

136. This charge is framed as set out above.

***Facts***

137. The Panel finds the following relevant facts:

137.1. Ms B and PS Vaughan were in a committed long-term relationship lasting around four years at a time when they both worked for Hertfordshire Police;

137.2. They lived together and bought a house together;

137.3. Fellow officers, including his superior officer Inspector Perks, knew of the relationship;

137.4. The relationship began when Ms B was around 20 years old and PS Vaughan was around 30 years old;

137.5. The relationship was instigated by Ms B and not by PS Vaughan.

138. In light of the above finding, the charge that PS Vaughan used his position as a police officer to form a relationship with Ms B is not made out on the balance of probabilities.

**Charge: during PS Vaughan's relationship with Ms B he behaved in a controlling, coercive and degrading manner towards her**

139. This charge is framed as set out above.

***Facts***

140. The Panel finds the following facts:

140.1. During the course of their relationship PS Vaughan was jealous of other men and felt insecure. These feelings had a detrimental effect on the relationship;

140.2. As a result of his jealousy and insecurity he exhibited some unattractive traits including wanting to know where Ms B was if she was late and texting to ask her questions about who she was with when she was on holiday. These behaviours occurred to a sometimes intrusive degree;

140.3. On the occasion of a colleague's wedding PS Vaughan did not want to go. An argument ensued and neither of PS Vaughan nor Ms B attended;

140.4. PS Vaughan and Ms B were saving for a house. PS Vaughan felt that spending on nights out and holidays ran against this objective and arguments between Ms B and PS Vaughan ensued;

140.5. Ultimately the relationship broke down as a result of a combination of these factors and the fact that Ms B kissed another man in a nightclub, which PS Vaughan considered to be an act of unfaithfulness;

140.6. After the relationship ended Ms B reached out to PS Vaughan in order to rekindle it, but PS Vaughan refused;

140.7. Not long before the first steps in these proceedings, Ms B had reached out again, this time in a different spirit, updating him on her new relationship and pregnancy. PS Vaughan was pleased for her and they had a positive conversation. Matters were on an amicable, Platonic footing between them;

140.8. The Panel's conclusions on other relevant facts are identified as appropriate below.

141. PS Vaughan denies that there was any coercive and controlling behaviour in the relationship. The Panel accepts the submissions of Mr Lewis that none of the words "coercive", "controlling" or "degrading" have a precise legal meaning, but that it is a criminal offence to engage in "controlling" or "coercive" behaviour within an intimate relationship: s.76 Serious Crime Act 2015. The AA has not suggested that a criminal offence was committed, If what is alleged in this case is less than that, then (a) there it runs the risk of being an unwarranted intrusion into private life and (b) it is difficult to see what test the Panel can properly apply to determine where the merits of the AA's case lie.

142. Guidance has been issued, both by the Government and by the CPS, as to the meanings of the words "coercive and controlling" for the purposes of criminal investigations and proceedings in this area.<sup>6</sup> While these are not criminal proceedings, the Panel has nonetheless considered this guidance in deciding whether the alleged conduct is made out.

143. The Government guidance, published in September 2012, before the s.76 offence was introduced, defines the relevant terms as follows:<sup>7</sup>

- **Coercive behaviour is an act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim**

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<sup>6</sup> <https://www.cps.gov.uk/legal-guidance/controlling-or-coercive-behaviour-intimate-or-family-relationship>

<sup>7</sup> There is no evidence whatsoever of degrading behaviour within the relationship.

- **Controlling behaviour is a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour**

144. The CPS guidance as to relevant behaviours provides as follows:

### **3.2 Relevant Behaviours**

**Prosecutors are advised that a pattern of controlling or coercive behaviour can be well established before a single incident is reported. In many cases the conduct might seem innocent - especially if considered in isolation of other incidents - and the victim may not be aware of, or be ready to acknowledge, abusive behaviour. The consideration of the cumulative impact of controlling or coercive behaviour and the pattern of behaviour within the context of the relationship is crucial. This approach will support the prosecutor to effectively assess whether a pattern of behaviour amounts to fear that violence will be carried out; or serious alarm or distress leading to a substantial adverse effect on usual day-to-day activities.**

**Further assistance can be obtained from the [Statutory Guidance](#) published by the Home Office pursuant to section 77(1) of the Serious Crime Act 2015.**

**Building on examples within the Statutory Guidance, relevant behaviour of the perpetrator can include:**

- **Isolating a person from their friends and family**
- **Depriving them of their basic needs**
- **Monitoring their time**
- **Monitoring a person via online communication tools or using spyware**
- **Taking control over aspects of their everyday life, such as where they can go, who they can see, what to wear and when they can sleep**
- **Depriving them access to support services, such as specialist support or medical services**

- Repeatedly putting them down such as telling them they are worthless
- Enforcing rules and activity which humiliate, degrade or dehumanise the victim
- Forcing the victim to take part in criminal activity such as shoplifting, neglect or abuse of children to encourage self-blame and prevent disclosure to authorities
- Financial abuse including control of finances, such as only allowing a person a punitive allowance
- Control ability to go to school or place of study
- Taking wages, benefits or allowances
- Threats to hurt or kill
- Threats to harm a child
- Threats to reveal or publish private information (e.g. threatening to 'out' someone)
- Threats to hurt or physically harming a family pet
- Assault
- Criminal damage (such as destruction of household goods)
- Preventing a person from having access to transport or from working
- Preventing a person from being able to attend school, college or University
- Family 'dishonour'
- Reputational damage
- Disclosure of sexual orientation
- Disclosure of HIV status or other medical condition without consent
- Limiting access to family, friends and finances

**This is not an exhaustive list and prosecutors should be aware that a perpetrator will often tailor the conduct to the victim, and that this conduct can vary to a high degree from one person to the next. It will be open to the courts to consider acts by a defendant and to conclude whether those acts constitute criminal behaviour.**

145. We find that the evidence led as to the extent to which Ms B's access to her friends was limited to be equivocal. For example, although the following events were led as evidence

by the AA, it was clear that, in context, Ms. B was not actually prevented from travelling abroad to holiday in Portugal with friends; the reason why Ms. B missed her friend's wedding was because PS. Vaughan was reluctant to attend, because he thought no-one there liked him and the reason why PS. Vaughan did not want Ms. B to go on a hen party in Marbella was because the couple were saving to buy a house together. The Panel also refers back to its assessment of Ms B as a witness and the concerns it has expressed over the potential taint in her evidence by reason of her being informed, before giving it. This has affected the Panel's assessment of the motivations for, and weight to be given to, her evidence. Without criticism of Ms B Panel nonetheless prefers PS Vaughan's account of their relationship to that now given by Ms B.

146. Furthermore, on Ms B's own account, for over a year towards the end of the relationship, the couple were living with Ms B's parents. While Ms B might have been (and plainly was, in due course) unhappy in the relationship, the Panel finds that she was not isolated from sources of support through the operation of coercion or control.

147. Ms. B was also financially and professionally independent (she won the PCSO of the year award during the relationship). She would had the support of her parents – with whom the couple lived – and she was not prevented from socialising through the use of *“assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim”*.

148. Even taking the AA's evidence at its highest, therefore, the conduct in question is not such as to properly amount to “coercive” or “controlling” behaviour.

149. As the CPS Guidance makes clear:

**There might be confusion about where the 'appropriate' dynamic of a relationship ends and where unlawful behaviour begins. [The College of Policing Authorised Professional Practice on Domestic Abuse](#) states: "In many relationships, there are occasions when one person makes a decision on behalf of another, or when one partner takes control of a situation and the other has to compromise. The difference in an abusive relationship is that decisions by a**

**dominant partner can become rules that, when broken, lead to consequences for the victim."**

**Therefore, prosecutors should consider the impact on the victim of following, or not following, rules imposed upon them within the wider context of the relationship. Also consider the range of offending behaviour with particular reference to other crimes, such as enforced sexual activity including rape.**

150. There is no evidence before the Panel that rules were set in the relationship which, if broken, would have led to consequences in the way described by the guidance, or at all.

151. For all of these reasons the Panel is unable to conclude on the balance of probabilities that this charge is made out. It therefore fails.

**Charge: When PS Vaughan's relationship with Ms B ended he made derogatory and untruthful comments about her to colleagues (paragraph 16 Regulation 21 Notice)**

152. This charge is framed as set out above.

***Facts***

153. The Panel finds the following relevant facts:

153.1. In around 2016, following the break-up of his relationship with Ms B, PS Vaughan stated within earshot of PC Webster words to the effect that the reason he and Ms B had split up was because "*she has been with my football team*";

153.2. When Claire Morris returned to CSU from maternity leave in 2017 and found PS Vaughan as her line manager she heard him say . Ms Morris was unable to recollect what was said or exactly when but the Panel accepts her evidence that PS Vaughan made comments of this type shortly after her return from maternity leave when they first worked together, and also that these petered out and stopped fairly shortly afterwards.

154. PS Vaughan denies making the comment about Ms B. The evidence on this was supplied very plainly and convincingly by PC Webster, whom the Panel believed. The

evidence of Claire Morris that unspecified but nonetheless derogatory comments were made within her hearing tends to support this. PS Vaughn's attempt to place emphasis on the fact that he does not have a football team (i.e. neither plays for nor supports one) seemed to the Panel a misguided and unattractive attempt to move the emphasis towards the largely irrelevant and detract from the obvious conclusion that this was plainly a figure of speech intended to suggest unfaithfulness by Ms B on a grand scale. His obfuscation made his denial even less convincing, in the Panel's view.

155. The Panel is accordingly satisfied that this charge is made out on the facts.

***Breach of standard***

156. The Panel found PC Webster's assessment of PS Vaughan at that time (immediately following the breakup with Ms B) as "*sad, lonely and desperate*" and experiencing bitter upset about the end of a committed relationship, to be perceptive. In assessing whether the facts we have found amount to a breach of standards we are urged by Counsel for PS Vaughan to take account of the fact of these raw feelings, the historical nature of the matter and the fact that it (relatively) quickly petered out (although the Panel notes that Claire Morris's evidence indicates that PS Vaughan was still expressing himself in this manner into the year after the breakup).

157. The Panel does take note of those matters but does not find that they excuse the making of these offensive remarks, particularly not by a leader to, or within earshot of, more junior members of his team who look to him as a role model, in a professional setting.

158. The Panel is satisfied on the balance of probabilities that this behaviour breaches the standard of Authority, Respect and Courtesy. By venting his feelings in bitter, unpleasant and degrading terms PS Vaughan lacked composure and respect and failed to act with self-control and tolerance.

**Charge: PS Vaughan would regularly stand by the window of the office and pass comment of a sexual nature about females he could see passing by (paragraph 17 Regulation 21 Notice)**

159. This charge is framed as set out above.

## ***Facts***

160. PS Vaughan admits this charge and the inappropriateness of his behaviour, but seeks to contextualise it by stating that its sexual nature was limited to identifying officers and members of police staff who he was attracted to for the purposes of matchmaking by fellow officers, including PCs Webster and Twist (who both accept that they did so.)
161. The Panel finds the following relevant facts:
- 161.1. When PS Vaughan was in the Instant Response Team (the “IRT”), working with both PCs Twist and Webster, he worked in the IRT Control Room from a central unit where officers passed by on either side. Both PC Twist and PC Webster observed that PS Vaughan would stand up and assess female officers passing by and make comment on their appearances;
- 161.2. The frequency of this was daily;
- 161.3. The nature of his comments ranged from “*she’s nice*” to “*I know what I would like to do to her*”, as overheard by PC Twist;
- 161.4. One of the purposes of him doing so was to inform PC Twist and PC Webster of the female officers he was attracted to with a view to their matchmaking for him. The Panel is unable to conclude on the balance of probabilities that this was the only purpose;
- 161.5. When PS Vaughan subsequently moved to the CSU in Hatfield, the same type of behaviour was manifested and observed by Claire Morris. The mechanics had changed to the observation being from the window into the staff car park. Ms Morris observes that this was a daily occurrence and the Panel accepts her evidence on this point.

## ***Breach of standard***

162. The Panel notes with concern that no one (whether those he was working with or more senior officers) appears to have called PS Vaughan out on this behaviour before this point. The fact that he has not received any guidance, management or feedback asking him to

reconsider his behaviour is a matter it takes into account and weighs in PS Vaughan's favour in assessing the gravity of his conduct in the context of standards of professional behaviour.

163. However, even taking that point into account, the Panel finds that this behaviour is wholly unacceptable and that, as a leader, PS Vaughan himself ought to have been well aware of this himself.

164. The Panel notes paragraph 2.3 of the Code of Ethics Guidance on the standard of Authority, Respect and Courtesy, which states: "According to this standard you must not engage in sexual conduct or other inappropriate behaviour when on duty". The Panel finds that PS Vaughan's behaviour clearly breached this standard.

165. Furthermore, the Panel considers that a member of the public would regard this behaviour as unacceptable and incompatible with a sergeant in the police force maintaining the highest standards of behaviour. Accordingly the Panel concludes that this behaviour brings discredit on the policing and is in breach of the standard relating to Discreditable Behaviour.

**Charge: PS Vaughan sent text messages to PC A about having sex with Ms C who he had briefly met once and who he knew was interested in working for the police (paragraph 18 Regulation 21 Notice)**

166. This charge is framed as set out above.

***Facts***

167. PS Vaughan admits this charge and accepts that these messages were inappropriate. However he submits that the messages were not taken at face value by PC A and were not intended to be taken at face value. In particular PS Vaughan asserts that he had no interest in achieving a sexual relationship with Ms C and that his interest was purely professional in seeking to attract her to apply for the administrative assistant role. He submits that the Panel should see his exchanges with Ms C as revealing his true attitude and dismiss his exchanges with PC A as inappropriate banter.

168. The Panel repeats the facts found earlier regarding the matters leading up to the exchange of WhatsApp messages between PC A and PS Vaughan in relation to Ms C. The Panel finds in addition that the exchange of messages with PC A was followed shortly by Ms C contacting PS Vaughan, having been supplied with his number by PC A per his agreement with PS Vaughan. An exchange took place between them where it was agreed that Ms C would meet with PS Vaughan to discuss the possibility of her applying for the administrative role in CSU as opposed to pursuing her initial interest in the FCR. Whilst ostensibly a professional exchange the Panel carefully noted the following:

168.1. When proposing to meet with Ms C, PS Vaughan suggested meeting for a chat, He says to her *“I can either come to you or you to me, just confirm...”*. This, the Panel finds, carries an immediate and obvious connotation of meeting in either his or her home. In his oral evidence PS Vaughan sought to gloss this by saying that he did not intend that and rather he meant meeting in a Costa coffee shop or similar. The Panel did not believe his evidence on this point and there is nothing to suggest that this is what he meant as opposed to the more natural meaning of “come to me”, meaning come to my home. The Panel perceives this, at best, to have been left deliberately ambiguous by PS Vaughan and to have been a “hook” to gauge Ms C’s interest in meeting on a more social footing. He also tries again a little later in the exchange where he follows up on Ms C’s initial response that she would “come to him” by asking *“you mean at the police station or after work?”* which the Panel conclude on the balance of probabilities was a further attempt to establish whether the contact was to be social or professional;

168.2. This is also supported by evidence Ms C has supplied in the form of screenshots of texts she was exchanging with PC A in parallel with (and unbeknownst to) PS Vaughan. The exchange the Panel noted in particular is as follows:

*“PC A – Where are you meeting him?”*

*Ms C – He said I can go to him or he will come to me you have reminded me to respond.*

*PC A – Meet at the police station.*

*Ms C – I’ve just said that I will go to him.*

*PC A – His house?*

*Ms C – I’m not sure the message said I can come to you or you can come to me*

*I assume its at the station*

*PC A – You need to clarify that.*

*Ms C – Waiting on a response now*

*Police station 11am*

*PC A – Brilliant. (Thumbs up emoji)”*

169. There appears to the Panel to be concern from PC A that Ms C should not meet at either of their homes or unwittingly betray an interest in anything other than a purely professional association. This is, in the Panel’s view, readily understandable given the exchanges that, only minutes earlier, PC A had had with PS Vaughan regarding his intentions towards Ms C.

170. The Panel therefore rejects PS Vaughan’s assertion that the exchange of messages with Ms C was a purely innocent and professional exchange. Instead we find that it was a calculated ruse to get in contact with Ms C in order to be able gauge whether or not she was open to meeting for a potentially sexual encounter.

171. The Panel also notes in this regard that, following Ms C’s election for meeting at the police station, clearly signalling her own purely professional interest, PS Vaughan’s contact with Ms C dwindled and the arrangement was never followed up on. PS Vaughan has put this down to the fact that shortly after the exchange he was very busy and that after that the proceedings began. Initial messages were exchanged on 23 October 2019, and then a request for a date change came from Ms C on 27 October 2019, which was the last contact between them. On 30 October 2019 that Chief Inspector Mason first informed PS Vaughan he was to be investigated, which is the earliest point at which concern about the proceedings might have caused PS Vaughan not to respond. The Panel notes that there was sufficient time to respond and follow up with Ms C had he wanted to (and as his 27 October 2019 messages indicated he would do on when he checked the diary on Monday 28 October 2019). The Panel concludes on the balance of probabilities that PS Vaughan did not respond because Ms C’s messages left no room for doubt that her interest was purely professional.

172. The Panel takes all of the above into account in concluding that PS Vaughan’s submission that his exchange with Ms C does not disclose a wholly innocent approach which is consistent, on PS Vaughan’s case, with a purely professional interest in Ms C. PS

Vaughan’s argument that these messages with Ms C reveal the true, wholly professional character of his intentions and are to be preferred to his exchanges with PC A is, accordingly, not accepted.

173. The hooks and attitudes in the messages with Ms C merely serve to underline, in the Panel’s view, a cynical and wholly deplorable attitude by PS Vaughan. When looked at as a whole in conjunction with the messages to PC A, as the Panel concludes is appropriate in order to fully understand what was going on, these reveal at worst an attempt to set up a ruse to dupe Ms C into meeting him with a view to seeking means of establishing a sexual relationship with him under the guise of arranging work experience – or, at best, a “testing of the waters” (to coin PS Vaughan’s own phrase used in connection with another somewhat veiled text exchange with a woman) with Ms C.

174. The Panel bears in mind that Ms C was at the time 18 years old and consequently relatively inexperienced as compared to PS Vaughan, who was at the time 39 years old and relatively long in service as a police sergeant.

175. As to the messages sent to PC A themselves, PS Vaughan described these as “difficult to read”. The Panel agrees with that assessment. They are unambiguously sexual, crude and cynical. The language used is objectively offensive and lewd. The Panel also concludes on the balance of probabilities that the messages reveal what the Panel has found to be at worst a ruse to establish, or at best a plan to test the waters for, a sexual relationship with Ms C, taking advantage of her innocent interest in work experience with a view to moving into police work. These are deplorably inappropriate messages both for their language and content and for what they reveal about PS Vaughan’s intentions.

***Breach of standard***

176. In light of the matters above the Panel concludes that the following professional standards have been breached:

176.1. The Standard relating to Honesty and Integrity. The Panel notes the Code of Ethics Guidance which gives the following relevant injunctions to police officers: “Act with honesty and integrity at all times” and “Do not use your position to inappropriately coerce any person or to settle personal grievances”. The Panel finds that PS Vaughan’s texting of PC A revealed an intention to abuse an innocent

professional interest on the part of Ms C by seeking, or at least investigating the possibility of seeking, a sexual relationship with her. On the balance of probabilities the Panel is satisfied that this breaches the Standard relating to Honesty and Integrity;

176.2. The Standard relating to Authority, Respect and Courtesy. By this standard a police officer is required to ensure that “your behaviour and language could not reasonable be perceived to be abusive...or offensive by the public or your policing colleagues.” Both the language used in the messages and the behaviour and intentions they reveal are deeply offensive on any sensible view and therefore this standard is breached;

176.3. The Standard relating to Discreditable Conduct. Again, by reason of both the language used in the messages and the behaviour and intentions they reveal, which are deeply offensive on any sensible view, PS Vaughan has failed to maintain the highest standards of behaviour as he is required to by this standard. These messages are, the Panel concludes on the balance of probabilities, likely to be interpreted as bringing discredit on the police. The Panel concludes that this standard is also breached.

**Charge: PS Vaughan referred to Ms C as “that bird” (paragraph 19 Regulation 21 Notice)**

177. This charge is framed as set out above.

***Facts***

178. This charge is admitted and the words are on the face of the WhatsApp exchanges between PS Vaughan and PC A. The Panel simply goes on to note that PS Vaughan admitted in his oral evidence that he knew not only her first name but also her surname. Indeed he also knew her age and that she was studying for NVQs. His knowledge of her, although not especially deep, was more than simply knowing her first name and this, in the Panel’s view, aggravates the conduct in referring to her not, respectfully, by her name, but dismissively, insultingly and demeaningly as “that bird”.

***Breach of standard***

179. In light of the matters above the Panel concludes that the following professional standards have been breached:

179.1. The Standard relating to Authority, Respect and Courtesy. By this standard a police officer is required to ensure that “your behaviour and language could not reasonably be perceived to be abusive...or offensive by the public or your policing colleagues.” Referring to Ms C as “that bird” is demeaning and insulting. It could reasonably be perceived as abusive and offensive and therefore this standard is breached;

179.2. The Standard relating to Discreditable Conduct. PS Vaughan has failed to maintain the highest standards of behaviour as he is required to by this standard. Referring to any young woman, let alone a person who is interested in obtaining work experience with the police and is politely and appropriately asking for assistance, is, the Panel concludes on the balance of probabilities, likely to be interpreted as bringing discredit on the police. The Panel concludes that this standard is also breached.

**Charge: PS Vaughan offered PC A a half-day if he could get PS Vaughan’s number to Ms C (paragraph 20 Regulation 21 Notice)**

180. This charge is framed as set out above.

***Facts***

181. Again, the Panel has set out and explored the fact finding relevant to this charge elsewhere. The Panel notes the different prism of this charge, namely that it focuses not on the upset caused to PC A by this inappropriate offer but rather on the inappropriateness of the conduct itself, but the fact finding in respect of it overlaps.

182. PS Vaughan denies this charge on the same basis as he denied the related charge of upsetting PC A, namely that the offer was not a genuine one but a tongue in cheek joke reference to a matter already agreed. For the avoidance of doubt, the Panel wholly rejects this explanation and adopts its earlier findings as regards the true position as regards this offer.

183. The Panel notes a later element of the exchange which tends to support the conclusion the Panel has reached. PS Vaughan reiterates the request to provide his number to Ms C

but this time states “*Do the right thing and say to her shall I give you his number so you can sort. I’ll do the rest. Or I’ll tell your wife your texting an 18yo.*”. This introduces a coercive tone to the exchanges and supports the view that PS Vaughan was seeking to use a range of inappropriate means (forms of bribery and blackmail, outwardly coached in joking term) to ensure that PC A did provide the number.

184. In assessing the above matters the Panel notes the relevance and importance of the fact that PS Vaughan was in a leadership role – both in relation to the fact that this gave him the power to make the offer to PC A and also in respect of its relevance to PS Vaughan’s behaviour when assessed as a role model to junior colleagues.

***Breach of standard***

185. In light of the matters above the Panel concludes that the following professional standards have been breached:

185.1. The Standard relating to Honesty and Integrity. The Panel notes the Code of Ethics Guidance which gives the following relevant injunctions to police officers: “Act with honesty and integrity at all times”, do not “....use your position...to gain a personal advantage that could give the impression that you are abusing your position”, “do not use your position to inappropriately coerce any person or to settle personal grievances”. The Panel finds that PS Vaughan’s offer to PC A sought to use his position as line manager to gain a personal advantage, namely an opportunity to enter into communications with a woman he was interested in pursuing sexually. On the balance of probabilities the Panel is satisfied that this breaches the Standard relating to Honesty and Integrity;

185.2. The Standard relating to Authority, Respect and Courtesy. By this standard a police officer is required to ensure that “you must not...pursue an improper sexual...relationship with a person whom you come into contact in the course of your work who may be vulnerable to an abuse of trust or power” and “your behaviour and language could not reasonable be perceived to be abusive...or offensive by the public or your policing colleagues.” The language of bribery, however light-hearted the surrounding tone, could reasonably be perceived to be abusive or offensive. Furthermore, the clear motivation for the offer of a half day off is the pursuit of a sexual

relationship with a person PS Vaughan is coming into contact with in the course of his work (both in having met her at the charity barbeque at the station and because she is reaching out to him as a potential access point to undertaking police work), and who, by reason of her seeking work experience with him, may be vulnerable to an abuse of trust or power. Therefore the Panel concludes that, on the balance of probabilities, this standard is breached;

185.3. The Standard relating to Discreditable Conduct. Again, by reason of both the language used in the messages and the behaviour and intentions they reveal, which are offensive on any sensible view, PS Vaughan has failed to maintain the highest standards of behaviour as he is required to by this standard. This offer and its element of bribery for sexual gain, the Panel concludes on the balance of probabilities, is likely to be interpreted as bringing discredit on the police. The Panel concludes that this standard is also breached.

**Charge : PS Vaughan formed or attempted to form relationships with Ms C, a member of the public who he met in his capacity as a police officer and did not report the relationship to his line manager (paragraph 21(a) Regulation 21 Notice)**

186. This charge is framed as set out above.

***Facts***

187. The Panel finds the following facts:

187.1. PS Vaughan met Ms A for the first time when she attended a charity barbecue at Hatfield police station, organised by PC A. She attended in her capacity as barmaid of PCA's local pub, the White Hart, who provided staff to serve food and drinks;

187.2. They spoke at the event and PS Vaughan learned her full name, her age and the fact that she was studying for an NVQ;

187.3. They met again at the White Hart on 23 October 2019 where she expressed an interest in working for the police and sought guidance on obtaining work experience.

188. The Panel is satisfied on the balance of probabilities that:

188.1. PS Vaughan met MS C in his capacity as a police officer;

188.2. His interest in her was sexual, as revealed by his unambiguous exchange of messages with PC A on this point and as per the Panel's findings on this point elsewhere;

188.3. That by his exchanges of messages with her, including his references to meeting outside work, he sought to gauge her interest with a view to forming a relationship with her. This, the Panel concludes, was an attempt (albeit early stage) to form a sexual relationship with her;

188.4. He did not report the attempt to form the relationship to his line manager.

### ***Breach of standard***

189. The Panel has concluded that on the balance of probability the following professional standards are breached (for the avoidance of doubt, the fact that PS Vaughan's early attempts to pursue Ms C did not come to anything in the events which unfolded has, in the Panel's view, no material effect on our conclusions):

189.1. Standard relating to Honesty and Integrity. The Panel notes the Code of Ethics Guidance which gives the following relevant injunctions to police officers: "Act with honesty and integrity at all times", do not "...use your position...to gain a personal advantage that could give the impression that you are abusing your position", "do not use your position to inappropriately coerce any person or to settle personal grievances". The Panel finds that PS Vaughan's used his position as a police officer with the power to arrange work experience and potentially to offer a job to Ms C to attempt to gain a personal advantage, namely a sexual relationship with her. On the balance of probabilities the Panel is satisfied that this breaches the Standard relating to Honesty and Integrity;

189.2. The Standard relating to Authority, Respect and Courtesy. By this standard a police officer is required to ensure that "you must not...pursue an improper

sexual...relationship with a person whom you come into contact in the course of your work who may be vulnerable to an abuse of trust or power” and “your behaviour and language could not reasonable be perceived to be abusive...or offensive by the public or your policing colleagues.” The Panel has concluded that PS Vaughan was pursuing a sexual relationship with a person he had came into contact with in the course of his work and who, by reason of her seeking work experience with him, may have been vulnerable to an abuse of trust or power. Therefore the Panel concludes that, on the balance of probabilities, this standard is breached;

189.3. The Standard relating to Orders and Instructions. The Code of Ethics injuncts police officers to “take any relevant policing codes, guides, policies and procedures into consideration.” The Sexual and Emotional Gain policy defines the abuse of position for sexual or emotional gain as “Any behaviour by a police officer...whether on or off duty, that takes advantage of their position as a member of the police service, to misuse their position, authority or powers, in order to pursue a sexual or improerp emotional relationship with any member of the public. This includes:...entering into any communication that could be perceived as sexually motivated or lewd; or for any other sexual purpose.” It also out at paragraph 4.2 that BCH police officers must not “engage in, or pursue, a sexual...relationship, on or off duty, with any member of the public who you have come into contact with during the course of your current work or duties. While you may find yourself attracted to a member of the public...it is your responsibility not to act on these feelings. This is to prevent any harm that such actions may cause and to maintain the integrity of the policing profession.” The Panel considers that PS Vaughan’s contact, as revealed in context by the contemporaneous exchanges with PC A, breached the BCH police by pursuing a sexual relationship with Ms C. By reason of the breach of policy PS Vaughan failed to take a relevant policing policy into consideration and, accordingly, breached this professional standard;

189.4. The Standard relating to Discreditable Conduct. The Panel considers that PS Vaughan has failed to maintain the highest standards of behaviour as he is required to by this standard. His sexual interest in Ms C, the arrangements he made with PC A and the disingenuous contact he entered into with Ms C in pursuit of a sexual relationship with her are, in the Panel’s view, likely to be interpreted as bringing discredit on the police. The Panel concludes that this standard is also breached.

**Charge : PS Vaughan formed or attempted to form a relationship with Ms D, a member of the public who he met in his capacity as a police officer and did not report the relationship to his line manager (paragraph 21(b) Regulation 21 Notice)**

190. This charge is framed as set out above.

***Facts***

191. The Panel finds the following facts:

191.1. Ms D is an Environmental Health technical officer employed by Hatfield BC. She attends antisocial behaviour (“ASB”) forums in that capacity, as does PS Vaughan in his role as sergeant of the CSU with responsibility for ASB matters;

191.2. PS Vaughan and Ms D met at these forums. Ms D did not notice PS Vaughan but PS Vaughan believed that she did and that she was attracted to him;

191.3. Using his police email account and during police working hours he sent emails to her between 15 and 27 June which contained a number of “hooks” to gauge her interest in him. After her initially not knowing who he was he continued to send emails which reached the point where he concluded she was flirting with him and encouraged that by email;

191.4. One of the ways in which the emails sought to flirt with Ms D was by drawing attention to his status as a police officer;

191.5. PS Vaughan ultimately brought the email exchanges to an end;

191.6. Some time later he and Ms D both swiped right for each other on Tinder. The untested written evidence of Ms D asserts that in her case this was at the insistence of her friends as a joke. PS Vaughan stated in his oral evidence that he had not recognised her on Tinder because the images are heavily photoshopped. Given the unlikely coincidence of his having reached out to her and sought to induce her to flirt with him shortly before the Panel did not, on the balance of probabilities, accept his evidence on

this point and concluded that he had recognised Ms D and swiped right in the knowledge that he was pursuing a sexual or emotional relationship with her;

191.7. They subsequently met for a date. Ms D's untested written evidence (which the Panel concludes is plausible and clear and accepts it, also noting that PS Vaughan did not demur from her description of their date) stated that he made comments about an attractive mutual colleague who had "come on to him" but he had rejected on the grounds that she was "too curvy and would not improve with age". This, in combination with other conversation they had on that evening, led Ms D to form an unfavourable impression of him;

191.8. Ms D asserts that they did not see one another again after this date. PS Vaughan's live evidence was that they did see each other in a professional setting on a few other occasions. The Panel is not satisfied on the balance of probabilities that they did;

191.9. In his oral evidence PS Vaughan was pressed as to whether he saw any impropriety in pursuing this relationship. He did not at the time and does not still. PS Vaughan demonstrated, in the Panel's view, a lack of insight into the potential for conflict (actual or perceived) in pursuing a relationship with a member of a partner agency or the scope and application of the BCH Sexual and Emotional Gain policy. In particular, the Panel noted that although the importance of the ASB forum was minimised by PS Vaughan, and it was said by him that meetings were largely to show ones face, catch up on matters and that they were harmonious, plainly the partner agencies work together on complex matters from time to time where it may be expected that there would be differences of opinion between the partner agencies. The potential for conflict in this and related situations is, in the Panel's view, plain.

192. The Panel is satisfied on the balance of probabilities that:

192.1. PS Vaughan met Ms D in his capacity as a police officer;

192.2. He did not report the attempt to form the relationship to his line manager.

***Breach of standard***

193. The Panel has concluded that on the balance of probability the following professional standards are breached:

193.1. The Standard relating to Authority, Respect and Courtesy. By this standard a police officer is required to ensure that “you must not...pursue an improper sexual...relationship with a person whom you come into contact in the course of your work who may be vulnerable to an abuse of trust or power”. The Panel has concluded that PS Vaughan was pursuing a sexual relationship with a person (Ms D) he had come into contact with in the course of his work and who, by reason of her work for a partner agency, may have been vulnerable to an abuse of trust or power. Therefore the Panel concludes that, on the balance of probabilities, this standard is breached;

193.2. The Standard relating to Orders and Instructions. The Code of Ethics injuncts police officers to “take any relevant policing codes, guides, policies and procedures into consideration.” The Sexual and Emotional Gain policy states at paragraph 4.2 that BCH police officers must not “engage in, or pursue, a sexual...relationship, on or off duty, with any member of the public who you have come into contact with during the course of your current work or duties. While you may find yourself attracted to a member of the public...it is your responsibility not to act on these feelings. This is to prevent any harm that such actions may cause and to maintain the integrity of the policing profession.” The Panel considers that PS Vaughan’s pursuit of Ms D to establish, or seek to establish, a sexual or emotional relationship breached the BCH policy. PS Vaughan thereby failed to take a relevant policing policy into consideration and, accordingly, breached this professional standard;

193.3. The Standard relating to Discreditable Conduct. The Panel considers that PS Vaughan has failed to maintain the highest standards of behaviour as he is required to by this standard. The fact that he used his position to form, or attempt to form, a relationship with a member of the public who is also a member of staff in a partner agency with the associated potential for impact on work and/or conflicts of interest is, in the Panel’s view, likely to be interpreted as bringing discredit on the police. The Panel concludes that this standard is also breached.

**Charge : PS Vaughan formed or attempted to form a relationship with Ms E, a member of the public who he met in his capacity as a police officer and did not report the relationship to his line manager (paragraph 21(c) Regulation 21 Notice)**

194. This charge is framed as set out above.

***Facts***

195. The Panel has only a hearsay account of Ms E's evidence and she declined to give a statement or attend the hearing.

196. The Panel finds the following facts:

196.1. Ms E is the manager of the Wellington pub in Welwyn Village;

196.2. PS Vaughan is the officer with responsibility for licensing, including the licensing of the Wellington pub;

196.3. Ms E was involved in providing a voucher for the charity barbeque organised by PC A. She met PS Vaughan when he drove PC A to the pub to discuss this. He was in uniform at the time and driving a police car;

196.4. Ms E was attracted to PS Vaughan and made contact with him through PC A, which led to two dates, after which their relationship ended. PS Vaughan and Ms E had sex on both occasions and this led to Ms E believing she may be pregnant and attending at PS Vaughan's house while drunk one evening and creating a scene which led to the police being called by PS Vaughan in order to encourage her to leave;

196.5. In his oral evidence PS Vaughan was pressed as to whether he saw any impropriety in pursuing this relationship. He did not at the time and does not still. In particular he pointed out that although the Wellington is licensed premises for which he has responsibility for licensing matters, he characterises the Wellington as a high end restaurant rather than a pub and did not believe there was any real potential for conflict as the licensing was straightforward. PS Vaughan demonstrated, in the Panel's view, a lack of insight into the obvious potential for conflict (actual or perceived) in

pursuing a relationship with the manager of licensed premises for which he is the licensing officer.

197. The Panel is satisfied on the balance of probabilities that:

197.1. PS Vaughan met Ms E in his capacity as a police officer;

197.2. He did not report the attempt to form the relationship to his line manager.

***Breach of standard***

198. The Panel has concluded that on the balance of probability the following professional standards are breached:

198.1. The Standard relating to Authority, Respect and Courtesy. By this standard a police officer is required to ensure that “you must not...pursue an improper sexual...relationship with a person whom you come into contact in the course of your work who may be vulnerable to an abuse of trust or power”. The Panel has concluded that PS Vaughan was pursuing a sexual relationship with a person (Ms E) he had come into contact with in the course of his work and who, by reason of her status as the manager of licensed premises in respect of which he was the licensing officer, may have been vulnerable to an abuse of trust or power. Therefore the Panel concludes that, on the balance of probabilities, this standard is breached;

198.2. The Standard relating to Orders and Instructions. The Code of Ethics instructs police officers to “take any relevant policing codes, guides, policies and procedures into consideration.” The Sexual and Emotional Gain policy states at paragraph 4.2 that BCH police officers must not “engage in, or pursue, a sexual...relationship, on or off duty, with any member of the public who you have come into contact with during the course of your current work or duties. While you may find yourself attracted to a member of the public or find yourself in a situation where someone is attracted to you, it is your responsibility not to act on these feelings. This is to prevent any harm that such actions may cause and to maintain the integrity of the policing profession.” The Panel considers that PS Vaughan’s had a duty not to act on the approaches of Ms E when she reached out to establish a sexual or emotional with him and that by failing to do so and subsequently entering into a sexual relationship with her, breached the BCH

police policy. PS Vaughan accordingly failed to take a relevant policing policy into consideration and breached this professional standard;

198.3. The Standard relating to Discreditable Conduct. The Panel considers that PS Vaughan has failed to maintain the highest standards of behaviour as he is required to by this standard. The fact that he formed a relationship with a member of the public that he met in his role as a police officer and who managed a licensed premises which he has responsibility for as licensing officer is, in the Panel's view, likely to be interpreted as bringing discredit on the police. The Panel concludes that this standard is also breached.

**Charge : PS Vaughan formed or attempted to form a relationship with Ms F, a member of the public who he met in his capacity as a police officer and did not report the relationship to his line manager (paragraph 21(c) Regulation 21 Notice)**

199. This charge is framed as set out above.

***Facts***

200. The Panel has only a hearsay account of Ms F's evidence and she declined to give a statement or attend the hearing.

201. The Panel finds the following facts:

201.1. Ms F works for Thames Valley Housing Association, a partner agency with CSU in relation to certain policing matters;

201.2. Around 2 or 3 years ago Ms F and PS Vaughan met in partner agency meetings and began dating. Ms F was already in a relationship at the time. She and PS Vaughan were happy but she was not prepared to leave her boyfriend;

201.3. When this became clear PS Vaughan sent her messages which were seen by James Moat. Under cross examination James Moat assessed them as "blunt", which PS Vaughan admits. These are described as "ultimatums" in Ms F's (untested) written account. The Panel is unable to assess the content of the messages but is satisfied that

they were direct and also accepts PS Vaughan's assessment that he had to be blunt because Ms F was, he felt, "*playing with his emotions*";

201.4. The relationship came to an end. At the point at which it ended Ms F and PS Vaughan were not on good terms (although their relationship has subsequently improved and is now amicable);

201.5. The Panel finds that the manner in which the relationship ended led to PS Vaughan deciding not to attend partner agency meetings and sent the ASB officer instead. The Panel has drawn this conclusion from the evidence of James Moat, which it accepts;

201.6. In his oral evidence PS Vaughan was pressed as to whether he saw any impropriety in pursuing this relationship. He did not at the time and does not still. He stated that "*No work related issues were caused*". PS Vaughan demonstrated, in the Panel's view, a lack of insight into the potential impact of his decision to avoid partner agency meetings.

202. The Panel is satisfied on the balance of probabilities that:

202.1. PS Vaughan met Ms F in his capacity as a police officer;

202.2. He did not report the attempt to form the relationship to his line manager.

***Breach of standard***

203. The Panel has concluded that on the balance of probability the following professional standards are breached:

203.1. The Standard relating to Authority, Respect and Courtesy. By this standard a police officer is required to ensure that "you must not...pursue an improper sexual...relationship with a person whom you come into contact in the course of your work who may be vulnerable to an abuse of trust or power". The Panel has concluded that PS Vaughan was pursuing a sexual relationship with a person (Ms F) he had come into contact with in the course of his work and who, by reason of her status as an employee of a partner agency, may have been vulnerable to an abuse of trust or power.

Therefore the Panel concludes that, on the balance of probabilities, this standard is breached;

203.2. The Standard relating to Orders and Instructions. The Code of Ethics instructs police officers to “take any relevant policing codes, guides, policies and procedures into consideration.” The Sexual and Emotional Gain policy states at paragraph 4.2 that BCH police officers must not “engage in, or pursue, a sexual...relationship, on or off duty, with any member of the public who you have come into contact with during the course of your current work or duties. While you may find yourself attracted to a member of the public or find yourself in a situation where someone is attracted to you, it is your responsibility not to act on these feelings. This is to prevent any harm that such actions may cause and to maintain the integrity of the policing profession.” The Panel considers that PS Vaughan’s had a duty not to pursue a relationship with Ms F and that by entering into a sexual relationship with her, breached the BCH police policy. PS Vaughan accordingly failed to take a relevant policing policy into consideration and breached this professional standard;

203.3. The Standard relating to Discreditable Conduct. The Panel considers that PS Vaughan has failed to maintain the highest standards of behaviour as he is required to by this standard. The fact that he formed a relationship with a member of the public who is also a member of staff in a partner agency with the associated potential for impact on work and/or conflicts of interest is, in the Panel’s view, likely to be interpreted as bringing discredit on the police. The Panel concludes that this standard is also breached.

## **Conclusion**

204. The Panel has endeavoured to be astute not to over-compartmentalise individual incidents which, if taken outside the context in which the charge is put, might appear to be trivial. We have, nonetheless, worked through each element of the matters charged individually in order to assess the facts and breaches carefully before turning to a cumulative assessment of conduct. While some of the matters found proven, if taken alone, would only have amounted to misconduct (and here we refer to the charges contained in

the Regulation 21 Notice at paragraphs 9(a), 9(b), 11, 12, 13, 16, 17 and 19), some of the charges have satisfied the Panel that the breaches of standards of professional behaviour are so serious that dismissal would be justified and that they amount to gross misconduct accordingly. Those matters are (the charges contained in the Regulation 21 Notice at paragraphs) 9(f)(viii), 9(f)(ix), 18, 20 and the matters charged at paragraphs 21(a)-(d) when taken together.

205. Assessing all of the matters before us cumulatively the Panel considers that the breaches of standards of professional behaviour, when taken together, are so serious that dismissal would be justified. The Panel accordingly finds gross misconduct proved.

**Lyndsey de Mestre QC**

**Richard Gutowski**

**Superintendent Paul Sandwell**

**20<sup>th</sup> September 2021**