

IN THE MATTER OF THE POLICE (CONDUCT) REGULATIONS 2020
CONCERNING

POLICE CONSTABLE 3401 ELIZABETH BROOK

PANEL DECISION ON FACTS AND OUTCOME

Preliminary Matters

1. On the 5th and 6th August 2026, a gross misconduct hearing was convened at Cumbria Police Headquarters.
2. This full written decision follows an outline of the panel conclusions and reasons delivered orally on 6th August 2026.
3. The hearing was convened to hear allegations relating to Police Constable 3401 Elizabeth Brook. The officer attended the hearing.
4. The Appropriate Authority (AA) was represented by Counsel Barnabas Branston.
5. The officer was represented by Counsel Steven Reed.
6. The panel comprised of ACO Sarah Jackson and Independent Panel members (IPM), Leon Parkes and Anne Reading.
7. The appointed Legally Qualified Person was Stephen Gowland. Legal advice was provided to all parties in advance of, and during the hearing.
8. The panel was provided with an electronic bundle of evidence amounting to 84 pages. The AA provided an 8-page written opening note ahead of the hearing. The panel were supplied with additional material during the hearing, which comprised of the officers' service record, a bundle of character evidence and the officers' training history.

The Allegations

9. It was alleged that the officer was not diligent in the exercise of her duties and responsibilities in that she failed to respond appropriately to a safeguarding incident that had been allocated to her and also that she was dishonest and / or lacked integrity when she 'made up' the relevant answers on a DASH form* intending thereby to give the

*DASH refers to a risk assessment undertaken in incidents of Domestic Abuse, Stalking and Honour-based violence.

impression that she had in fact visited or spoken to the person affected when she had not done so.

10. In doing so, the AA alleged that PC Brook breached the following Standards of Professional Behaviour:
 - i. **Duties and Responsibilities** - Police officers are diligent in the exercise of their duties and responsibilities.
 - ii. **Honesty and Integrity** Police officers are honest, act with integrity and do not compromise or abuse their position.

Burden of Proof

11. The panel have borne in mind that throughout these proceedings, the burden of proof is on the Appropriate Authority. The standard that the Appropriate Authority must meet to successfully discharge that burden is that which applies to civil proceedings, namely the balance of probabilities. The balance of probabilities is a single unvarying standard.
12. The panel have applied the burden and standard of proof throughout. The panel recognise that when allegations made against an officer are serious, such as they are here, the evidence upon which findings are made must be cogent.
13. Findings of fact must be based on evidence and not on speculation. The decision on whether the facts in issue have been proved to the requisite standard must be based on all the available evidence; the 'broad canvas' of the evidence. Within this context, the panel must consider each piece of evidence in the context of all the other evidence.
14. Regulation 41(16) of the Police (Conduct) Regulations 2020 provides that a finding of misconduct or gross misconduct must not be made unless the panel is satisfied on the balance of probabilities that this is the case, or the officer concerned admits it.

The Panel

15. The task of the panel on disputed matters of fact is not, as such, to determine the truth. It is to identify what needs to be proved, by whom, in this case the appropriate authority, upon the basis of a correct identification and analysis of the legal rules governing the case. It must then form a judgment (doing so rationally, reasonably and impartially), for each such proposition of fact, as to whether the evidence presented at the hearing made what the

party bearing the burden of proof says occurred appear – more probably than not – to be what occurred.

16. The panel, throughout proceedings, remained alert to the purpose of the misconduct regime which is:
 - to maintain public confidence and the reputation of the police service
 - to uphold high standards in policing and deter misconduct
 - to protect the public.

The Case for the Appropriate Authority

17. The officer failed to respond appropriately to a safeguarding request to check on the safety and wellbeing of an elderly lady, who was potentially at risk of harm from her granddaughter. The officer did not attend as requested and ‘made up’ the relevant answers on a DASH form.
18. The DASH Risk Assessment has questions framed as “Are you very frightened?”, “What are you afraid of?”, “Do you feel isolated? “Are you feeling depressed?”. They can only have been answered by asking the question of the relevant individual and it is the AA’s case that this would have been obvious even to one as junior in service and experience as PC Brook.
19. PC Brook was dishonest and/or lacked integrity in answering the questions herself on the DASH Risk Assessment and thereby deliberately gave the impression that she had spoken to the victim. Not only did PC Brook “make up” some of the answers (as she accepted, and which in and of itself indicates either dishonesty or a lack of integrity), but also in doing so deliberately sought to give the impression that she had in fact spoken to the alleged victim. She never even visited the individual, and to deliberately give such an impression was clearly dishonest and / or lacked integrity.
20. When a week later PS A challenged PC Brook about not having visited the alleged victim for the purpose of filling in the DASH form, PC Brook initially responded by saying that she planned to go and visit. However, she had been asking PS A how to close the log and therefore admitted that she had no intention of visiting the victim. PS A stated that the Officer admitted to lying when inputting the responses to the DASH questions.
21. The officer subsequently acknowledged to Insp B that the responses she had added were fictitious and that she had entered them knowing that they were.

22. PC Brook stated that she submitted the DASH believing that it would be picked up by the safeguarding team, yet she left no message or annotation to that effect on the incident log nor did she ever message anyone in the team to alert them to their need to do so.

PC Elizabeth Brook's case

23. The officer accepted that she breached the standard of professional behaviour relating to duties and responsibilities.
24. The officer stated that her admitted breach amounted to misconduct only.
25. Gross misconduct was denied.
26. The officer denied any breaches of the honesty and integrity standard of professional behaviour.
27. In her regulation 31 notice the officer accepted that she should have completed the DASH questions having interviewed the person affected.
28. She was inexperienced and had never dealt with a third-party enquiry from a different police force.
29. The officer completed the form by relying on the information she had been provided within the police log.
30. The officer did not say that she had attended the address and at no time did the officer claim she had spoken with the person affected.
31. The officer stated that the only answers to the DASH questions are YES or NO, and the officer filled a "skeleton safeguarding report" to get it through the system to be picked up by an expert. She did not know what she was doing and was unaware that what she was doing was wrong.
32. The officer accepted she did not fill out a crime report.
33. The officer accepted she had no intention of visiting the family, but her failure was due to her lack of knowledge and understanding, and absence of support.
34. The officer proactively brought the incident up with her Sergeant to ask for help in concluding the incident.
35. When asked by Sgt A and Insp B if she had made the answers up, the officer immediately answered yes. The officer clarified that by answering yes, she meant she had made the answers up from the documents provided, not that she had fabricated the answers.

36. The officer had become stressed and overwhelmed in the moment, and when confronted by Sgt A and Insp B, she felt unable to fully articulate the reasoning behind her answers on the DASH questions.
37. The officer never intended to deceive and thought she was doing the right thing at the time, albeit being mistaken in this regard.

Agreed Facts

38. On 11th October 2024 the officer was deployed to attend an incident that had been raised following a third-party request from Warrington Adult Care, regarding concerns for the safety of an elderly lady in Cumbria, who may have been at grave risk of harm from her granddaughter.
39. The incident had been graded at 3, which policy dictated there was no immediate requirement to attend (despite the severity described in the referral).
40. The officer updated the control room to say she would submit a safeguarding form but did not do so before retiring from duty.
41. The Officer had been allocated to additional incidents during this same tour of duty and was retained on duty to assist with another serious crime.
42. The Officer did not attend the incident and did not ask the DASH questions to the affected person.
43. The officer did not update the control to this effect before retiring from duty.
44. The Officer filled in the DASH form answering YES and NO to the questions and then submitted it to the safeguarding team.
45. There was no other option than to select YES and NO in answer to the 27 questions to permit the form to be submitted.
46. The officer updated the incident log to say she would contact Warrington Adult Care to obtain more detail.
47. The officer did not submit a crime report.
48. The Officer proactively raised the issue with Sgt A, albeit this was 8 days after being allocated the incident.
49. The officer had been on rest days, annual leave or training days for 6 of the 8 days.
50. When asked by Sergeant A and Inspector B, the officer stated she had made up the answers to the questions and admitted that she had not attended the incident.

51. The Officer had received training in relation to Domestic Abuse and DASH prior to the incident.
52. The officer accepted that she had not been diligent in the exercise of her duties and had breach the standard of professional behaviour relating to duties and responsibilities (to the level of misconduct).

Disputed facts

53. The officer disputed that she intended to give the impression that she had visited or spoken to the person affected.
54. The reason the officer submitted the form in the way she did was because she was at a loss as to how to deal with a third-party enquiry, she had tried to ask for some help (unsuccessfully) on two occasions and submitted the form to the safeguarding team so that the enquiry was sent through the system to these specialists.
55. The officer denies she acted dishonestly and/or without integrity when completing the form.
56. The officer stated she never lied to her supervisors.

Witness Evidence

Sgt A

57. The Panel considered the witness, Sergeant A, to be credible and truthful in the evidence she gave. Her evidence was in line with her statement, other than the Sgt conceded that the officer had never specifically said that "*she had lied*", but that this was the Sgt's interpretation of what PC Brooks said to her when admitting that she had "*made up the answers*" on the DASH form.

Inspector B

58. Inspector B was assessed as honest and credible in the evidence he gave to the Panel, and he confirmed that when he asked PC Brooks if the DASH form "*was a work of fiction*", the officer answered yes.

The Officer

59. The Panel thought the Officer was truthful in her oral testimony.
60. The officer accepted her lack of diligence in full.
61. The officer was very upset and remorseful for her actions.

62. The officer stated this was an error on her part, that she would never repeat, and she was convincing in this regard.
63. The officer maintained throughout that she never intended to deceive but was just trying to get help from someone who knew how to respond to the incident.

Analysis and Finding of Facts

64. The panel read and carefully considered every item contained within the bundle of evidential material supplied ahead of the hearing, along with the material supplied during the hearing.
65. The panel considered the importance of the DASH process, which is designed to ensure that risk to individuals (& families) is properly assessed, so that the right action can be taken to protect people from future harm, as well as accessing support pathways / other agencies.
66. The panel considered the two alleged breaches of professional standards of behaviour separately:

Honesty and Integrity

67. The allegations were:
 - I. *You were dishonest and / or lacked integrity in your completion of the DASH risk assessment in that you:*
“Made up answers to the questions in the DASH, thereby dishonestly and/or without integrity deliberately inferring that the answers recorded were those given by the persons affected”;
and/or
 - II. *“in doing so you dishonestly and/or without integrity intended give the impression that you had either visited or at least spoken to the persons affected, as you knew you ought to have done having read the content of the report that had been allocated to you”*
68. The panel considered whether, as alleged, the officer, when answering the questions without asking the affected party, she was acting dishonestly.
69. In doing so the panel referred themselves to the accepted test for dishonesty, also known as the Ivey test, which arises from a change in the law made by the Supreme Court in 2017.

70. Subsequent to the Supreme Court judgement, the High Court confirmed that the Ivey test is good law in professional conduct tribunals, such as this, in the cases of GMC V Krishnan and Uwen V GMC.
71. The test the tribunal needs to apply is as follows:
- I. Firstly, the panel must ascertain (subjectively) the actual state of the officer's knowledge or belief as to the facts. The reasonableness or otherwise of their belief may evidence whether they held the belief, but it is not an additional requirement that their belief must be reasonable; the question is whether it is genuinely held.
 - II. Secondly, once that has been established the panel must determine whether their conduct was dishonest by applying the (objective) standards of ordinary decent people. It is not necessary for the individual to appreciate that what they have done is, by those standards, dishonest.
72. Of relevance is the statement by Lord Hughes:
- "...(dishonesty is intended) to characterise what the defendant did, but in characterising it one must first ascertain his actual state of mind as to the acts in which he did it. It was not correct to postulate that the conventional objective test of dishonesty involves judging only the actions and not the state of knowledge or belief as to the facts in which they were performed. What is objectively judged is the standard of behaviour, given any known actual state of mind of the actor as to the facts."*
73. When considering step one (the actual state of the officer's knowledge or belief as to the facts) the panel concluded that whilst the officer knew she hadn't visited the affected party, and she knew she was making up the answers, she did so with no intention to deceive, and only to ensure relevant safeguarding information was submitted to the more specialised team.
74. The officer accepted that what she did added no value in the safeguarding process, but she was at a loss and was hoping someone would help her to progress the case. These were her beliefs about the facts.
75. Even though the officer was mistaken in her belief (which she has accepted), the panel found that on the balance of probabilities, it was a genuinely held belief.
76. The panel came this conclusion as there was clear evidence that the officer did not attempt to conceal what she had done. The Officer sought help from the control room, and another

supervisor, and on her first day returning to work after a period of absence, she proactively asked her Sgt for help.

77. It defies logic that someone who intended to deceive, would proactively reveal their fabricated actions to a supervisor, inevitably drawing attention to their dishonesty.
78. It is worthy of note that immediately prior to divulging the error to her Sgt, the Sgt had just given the officer some negative feedback about her crime management actions. It is to the officer's credit that she still went on to raise the matter and confess this grave lack of diligence to her Sergeant.
79. The officer immediately admitted the entirety of her actions and answered all the questions from their Sergeant and Inspector truthfully.
80. Despite not finding dishonesty on limb one of the "Ivey test", the panel still considered the second part of the test, which is whether ordinary decent people would think it would have been dishonest to record the answers as though it had been obtained from the affected person (when they had not).
81. The panel concluded that, without further context, most people would almost certainly say yes. This is because the DASH answer represents that *"these are the affected persons answers"*, when they are not.
82. However, context is important. The panel concluded that if the public knew the entirety of the situation, and that the officer's intent was to seek help for the affected party, whilst the public would think the officers' actions were substandard in terms of performance, they would not consider the officers' actions as dishonest.
83. The panel also took account of the officer's character evidence in terms of propensity and credibility when making this decision.
84. The panel concluded that the officer had not acted dishonestly.
85. The panel then turned their mind to whether there was a breach of the integrity limb of the standard.
86. The panel referred themselves to Chief Constable of Thames Valley Police v Police misconduct panel and White (2017) EWHC 923 (Admin).
87. Mrs Justice Maura McGowan said in that judgement:
"...A lapse of integrity is very serious but can fall short of the quality of a lapse of honesty. Integrity in this context is not used in the sense of freedom from moral corruption rather in the sense of a failing to act in the right way, not behaving as the totally correct police officer

would, in some way falling short of the whole. It is explained for police officers as "doing the right thing".

88. Therefore, one can still lack integrity even if falling short of a dishonesty breach.
89. However, the panel found that the lack of finding for dishonesty was inextricably linked their consideration regarding a lack of integrity.
90. The panel found that the officer was attempting to do the right thing, even though she was mistaken in her belief. It therefore follows that, given that the panel have found that the officer made an error, as opposed to being deliberately misleading, there can be no breach of integrity, as the officer was doing what she believed was the right (or best) thing in the circumstances.
91. **FINDING: the panel find that the AA has not proven either allegation i or ii on the balance of probabilities.**

Breach of the Standards of Professional Behaviour.

92. The panel considered the relevant Standard of Professional Behaviour of Honesty and Integrity; Police officers are honest, act with integrity and do not compromise or abuse their position.
93. When considering all the above findings, accordingly the panel found that **the officer did not breach the Standard of Professional Behaviour relating to honesty or integrity.**

Duties and Responsibilities

94. The allegations were:

"You were not diligent in the exercise of your duties and responsibilities in that, having read the content of the report that had been allocated to you, you:

 - I. Failed to visit the family or otherwise to make any contact with them, either on the incident report being allocated to you or at any time thereafter;*
 - II. Failed to take any or any appropriate steps to ascertain the welfare of Grandmother;*
 - III. Failed to take any or any appropriate steps to safeguard Grandmother;*
 - IV. Submitted a safeguarding report without making any contact with the family;*
 - V. Completed a DASH risk assessment without asking the affected persons any of the questions contained therein;*

VI. *Complete a DASH Risk Assessment by “making up” or guessing at the answers to the questions contained therein;*

VII. *In the circumstances submitted a fundamentally flawed DASH risk assessment”*

95. The Officer admitted the entirety of the allegations at i to vii, and that she has breached this standard of professional behaviour, albeit at level of misconduct.
96. Having considered all the evidence within the bundle, and having heard all the oral testimony, the panel accepted this admission.
97. **FINDING: the panel found all allegations (i to vii) proven on the balance of probabilities.**

Breach of the Standards of Professional Behaviour.

98. The panel considered the relevant Standard of Professional Behaviour of Duties and Responsibilities; Police officers are diligent in the exercise of their duties and responsibilities.
99. When considering all the above findings, accordingly the panel found that **the officer did breach the Standard of Professional Behaviour relating to** Duties and Responsibilities, because they had not been diligent in the exercise of their duties by failing to properly safeguard the vulnerable subject of the incident as described at points i to vii above.

Seriousness assessment

100. In assessing the seriousness of the misconduct, the panel considered the four-stage approach as defined by the College of Policing guidance on police outcomes in disciplinary proceedings.

CULPABILITY

101. 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.
102. It was obvious to anyone, even someone as inexperienced as PC Brook, that an officer should have gone to the incident in a timely fashion.
103. The officer did seek help on more than one occasion, and from more than one source.

104. Other staff in the control room could have intervened in the meantime, and so the delay in responding is not entirely the fault of the officer. The officer was experiencing a busy workload at the time the event was live. The Officer had been detracted to work on other matters at the same time this incident was allocated to them.
105. The incident was graded as a level 3 which may have affected her mindset in terms of urgency.
106. The officer had received training, including DASH prior to the event, but nonetheless, it remains she was relatively operationally inexperienced, and this was the first third party referral she had dealt with.
107. The College of Policing guidance lists a number of specific types of conduct that should be considered as being especially serious, but none of those were applicable in this case.
108. The panel found that culpability was at a **medium level**.

HARM

109. Thankfully, there was no actual harm caused to the grandmother subject to this incident.
110. However, the likelihood and risk of harm was obvious even to the most inexperienced officer. There is no doubt that the gravity of the potential harm, as suggested in the safeguarding report, was such that the consequences could have been fatal.
111. As it was, the case was later assessed as a high-risk matter by the safeguarding team. This means that there were identifiable indicators of a risk of serious harm (as defined by the College of Policing) namely *"A potential event could happen at any time. A risk which is life threatening and or traumatic and from which recovery, whether physical or psychological can be expected to be difficult or impossible"*.
112. The officer demonstrated a significant lapse in judgment by not attending to prevent harm to the elderly lady. Neither did she seek to have the incident reallocated (given she was occupied with other matters and/or absent from work).
113. There is no doubt that public confidence would be harmed had they have known about the poor service provided by this officer, notwithstanding there were other parts of the organisation who could've supported her during this period.
114. The panel deemed harm to be at a **high level**.

AGGRAVATING FEATURES

115. The panel found that the officer deviated from policy and practice requirements but as already referenced, the officer was relatively inexperienced and had never dealt with a similar third-party matter previously.

MITIGATING FEATURES

116. The officer has proactively admitted her failings from the outset and has shown genuine remorse for her actions.
117. The officer has accepted full responsibility for what happened.
118. The evidence is that this was a single isolated episode.
119. The officer did submit the safeguarding form. The officer also updated the incident about her intention to undertake further enquiries. Although little value was added in this regard, it demonstrated some evidence that they were trying to secure additional help.

Conclusion

120. The assessment of seriousness was a finely balanced decision for the panel.
121. The panel concluded that culpability was at the medium level and that harm was at the high level.
122. However, the mitigating factors have resulted in the panel assessing the seriousness overall to be at the medium level of seriousness.
123. There were no previous relevant allegations of misconduct brought to the panel's attention at this stage.

Level of Misconduct

124. It was alleged by the Appropriate Authority that the breaches amounted to gross misconduct.
125. The Officer stated this was misconduct only.
126. The panel very carefully considered both options as defined:
- 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.

127. Having regard to the above and all the matters the panel heard and considered, the panel found that **this is a matter that fell within the definition of misconduct.**

Stage two – Outcome

128. The panel considered oral submissions from counsel for the AA and Officer.

129. The panel reminded themselves of the purpose within the misconduct regime which is:

- to maintain public confidence and the reputation of the police service
- to uphold high standards in policing and deter misconduct
- to protect the public.

130. In relation to the seriousness of the misconduct, the panel had already considered this, but nonetheless reassessed at stage two and made no changes to that assessment.

131. The panel had sight of and considered PC Brook's service record.

132. Character evidence was proffered and the panel noted evidence of good work from the officer in the intervening period.

133. The panel was alert to the fact that the purpose of misconduct proceedings is not to punish an officer. They reminded themselves that any outcome may have a punitive effect upon the officer and that the outcome should be no more than necessary to satisfy the purpose of the proceedings.

134. The panel also recognised that where an outcome is necessary to satisfy the purpose of the proceedings, they must impose that outcome even if, in doing so it may lead to significant consequences for the individual officer.

135. The panel firstly considered whether giving the officer a written warning would be sufficient.

136. Having regard to the purpose and all the matters set out in our seriousness assessment, the panel considered that a written warning was not sufficient when considering the high level of harm associated to the proven allegations.

137. This matter concerned a high risk of harm that could have had catastrophic consequences and would undoubtedly have an impact on public confidence in policing and the reputation of the police service.

Stage two – Conclusion on Outcome

138. The panel therefore concluded that the most appropriate outcome was a finding that the officer received a final written warning.
139. The panel then moved on to consider the length of the final written warning.
140. There was no evidence of any other conduct of this nature by the officer.
141. The panel again considered the positive nature of the officer's conduct since the event.
142. In doing so the panel found that a final written warning of two years was sufficient to achieve the full declaratory effect of the police misconduct regime.
143. **Conclusion - the panel decided that the officer would receive a final written warning lasting for a period of 2 years,** and that this sanction would fulfil the purpose of the misconduct regime.

Right of Appeal

144. In accordance with Police (Conduct) Regulations 2020 the officer has a right to appeal to a Police Appeals Tribunal against the findings and outcome of a misconduct hearing.

ACO Sarah Jackson

IPM Leon Parkes

IPM Anne Reading

7th August 2026