IN THE MATTER OF THE POLICE CONDUCT REGULATIONS 2020

AND IN THE MATTER OF AN ACCELERATED MISCONDUCT HEARING

RE: PC 3597 THOMAS ROSS

DETERMINATION OF CHIEF CONSTABLE VICTORIA FULLER

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1. This is my determination in the Accelerated Misconduct Hearing relating to PC 3597 Thomas Ross ('the Officer').

Representation

2. The Appropriate Authority was DCI Peter Littlewood. The Officer did not attend the hearing, but was represented by his federation representative, Lauren Somerville.

Allegations

3. The Officer faces allegations set out in the Regulation 51 notice which, in summary, alleges that the Officer sexually assaulted a work colleague, PC A, by grabbing their waist and kissing their neck on the 6th December 2024. The Officer was subsequently convicted of the offence of Sexual Assault on the 24th August 2026 following a guilty plea.

4. It is alleged that such conduct was a breach of the Standards of Professional Behaviour relating to Authority, Respect and Courtesy and Discreditable conduct

5. The Officer has not provided a Regulation 54 response.

Burden and standard of proof

6. The burden of proof is on the Appropriate Authority to prove that the Officer behaved in the manner alleged and that in doing so, he breached the standards of professional behaviour. The standard of proof is on the balance of probabilities. The Appropriate Authority must further satisfy me that the manner of the breach is of such a nature or degree that it amounts to Gross Misconduct. This is defined in Regulation 2 as "*a breach of the Standards of Professional Behaviour that is so serious as to justify dismissal*"

Stage 1 - Determination of conduct

7. In making my determination in relation to the alleged misconduct, I have assessed all relevant information made available to me in the hearing bundle. I have also utilised the relevant sections of the College of Policing Document '*Guidance on Outcomes in Police Misconduct Proceedings*' in formulating the rationale for my determination.

8. It is alleged that the Officer has Sexually assaulted PC A.

9. The evidence before me shows that the Officer attended an unofficial work Christmas party. PC A states that during the course of the evening she was on the dancefloor in Barracuda when PC Ross approached her from behind, grabbed her hips with both of his hands. The Officer then attempted to flick

up PC A's dress and kissed her on her neck. PC A did not consent to this and moved her shoulder to stop the Officer from continuing. She kept away from him for the rest of the evening, before leaving at 2am. After this incident at the Learning Development Centre, the Officer apologised to PC A stating, "*I am sorry if I was weird with you*". In my view, this is an admission that PC Ross knew his conduct was inappropriate prior to any criminal proceedings commencing.

10. When interviewed, the Officer accepted kissing PC A's neck, but maintained that this was consensual.

11. The Officer was subsequently charged with a criminal offence, namely sexual assault, for that conduct. On the 24th August 2026 the Officer pleaded guilty to that offence. That was a formal admission to the offence, where the Officer accepted that he had sexually assaulted PC A. He was sentenced to a 2 year community order, with 150 hours unpaid work and made subject to notification requirements for 5 years.

12. I am satisfied on balance of probabilities that the Officer acted as alleged in the Regulation 51 notice, in that he subjected PC A to a sexual assault on the 6th December 2024 and that he subsequently pleaded guilty to that offence before Newcastle Crown Court. I am satisfied of this because of the content of the witness statements and the Officer's admission to behaving weirdly after the incident and by pleading guilty to the offence.

13. I am also satisfied that the conduct breaches the standards for Discreditable Conduct and Authority, Respect and Courtesy. The Officer failed to treat PC A with the respect she deserved and went on to commit a criminal offence towards her.

Severity

14. I have considered Section 4 of the Home Office Guidance on Outcomes and consider the seriousness of the conduct in line with the test set out at paragraph 4.3 of the Guidance. I have considered culpability, harm and any aggravating or mitigating factors.

15. Regarding culpability, the commission of criminal offences are particularly culpable as those who uphold the law are expected not to break it (4.17). This is not a minor criminal offence, as sexual offences are particularly serious (4.20). Even a minor criminal offence can be of the upmost seriousness in a professional context. Sexual impropriety can significantly undermine the public trust and confidence in the profession (4.40). I therefore assess the culpability as High.

16. When considering the level of harm, PC A suffered direct harm by being subject to a sexual assault by the Officer. The reputation of the police was also harmed by the Officer's conduct, as public confidence would be undermined if they were aware of the Officer's conduct. Sexual abuse is a matter that has been of significant national concern over the past few years, and the Officer's conduct risks members of the public feeling unable to report sexual abuse to the police for fear of it not being treated seriously. The level of harm is therefore high.

17. I also considered the list of aggravating features in this case as set out at paragraph 4.76. Factors I consider aggravating are:

    a. Malign intent in the form of sexual gratification
    b. A form of Violence against Women and girls
    c. Multiple standards breached.

18. All of those factors have already been accounted for in my assessment of harm and culpability. I therefore do not further aggravate the Officer's behaviour.

19. In terms of mitigation, the behaviour documented in the Regulation 51 notice is confined to a single episode. Some remorse can be demonstrated by the Officer's guilty plea, though this is limited given his denial in interview.

20. I have given specific consideration as to whether the misconduct is at the level of Gross Misconduct or at the level of simple misconduct only. Having assessed the seriousness of the Officer's actions, I am satisfied that the misconduct is so serious as to justify dismissal and so constitutes Gross Misconduct. The conduct by the Officer amounted to the commission of a serious criminal offence. The impact of that behaviour on the public's trust and confidence in the police would be substantial. I am therefore satisfied that the only appropriate assessment is that the behaviour amounts to Gross Misconduct.

Finding

21. In conclusion, my findings are that these allegations are proven in full on the balance of probabilities and that the proven misconduct breaches the Standards of Professional Behaviour alleged, namely Discreditable Conduct and Authority, Respect and Courtesy. These breaches amount to Gross Misconduct.

Stage 2 - Determination of Outcome

1. Having determined that these allegations amounted to Gross Misconduct, I invited representations from the Appropriate Authority and the Federation Representative on behalf of the Officer on the appropriate outcome in this case.

2. Submissions were made by the Appropriate Authority that the appropriate outcome in this case would be dismissal without notice. I have also heard a detailed and thoughtful apology on behalf of the Officer read by his Federation Representative. He accepted that he has caused distress to PC A by his actions. He accepted he has brought the Police Force into disrepute. It shows real insight into his behaviour and the consequences of it.

3. Any action I take today has to balance the Officer's rights proportionately with the requirement to maintain public confidence, and to deter misconduct. My role is not punitive and is not to punish the Officer.

4. I have considered the seriousness of the misconduct in accordance with the College of Policing's Guidance on Outcomes already and therefore do not intend to repeat my reasoning for reaching that decision. In my view, the culpability and Harm in this case was High. The limited number of mitigating factors cannot in any way alter the reality that this was incredibly serious misconduct.

Determination

5. I find that the appropriate outcome in this case is dismissal without notice.

6. For the avoidance of doubt, this is not a case in which the 2025 Amendments apply as it came to the attention of the AA prior to May 2025. As set out at

paragraph 3.26 of the Guidance, the available options to me are a Final Written Warning, a reduction in rank or dismissal without notice. As the Officer is a PC, a reduction in rank cannot apply in this case.

7. Considering those sanctions with the least serious first, a final written warning would be wholly inappropriate as a way of addressing the seriousness of this behaviour. This was serious sexual misconduct which has resulted in the Officer being convicted of a criminal offence.

8. Therefore, the only outcome I can impose is dismissal without notice. In my view that sanction most appropriately addresses the seriousness of the misconduct in any event. Even Officers who commit minor criminal offences are likely to lose their job. Officer's who commit as serious an offence as sexual assault can only realistically expect to be dismissed.

9. There is no mitigation which I can find which would allow me to take the exceptional course and step away from the punishment of dismissal without notice. Whilst the Officer's apology was in my view genuine, it cannot undermine the seriousness of the misconduct in this case.

10. The Officer should also be placed on the Police Barring list.

11. I am aware of the Officer's right to appeal in accordance with the Police Appeals Tribunal Rules 2020. The Officer should provide notice of his intention to appeal to the Appropriate Authority within 10 working days of receipt of this written determination.

Chief Constable Victoria Fuller

13th November 2026