

IN THE MATTER OF THE POLICE (CONDUCT) REGULATIONS 2020

CONCERNING

FORMER PC 3727 FLOREY

DECISION OF THE PANEL

Alleged Conduct – as set out in the Regulation 30 Notice

Officer A

He performed the role of temporary sergeant from the 5th of May 2023 to the 20th of March 2024. In May 2023 he sent Officer A a WhatsApp message asking for her Snapchat username. He later sent her a further message in which he stated “come see me sometime you on Snapchat? Mrs won’t find that lol”. A feature of the Snapchat social media platform is that messages exchanged by users cease to be visible after they have been sent.

Officer A felt compelled to provide him with her Snapchat username.

He then proceeded to send Officer A messages on Snapchat which were unwanted and made her feel uncomfortable. His messages included ones in which he asked Officer A to come and see him because his wife was not at home and asking her if she would like to have some fun until she had found a boyfriend.

Officer A did not feel able to ask him to stop sending her messages because of the impact this could have on their working relationship in which there was a power imbalance between them and the risk of him causing her difficulties at work.

In due course, Officer A deleted him on Snapchat. On 13th June 2023 he sent Officer A an iMessage in which he stated, “Hi I authorised your OT, you not speaking to me now?”.

On 4th August 2023, he sent Officer A a message on Instagram in which he stated “My gosh, your pics are amazing! 4.2k followers, love island material (laughing emoji) I’ve set this rogue account up (two laughing emojis).”

On the same date, he then sent Officer A the following message on Instagram:

“I’d love to take you out! Or have some fun until you find Mr long-term x”.

Officer B

On 8th February 2024, he followed on Instagram and then sent a message on Instagram to Officer B. He had previously acted as her designated supervisor on a night-time economy shift.

In his messages, he complimented Officer B on her appearance, asked her if she had a boyfriend and asked her if she would be interested in a relationship even though he already had a partner. He also commented that it would be easier to conceal their relationship because they worked in different teams. In one of his messages he stated:

“Fair enough, thought you might like some fun until you find mr right”.

His messages were unwanted and made Officer B feel uncomfortable.

Officer B was so concerned about the content of his messages that she felt it necessary to bring them to the attention of her supervisor, Sgt C on the 13th February 2024.

On the 29th February 2024, Officer B needed to reset her smart card by using a device which was located in an office where he was present. After Officer B had done this, she received a message on Instagram from him stating “looking good this morning when you came in to reset card (winking emoji).”

His message was unwanted and made Officer B feel uncomfortable. On the 1st March 2024 Officer B asked Sgt C to advise him that his messages were unwanted.

On 2nd March 2024, he was the designated supervisor for Officer B to report to when she was conducting a warrant. After she had spoken to him on police radio to provide him with an update, he used police radio to say to Officer B that she could have messaged him directly rather than going through Sgt C regarding the Instagram message he had sent her.

He showed a pattern of behaviour targeted towards female colleagues more junior than him. The behaviour was inappropriate, unprofessional, persistent and unwanted. This was repeated towards two different female officers over a period of time. The impact of his behaviour created a toxic workplace environment for the females involved. His actions damaged the reputation and the trust and confidence in policing.

Response to the Allegations

The Former Officer chose not to provide a Reg 31 Response and in communications made via his Federation Representative he tendered his resignation ahead of these proceedings. He stated that he was not contesting them. However, the Panel decided to adopt his Regulation 18 Response as their starting point as he had not retracted this. In his Reg 18 Response, he denies that he has breached the Standards of Professional Behaviour. The Panel has therefore carefully considered the Former Officer’s account as detailed in his Reg 18 Response along with all the other evidence contained within the bundle which included witness statements and copies of messages along with copies of force policy.

Representation

Throughout the hearing the Appropriate Authority (‘AA’) has been represented by Mr Singh. The former officer was not represented at the hearing. The Panel is grateful for the assistance provided by Mr Singh and decided to proceed in the public interest.

The Standards of Professional Behaviour are contained in Schedule 2 of The Police (Conduct) Regulations 2020 and within the Home Office Guidance of 2018:

a. Authority, Respect and Courtesy

Police officers act with self-control and tolerance, treating members of the public and colleagues with respect and courtesy.

Police officers do not abuse their powers or authority and respect the rights of all individuals.

b. Discreditable Conduct

Police officers behave in a manner which does not discredit the police service or undermine public confidence in it, whether on or off duty.

Police officers report any action taken against them for a criminal offence, any conditions imposed on them by a court or the receipt of any penalty notice.

Preliminary Issues

Prior to the hearing the Chair made the following directions:

- (a) That the hearing be in public
- (b) That no witnesses were required to attend the Hearing to give oral evidence.
- (c) That the names of the complainants be prohibited from publication. They are afforded the cyphers of "Officer A", "Officer B" and "Sgt C".
- (d) That Notice of the hearing be published.

The Panel's incremental Approach

The Panel determined it was: -

- a. Required to consider the facts of the case and to make its findings of fact in relation to each of the allegations;
- b. Determine whether those findings of fact found constitute a breach of the relevant standards;
- c. Determine whether the conduct found proven against the Officer amounted to misconduct or gross misconduct.

The Panel reminded itself that the burden of proof is on the Appropriate Authority throughout, and the standard of proof is the balance of probability, namely what is more likely than not.

The Panel also reminded itself of relevant guidance from the Home Office Guidance: -

"2.265. The more serious the allegation of misconduct that is made or the more serious the consequences for the individual which flow from a finding

against him or her, the more persuasive (cogent) the evidence will need to be 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.

2.266. Therefore, in making a decision whether the alleged conduct of a police officer is proven or not, the person(s) conducting the misconduct meeting/hearing will need to exercise reasonable judgement and give appropriate careful consideration to the evidence.”

Purpose of misconduct meeting/hearing

The purpose of a formal misconduct meeting/hearing is to:

- a. Give the police officer a fair opportunity to make his or her case having considered the investigation report including supporting documents and to put forward any factors the police officer wishes to be considered in mitigation (in addition to the submission which must be sent in advance to the person(s) conducting or chairing the meeting/hearing for his, her or their consideration).
- b. Decide if the conduct of the police officer fell below the standards set out in the Standards of Professional Behaviour based on the balance of probabilities and having regard to all of the evidence and circumstances.

Proceeding in former officer Florey's absence

Mr Singh invited the panel to proceed with the hearing in the absence of former officer. In determining whether to adjourn the hearing or proceed in the absence of the former officer the panel had regard to the purpose of police misconduct hearings, the overall interests of justice and fairness to both the former officer and the AA.

Regulation 37(3)(b) provides authority for the proposition that the proceedings may be proceeded with and concluded in the absence of the former officer. The Panel considered whether he had expressly or impliedly evidenced an intention not to take part in the proceedings and that any decision to proceed in the absence of the former officer should be made with the upmost care and caution.

On 22 September 2025, the Former Officer submitted his resignation to take effect from 10 October 2025. In an email dated the 2nd October 2025, the former officer confirmed via the Federation Representative that he would not be in attendance at the hearing. We are satisfied that as such he has voluntarily absented himself.

The panel considered the strong public interest in the expeditious conclusion of cases of this nature and the impact of further delay on the wellbeing of the former officer.

The panel therefore concluded that it was both fair and in the interests of justice to proceed with the hearing in the absence of the former officer.

Good Character Direction

The former officer is of good character, with no disciplinary matters recorded against him. Good character is not a defence but is relevant to our consideration of the matter in two ways. Firstly, the former officer has given evidence, and his good character is a positive feature that we should take into account when considering whether we accept what he has told us. Secondly, the fact that the former officer has no previous findings against him may make it less likely that he acted in the manner alleged.

We have paid attention to former officer Florey's character. We are also cognisant of the fact that former officer Florey has no previous disciplinary findings and are satisfied that both limbs of the direction apply.

The Facts

In our deliberations, we make it plain that the Panel reviewed and considered the entirety of the facts and evidence presented to us. Though the Former Officer chose not to provide a Regulation 31 Response, he has not retracted the Regulation 18 Response which he provided during the course of the misconduct investigation. Within this document, he denies that he had breached the Standards of Professional Behaviour.

As such, the Panel has considered the Former Officer's account as detailed in his Reg 18 Response in its entirety alongside the evidence of Officers A and B and the other evidence within the hearing bundle.

The Panel has considered whether the facts alleged in the Reg 30 Notice are proven on the balance of probabilities.

Background

The former officer joined West Midlands Police on the 4th of November 2002 and began his career at Bournville, moving to Walsall in 2009 as part of a response team. He became an acting PS on 6th March 2023 and passed the Sgt exam at the end of March 2023. Following this, on the 5th of May 2023, he moved to a Response Team as Temporary Sgt on 5th May 2023 and was in this post at the time of these allegations.

The officer resigned on 5th September 2025, his last working day being the 10th of October 2025.

Findings of the Panel

Officer A

Facts

1. Officer A states that former officer Florey became her supervisor in approximately April or May of 2023, whilst she was on one of her student officer rotations. Shortly after she began at Walsall, PC Florey asked for the team's personal mobile numbers so that he could contact them if there were any work issues. As such, Officer A provided this to him.
2. On the 2nd of May 2023, the former officer sent Officer A a WhatsApp message asking for her Snapchat username and when she began her next rotation at work. This made her feel uncomfortable as she did not know the former officer well, he had a wife and children and there was an age gap between them. She states that he sent her a message which read "come see me sometime, you on Snapchat? Mrs won't find that lol". Officer A provided her Snapchat details as she says she was worried how he might react if she rejected him.
3. Over the course of the next few months, she says that the former officer messaged her reasonably regularly, but she did not respond as the messages made her feel uncomfortable. The former officer would ask her to come and see him as his wife was not home and if she would like to "have some fun until I find a boyfriend".
4. Officer A says that she deleted him from Snapchat in order to stop the messages but on the 13th June 2023, the former officer sent her an imessage in which he stated "Hi I authorised your OT, you not speaking to me now?".
5. On 4th August 2023, he sent her a message on Instagram in which he stated "My gosh, your pics are amazing! 4.2k followers, love island material (laughing emoji) I've set this rogue account up (two laughing emojis)." On the same date, he sent Officer A a message on Instagram that read "I'd love to take you out! Or have some fun until you find Mr long-term x".

6. Officer A states that she never said anything that would cause the former officer to believe that their relationship was more than merely professional. She refers to her frustration at his persistence and to dreading bumping into him at work.

7. The former officer says that around March 2023 he was acting Sgt although not having passed his Sgt exam this was not official, and he was not receiving enhanced payments for this role.

Officer A would openly mention in the office that she was looking for a boyfriend. As the former officer was present in the office at the time, he believed that this was for him to hear. He accepts that he misread the situation and apologises.

He states that Officer A did engage in messages initially. If the former officer had known contact was unwanted, he would not have messaged but Officer A willingly providing her snapchat username and the former officer believed that she had been flirting with him.

He admits that he did make reference to his wife not seeing the snap chat, but this was merely a poor attempt at humour. He does not recall sending messages to Officer A about his wife not being home or asking her if she would like some fun until she finds a boyfriend.

In respect of the message about authorising overtime, Officer A responded with humour which indicated to him that she took the message in the jest that it was meant.

He accepts sending flirtatious messages to Officer A via Instagram and states that she did not rebut his message or inform him it was inappropriate.

He denies being persistent and submits that Officer A makes reference to the fact that she felt frustrated, and in an uncomfortable position but her account indicates that she does not believe his contact to be inappropriate.

DECISION

The Panel made the following findings in regard to the factual allegations as particularised in the Regulation 30 Notice:

a. On the totality of the evidence, the Panel prefer the evidence of Officer A to that of the former officer on the balance of probabilities. It is satisfied that he sent Officer A messages on Snapchat which were unwanted, inappropriate and which made her feel uncomfortable. His messages included ones in which he asked her to come and see him because his wife was not at home and asking her if she would like to have some fun until she had found a boyfriend.

b. The Panel find Officer A's account in her statement to be credible. It does not accept that the communications were a "joke" or that it was Officer A's responsibility to rebut the messages. This is supported by the fact that she did not respond to many of the messages, as they made her feel uncomfortable. Her engagement was minimal, and it should have been readily apparent to the former officer that messages of a suggestive nature was unwanted.

c. We are further satisfied that Officer A did not feel able to ask him to stop sending her messages because of the impact this could have on their working relationship. There was a power imbalance between them, and she was worried about the risk of him causing her difficulties at work.

She was a student officer and significantly less experienced and established than former officer Florey. Officer A refers to him as her temporary sergeant and line manager. Whilst he was not officially in post, this was the understanding of Officer A. This power dynamic was reasonably a huge barrier to Officer A challenging the flirtatious and repeated messages from the former officer.

d. The Panel is satisfied that the former officer engaged in a pattern of behaviour towards Officer A that the Panel considers patently crossed to the inappropriate and unacceptable. For example, sending messages to her such as "I'd love to take you out! Or have some fun until you find Mr long-term x", with the clear and obvious implication that he wanted a sexual relationship with her.

e. We are satisfied that the former officer was persistent. For example, when Officer A deleted him on Snapchat, he sent her an iMessage in which he stated, "Hi I authorised your OT, you not speaking to me now?". This also indicates insight on the former officer's part that she did not want contact with him. This made Officer A feel uncomfortable and she was upset that the former officer had used a work overtime situation to message her again. She was frustrated and annoyed that he was not "getting the hint". His behaviour created an offensive and uncomfortable working environment for her.

f. The Panel does not accept the former officer's conclusion that Officer A did not find the messages inappropriate. From her account, we consider that she separates verbal communications from those via her mobile device and she confirms that no inappropriate verbal comments were made to her, as opposed to the messages via social media. She is clear that the social media messages made her feel uncomfortable and that the former officer just would not leave her alone, causing frustration for her.

g. In conclusion, the Panel finds this Allegation proven on the balance of probabilities.

Officer B

a. Officer B states that the former officer followed and messaged her on Instagram asking about a night-time economy shift she had completed where he was the supervisor.

After a brief conversation, she states that the former officer suggested that they should begin a relationship, despite him already having a partner. Officer B told him that she wasn't interested, and the conversation stopped there. She describes it as a "rather uncomfortable" conversation and of being caught off guard.

b. The former officer also commented that it would be easier to conceal their relationship because they worked in different teams. In one of his messages, he replied "Fair enough, thought you might like some fun until you find mr right".

c. On the 13th of February 2024, Officer B informed her supervisor about what the former officer had suggested but she did not wish to take matters further at this stage.

d. On the 29th of February 2024, Officer B realised that her smart card was blocked. The device to unblock it was near to where the former officer was sitting. Officer B states that she later received an Instagram message stating that she looked good when she came to reset her card.

Sgt C spoke to the former officer following this message and informed him that Officer B was not interested in him and that he should not speak to her unless it was about work.

Officer B refers to feeling uncomfortable that she could not even perform basic tasks at work without the former officer messaging her. This was after she had already rejected his advances.

The former officer removed her from social media leading her to believe that the matter had been resolved.

e. On 02/03/24 whilst conducting a warrant, Officer B was notified that the former officer would be the supervisor to report to. She spoke to him over the radio to provide an update. He asked her if she was confidential and then stated that she could have messaged him rather than going through Sgt C.

Officer B informed him that she had already said no and felt uncomfortable. As Sgt C was at home, she texted him to report what had happened.

f. Officer B states that the former officer would have a "certain hold" over her as a temporary Sgt and could make her work more difficult or uncomfortable.

Sgt C refers to the former officer's persistence, the fact that he was in a supervisory role and the perceived power imbalance.

g. The former officer states that he was not Officer B's line manager at any point. He worked with her covering a night time economy shift as part of Response super-lates and contacted her via Instagram and thanked her for taking up a task that no one else had volunteered for as he was the senior PC on the team. He refers to that conversation as reciprocated and general in nature.

He admits that he “tried to chance it but misread the signals, believing that she was flirting with him. Even after the messages when she gently let him down, she still responded “well thank you ha ha” so he did not believe he had caused her any distress or upset. He presumed this would have meant she could have easily told him to not message her again which she did not do.

Decision

a. The Panel is satisfied to the appropriate standard that this allegation is proved. As such, it prefers the account of Officer B and rejects the explanations put forward by the former officer.

b. The former officer himself admits that he “tried to chance it” believing that she was flirting with him. He was persistent and demonstrated a lack of insight as to his behaviour and its possible impact. For example, even after Officer B had told him that she was not interested, she still responded to messages, so he decided that he had not caused her any distress or upset. He didn’t stop messaging as she didn’t tell him not to, putting the responsibility onto her.

c. Officer B made an early approach to her supervisor and disclosed the former officer’s behaviour, which was causing her to feel uncomfortable. She did this on more than one occasion.

His comment “Fair enough, thought you might like some fun until you find mr right” indicates knowledge on his part that he had been rejected and that Officer B had made it clear that she was not interested in a relationship with him.

Indeed, the former officer could have had no doubt that Officer B did not wish to have any “fun” with him. On the 1st of March 2024 Officer B asked Sgt C to advise him that his messages were unwanted. Sgt C spoke to the former officer and informed him that Officer B was not interested in him. Despite this, whilst trying to provide an update over the radio whilst at work, the former officer asked her if she was confidential and then challenged her about speaking to Sgt C.

Officer B informed him that she had already said no and felt uncomfortable. As Sgt C was at home, she texted him to report what had happened.

d. The Panel is cognisant of the fact that Officer B was concerned about the consequences of reporting the former officer’s behaviour due to an interplay of different factors.

He may not have been Officer B’s official line manager or formally appointed as an acting PS, but the Panel is satisfied that he was in a supervisory role towards her and significantly more experienced. He describes himself as the senior PC on the team. This created a power imbalance that made it extremely

difficult for her to manage his behaviour. She was concerned about him making work more difficult or uncomfortable. However, she approached her line manager on three occasions about the former officer's behaviour, which further evidences her unease at the situation.

The former officer created a toxic and uncomfortable working environment for her.

Decisions relating to the Standards

a. Authority, Respect and Courtesy- Police personnel must act ethically, professionally and appropriately and treat all individuals with whom they have contact with dignity and respect.

On the balance of probabilities, the panel find that the former officer has breached this standard in respect of both Officer A and B. He failed to act with self-control and his language and behaviour could reasonably be perceived to be disrespectful and offensive by the public.

He did not treat either officer with respect or courtesy. In asking both to commence a sexual relationship with him, not accepting their rebuffs and in his own words "chancing it" his behaviour was inappropriate and created a toxic working environment for both women.

b. Discreditable Conduct- On the balance of probabilities, the panel find that the officer has breached this standard.

This is because he has behaved in a way which could discredit the police service. Police officers should behave in a manner whether on or off duty which does not bring discredit on the police service or undermine public confidence in policing. His actions are capable of causing great harm to the public's confidence in and respect for the police.

The professional relationship between a member of the police service and the public depends on trust and confidence. The former officer's conduct has the potential to reflect negatively on police colleagues and have an impact on the professional relationships they have with the communities they serve, particularly with women and girls.

Decision on Misconduct or Gross Misconduct

a. In respect of both Allegations the Panel has found breaches of the standards in relation to Authority, Respect and Courtesy and Discreditable Conduct.

Having found breaches of the Standards set out above, the Panel has carefully considered whether the behaviour amounts to misconduct, gross misconduct or neither. We have again reminded ourselves of the full circumstances of this case.

Gross misconduct means a breach of the standards of professional behaviour which is so serious as to justify dismissal. Misconduct means a breach of the standards of professional behaviour that is so serious as to justify disciplinary action.

We have asked ourselves whether the breaches are so serious as to justify disciplinary action (or dismissal if gross misconduct).

b. The Panel is entirely satisfied that the former officer's behaviour amounts to Gross Misconduct.

For the avoidance of doubt, the following factors are present: -

a. This was not an isolated lapse of judgement but a course of inappropriate behaviour towards Officer A and Officer B. The Former Officer engaged in a pattern of behaviour that was targeted sexualised conduct towards two junior female colleagues which was inappropriate, unprofessional, persistent and unwanted, and which was repeated over a period of time. He was the instigator of the appropriate messages to both female officers and accepts that he was sending flirtatious messages and "chancing it". This is lamentable behaviour and precisely what needs to be eradicated if women are going to consider a career in policing and feel comfortable once recruited.

b. He was in a position of trust and had a supervisory role in respect of both officers, who were more inexperienced and much younger than him. Thus, he should have been a role model and have demonstrated professional behaviour, treating colleagues with respect. Instead, he was sexually inappropriate and discourteous. He engaged in unwanted conduct of a sexual nature, creating a toxic workplace environment for the females involved. He behaved in a thoroughly discreditable manner towards them both and treated them with no respect.

c. The former officer's account, on balance demonstrates a lack of insight or responsibility for his pattern of behaviour. In fact, he seeks to minimise his conduct, referring to the fact that he believed that they were flirting with him and that neither Officer A nor B asked him to stop his behaviour. The Panel considers that the former officer has attempted to hold Officers A and B as partly responsible for their own victimization, although the responsibility for such predatory behaviour is wholly his own.

d. The Panel have considered the risk of wider reputational harm to the police service. The Panel are satisfied that the former officer's actions have the potential to damage public confidence in the legitimacy of policing to a greater extent. The public can rightly expect to trust the police. When the police betray this trust, it can have a devastating impact on victims and their confidence in the police. As Lord Bingham rightly said: "A profession's most valuable asset is its collective reputation and the confidence which that inspires" (Bolton v Law Society 1993).

In totality, his conduct brings discredit upon the police service and only undermines the hard work of the vast majority of police officers, who do incredibly difficult work with a clear intent to serve and protect the public.

In conclusion, the Panel is satisfied that each of the breaches of the Professional Standards in relation to Authority and Respect and Courtesy and Discreditable Conduct individually and/or collectively amount to Gross Misconduct.

OUTCOME

The Panel must now determine outcome.

Outcome Approach

- a. Having made its determination on the facts of the case and on finding gross misconduct regarding former officer Florey, the Panel moved on to consider outcome. The panel was provided with the officer's service record as personal mitigation.
- b. The former officer provisions apply. The potential outcomes are provided in reg 42, as modified by para 32 of sch 1.

Paragraph 20.66 of the Home Office Guidance 2020 states:

- where there is a finding of gross misconduct, the panel can only consider two potential outcomes: disciplinary action or no disciplinary action.
- where there is a finding of gross misconduct and disciplinary action imposed it can only be that the former officer would have been dismissed if they had still been a member of a police force. If the panel determines that the matter does not justify the sanction that the former officer would have been dismissed, no action will be taken, and the finding of gross misconduct recorded.
- c. Before a panel decides on the appropriate outcome, it must follow the same process that applies to serving police officers in arriving at what the appropriate sanction would have been.

In assessing the seriousness of this case, we are required by Fuglers LLP v SRA [2014] EWHC (as usefully summarised in the College of Policing Guidance) to keep at the forefront of our minds the purpose and objective of these proceedings, which is to maintain public confidence in and the reputation of the Police, uphold high standards, deter misconduct and to protect the public. We appreciate that the objective is not to punish the officer (although it may have that effect) and that we should therefore do no more (although also no less) than that which is necessary to satisfy the key objectives of the proceedings. We must (and we have) considered the seriousness of the misconduct, the purpose of sanctions and have chosen outcomes which most

appropriately meets that purpose. Assessing the seriousness is to be approached in terms of the four factors set out in the Fuglers decision which we have carefully considered and will come onto in some detail in a moment.

Fuglers LLP v Solicitors Regulation Authority [2014] EWHC 179 (Admin), paragraph 29 states: 'In assessing seriousness the most important factors will be (1) the culpability for the misconduct in question and (2) the harm caused by the misconduct. Such harm is not measured wholly, or even primarily, by financial loss caused to any individual or entity. A factor of the greatest importance is the impact of the misconduct upon the standing and reputation of the profession as a whole. Moreover, the seriousness of the misconduct may lie in the risk of harm to which the misconduct gives rise, whether or not the risk eventuates. The assessment of seriousness will also be informed by (3) aggravating factors (e.g., previous disciplinary matters) and (4) mitigating factors (e.g., admissions at an early stage or making good any loss).'

The Panel have therefore followed the structured approach as set out in the College of Policing Guidance on Outcomes in Police Misconduct Proceedings.

a. In summary, the Panel:

- Assessed the seriousness of the conduct and the behaviour of the officer by reference to 4 factors ((i)the officer's culpability for the misconduct; (ii) the harm caused by the misconduct; (iii) the existence of any aggravating factors; and (iv) the existence of any mitigating factors)

- Reminded itself of the purpose of imposing sanctions, namely:

Maintaining public confidence in and the reputation of the police service;

Upholding high standards in policing and deterring misconduct and protecting the public.

- Arrived at an Outcome which most appropriately fulfils the purpose of imposing sanctions in the light of the seriousness of the officer's conduct (that is, to act proportionately).

Culpability

We first assessed the culpability of former officer Florey arising from his conduct and specifically the following paragraphs within the College of Policing's Guidance on Outcomes:

a. Para 4.9 -Culpability denotes the officer's blameworthiness or responsibility for their actions. The more culpable or blameworthy the behaviour in question, the more serious the misconduct and the more severe the likely outcome.

b. The Panel consider that former officer Florey's conduct was deliberate and intentional, therefore more culpable than conduct that has unintended consequences. His conduct created an intimidating and difficult environment for Officers A and B.

His suggestion to both that they could have some "fun" until they found a boyfriend was an invitation to engage in sexual relations and was unwanted by both women.

Culpability will also be increased if the officer was holding a position of trust or responsibility at the relevant time. All police officers are in a position of trust, but an officer's level of responsibility may be affected by specific circumstantial factors, such as rank, their particular role and their relationship with any persons affected by the misconduct.

Former officer Florey was acting in a supervisory capacity in relation to these female officers. Whilst this may not have been official, he was an acting sergeant and describes himself as the senior PC on the team. He had the responsibility to set an example, act as a role model and provide support and guidance.

Certain types of misconduct should be considered especially serious:

Violence, intimidation or sexual impropriety

Para 4.40: Misconduct involving sexual impropriety is serious and can significantly undermine public trust in the profession.

We have given attention to the degree of persistence in that former officer Florey behaved in a similar matter towards both female officers, who were younger than him and significantly less experienced. The imbalance of power made them vulnerable and concerned about the possible repercussions if they reported his conduct. He was the instigator of the inappropriate messages.

The Guidance informs us that more serious action is likely to be appropriate where the officer has demonstrated predatory behaviour motivated by a desire to establish a sexual or improper emotional relationship with a colleague or member of the public. The Panel found on the balance of probability that the former officer's behaviour was indeed predatory and persistent.

The Panel notes that for example, when Officer A deleted him on Snapchat, he sent her an iMessage in which he stated, "Hi I authorised your OT, you not speaking to me now?", which made Officer A feel uncomfortable and upset. He targeted a young, inexperienced female demographic.

Officer B did say to the former officer that she was not interested in a sexual relationship with him but, despite this, he persisted. For example, whilst Officer B was trying to provide an update over the radio whilst at work, the former officer asked her if she was confidential and then challenged her about reporting his behaviour to Sgt C.

Para 4.43 states that the presence of any of these factors i.e. the persistence in this case, is likely to increase the seriousness of the misconduct, although the treatment of a single individual can be sufficiently serious to amount to gross misconduct.

Abuse of position of trust or authority

The Guidance tells us that the nature of the office of constable means that all police officers are in a position of trust and authority in relation to members of the public. An officer's misconduct will be more culpable where it involves an abuse of this position. The abuse of position for a sexual purpose (APSP) is a form of serious corruption, defined as any behaviour by a police officer, whether on-duty 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 improper emotional relationship with any member of the public. Such conduct can cause substantial damage to public trust and confidence in the police, and is particularly serious where the subject of the officer's behaviour is a vulnerable person.

There may, however, be other circumstances giving rise to an imbalance of power or authority – for example, a senior constable on a shift or a tutor constable in relation to their tutee or those in supervisory or senior leadership roles.

Indeed, in this case, Officer A refers to her frustration at the former officer's persistence and to dreading bumping into him at work. Officer A refers to him as her temporary sergeant and line manager. Whilst he was not officially in post, this was the understanding of Officer A. This power dynamic was reasonably a huge barrier to Officer A challenging the flirtatious and repeated messages from the former officer.

Officer B was concerned about the consequences of reporting the former officer's behaviour due to an interplay of different factors.

He may not have been Officer B's official line manager or formally appointed as an acting Sergeant, but the Panel is satisfied that he was in a supervisory role towards her and significantly more experienced. He describes himself as the senior Constable on the team. This created a power imbalance that made it extremely difficult for her to manage his behaviour. She was concerned about him making work more difficult or uncomfortable. However, she approached her line manager on three occasions about the former officer's behaviour, which further evidences her unease at the situation.

The former officer created a toxic and uncomfortable working environment for both women.

In conclusion, we find former officer Florey culpability to be high.

Harm

a. The College of Policing Guidance then addresses the harm caused by the officer's actions, indicating that this can be considered in various ways. The text refers to harm caused to particular individuals, but the guidance recognises that harm may also be caused on a wider basis:

"Where gross misconduct has been found and the behaviour has caused – or could have caused – serious harm to individuals, the community and/or public confidence in the police service, dismissal is likely to follow. A factor of the greatest importance is the impact of the misconduct on the standing and reputation of the profession as a whole."

b. Harm was caused to the female officers. The imbalance of power in favour of the former officer meant that it was difficult for them to challenge him as they did not want to cause problems at work due to his supervisory role and rank.

c. How such behaviour would be, or has been, perceived by the public will be relevant, whether or not the behaviour was known about at the time. As was

stated by Popplewell J in the case of *Fuglers LLP V SRA* [2014] EWHC 179 (Admin) at [29] the harm caused by the misconduct is not measured wholly or even primarily by financial loss caused to any individual or entity. A factor of the greatest importance is the impact of the misconduct upon the standing and reputation of the profession as a whole. Moreover, the seriousness of the misconduct may lie in the risk of harm to which the misconduct gives rise, whether or not as things turn out, the risk eventuates.

The Panel has considered the scale and depth of local and national concern about the behaviour in question. Whether a matter is of local or national concern will be a matter for the person(s) conducting the proceedings based on their experience and the circumstances of the case.

The legitimacy and effectiveness of UK policing is built on relationships between the police and the public, but there are challenges in this relationship after several high-profile cases involving officers' sexual misconduct. Former officer Florey's inappropriate behaviour towards female officers is inimical to the values of modern policing and the Standards of Professional Behaviour.

Given the facts as found by the Panel, the risk of reputational harm to the police service is high.

The CoP Guidance then provides non-exhaustive lists of potential aggravating and mitigating factors.

a. The Panel considered the Guidance on Outcomes and reminded itself not to "double count" with matters already considered under culpability and harm. It concluded that the following additional aggravating features were present in this case:

- continuing the behaviour after the officer realised, or should have realised, that it was improper. Former PC Florey was an officer of some experience and must have known that his conduct was inappropriate. Indeed, his conduct was completely contrary to the training which the Former Officer had received. On the 23rd December 2022, the former officer completed a training input in relation to sexual harassment in the workplace. Additionally, during his most recent PSD Annual Integrity Checks, the Former Officer answered "Yes" to the question: "I confirm I understand the Standards of Professional Behaviour and the Code of Ethics".

- multiple proven allegations and/or breaches of the Standards of Professional Behaviour.

- In one of the allegations, the Former Officer expressed his dissatisfaction with Officer B that she had raised his behaviour with Sgt C rather than with him directly. This was somewhat intimidating and bullish behaviour that resulted in Officer B feeling uncomfortable and reporting the former officer's behaviour to Sgt C.

- malign intent, such as sexual gratification, financial gain or personal advantage. The content of some of the former officer's messages make it readily apparent that his desire was to establish a casual sexual relationship with Officers A and B, without thought for their emotional well-being.

Mitigating factors:

The Panel has identified the following mitigating factors:

-The former officer demonstrated some limited remorse by apologising for his behaviour. We have attached minimal weight to this due to the aspects of victim blaming in holding both Officers A and B responsible for the harm they experienced as they didn't specifically ask him to stop messaging.

In conclusion, the Panel find the level of harm to be high.

Having considered culpability, harm, aggravating, and mitigating features the Panel concluded that this is a very serious case of serious Gross Misconduct.

The CoP Guidance addresses personal mitigation.

The Panel has had regard to former officer Florey's record of service and his personal mitigation. Though no character references have been provided, the former officer does refer in his Reg 18 Response to various recognitions and awards he had received during the 22 years of his service in which he states that he made nearly 700 arrests. The Panel notes the Certificate of Commendation which he received from His Honour Judge Warner on 12 November 2013.

Regulation 42(14) of the Conduct Regulations requires the Panel to take account of the officer's personal mitigation, but the weight to be accorded to that mitigation: a) is less than it would be in a criminal trial; and b) is dependent upon the extent to which the officer's misconduct threatens the public confidence.

As such, the Panel has attached minimal weight to the personal mitigation due to its assessment of severity as being high.

Outcome

a. Having followed the steps above, the panel went on to choose the disciplinary action which most appropriately fulfils the purpose of imposing disciplinary action considering the seriousness of the conduct in question (bearing in mind the need to act proportionately).

b. With respect to the purpose of imposing disciplinary action in police misconduct proceedings:

a) The primary purpose is to protect the public confidence in and the reputation of policing;

b) The second purpose is the declaratory purpose of maintaining high professional standards by demonstrating to other officers that misconduct of a certain kind and/or a certain seriousness will be dealt with by disciplinary action of a certain severity; and

c) The third purpose is to protect the public and/or officers and staff by preventing the officer from committing similar misconduct again by excluding them from the police service.

c. In *R (Green) v Police Complaints Authority* [2004] UKHL 6; [2004] 1 WLR 725, Lord Carswell stated at [78]: “Public confidence in the police is a factor of great importance in the maintenance of law and order in the manner which we regard as appropriate in our polity. If citizens feel that improper behaviour on the part of police officers is left unchecked and they are not held accountable for it in a suitable manner, that confidence will be eroded.” 256. Lord Bingham (when Master of the Rolls) had previously made the same point in relation to the solicitors’ profession in *Bolton v Law Society* [1994] 1 WLR 512. In explaining the apparent harshness of sanctions imposed by the Solicitors Disciplinary Tribunal he identified the purpose of such sanctions and said at p.518H (emphasis added): “The second purpose is the most fundamental of all: to maintain the reputation of the solicitors' profession as one in which every member, of whatever standing, may be trusted to the ends of the earth. To maintain this reputation and sustain public confidence in the integrity of the profession it is often necessary that those guilty of serious lapses are not only expelled but denied re-admission. If a member of the public sells his house, very often his largest asset, and entrusts the proceeds to his solicitor, pending reinvestment in another house, he is ordinarily entitled to expect that the solicitor will be a person whose trustworthiness is not, and never has been, seriously in question. Otherwise, the whole profession, and the public as a whole, is injured. A profession's most valuable asset is its collective reputation and the confidence which that inspires.

The Code of Ethics also has a preventive role. It requires everyone in policing to prevent unprofessional conduct by questioning behaviour which falls below expected standards. Additionally, it supports reporting or taking action against such behaviour.

d. Mr Singh, Solicitor for the Appropriate Authority made the submission that the most appropriate sanction in this case is that of dismissal without notice.

e. As the Panel have found the allegations proven to the level of gross misconduct, we consider it appropriate and proportionate to impose disciplinary action under reg 42.

In respect of former officer Florey we find that the appropriate sanction had he still been a member of the Police Force would have been that of dismissal without notice.

The Panel is also satisfied that the breaches of the standards, as we have found, would have been incompatible with his role as a Police Officer if he had still been in service and that the need to protect public confidence in and the reputation of the police service, the need to maintain high professional standards and the need to protect the public and officers and staff by preventing similar misconduct in the future is appropriately served by the imposition of disciplinary action.

As a result of this Misconduct Hearing the following was found under Regulation 42(3) (b) and imposed with effect from the 14th October 2025:

“A finding that the officer concerned would have been dismissed if he had not ceased to be a member of a police force”.

As a consequence of this outcome former PC Florey will be placed on the College of Policing Barred List.

Right of Appeal

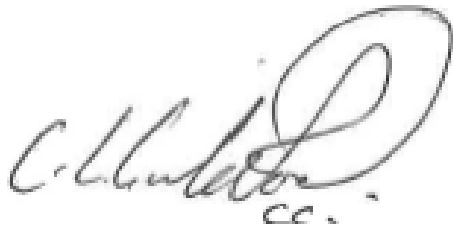
The Panel is required to notify former officer Florey that he has a right of appeal to the Police Appeals Tribunal.

To former officer Florey:

“You have a right of appeal against the finding and/or the outcome imposed at a misconduct hearing. You may only appeal on the grounds that: - a) The finding or disciplinary action imposed was unreasonable. b) There is evidence that could not reasonably have been considered at the misconduct meeting which could have materially affected the finding or decision on disciplinary action; or c) There was a serious breach of the procedures set out in the regulations or other unfairness which could have materially affected the finding or decision on disciplinary action.

Should you wish to appeal you must do so in writing to the appropriate authority, clearly setting out the grounds for the appeal within 10 working days beginning with the first working day after the receipt of the notification of the outcome of the misconduct meeting (unless this period is extended by the appropriate authority for exceptional circumstances)

The Appropriate Authority will provide you with a notice as to the procedure to be followed in that regard”.

A handwritten signature in black ink, appearing to read 'C. Guildford', with a large, stylized capital 'P' or 'D' as a flourish to the right.

Craig Guildford QPM VR DL. Chief Constable-Chair

Jenni Ord-IPM

Dawn Quick-IPM

14th October 2025

