



memorandum

From: Assistant Chief Constable
Grant Wills

To: Former DS Cooper

Our
Ref:

Date: 4th of March 2025

FINDINGS and OUTCOME FORM

ACCELERATED MISCONDUCT HEARING – former DS Jonathan Cooper 4th of March 2025: Hindlip Hall, Hindlip Headquarters

In accordance with Regulation 63 of the Police (Conduct) Regulations 2020 (as amended), below-listed are the findings and any disciplinary action imposed in the above case. This document must be supplied to you before the end of 5 working days beginning with the first working day after the conclusion of the misconduct proceedings.

Hearing members:

Chair: Assistant Chief Constable Grant Wills

Details of the conduct alleged to have breached the Standards of Professional behaviour:

Allegation 1

Following a download of your mobile phone on the 23rd May 2024 it was established that on the 26th December 2019 you sent a meme to a WhatsApp group that was racist and derogatory to ethnic minorities.

Allegation 2:

Following a download of your mobile phone on the 23rd May 2024 it was established that between the 20th November 2020 and the 9th December 2020 you forwarded memes to a WhatsApp group that were both racist and derogatory towards ethnic minorities and disabled people.

The breaches of the Standards of Professional behaviour alleged are as Follows:

- *Authority, respect and courtesy: in that your conduct shows a lack of respect for the rights of individuals.*
- *Equality and diversity, in that your conduct demonstrates unlawful and unfair discrimination towards ethnic minorities and disabled people.*

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- *Discreditable conduct: in that your conduct discredits the police service and undermines public confidence in it.*

In accordance with Regulation 61, the person conducting the accelerated misconduct hearing shall review the facts of the case and decide on the balance of probabilities whether the conduct of the officer amounts to misconduct, gross misconduct or neither.

Findings:

The conduct amounts to Gross Misconduct.

The following is a summary of the finding:

In his Regulation 54 response, former officer Cooper accepted that he had breached the standards of professional behaviour and that he had sent the messages described in the allegations.

Having considered the submissions on finding from both sides, I have reminded myself of the definition of misconduct and gross misconduct as per the Police (Conduct) Regulations 2020, namely that “gross misconduct” means a breach of the standards that is so serious that dismissal could be justified.

I have also consulted the College of Policing Outcomes guidance in particular sections 4.54 to 4.59, and note the guidance that discrimination towards persons on the basis of any protected characteristic is never acceptable and always serious.

Therefore, this is a matter of Gross Misconduct.

Disciplinary action to be imposed:

In making a determination on outcome I have used the College of Policing Guidance on Outcomes in Police Misconduct Proceedings, and used the three stage approach set out in this guidance. The first stage is assessing the seriousness of the conduct, and is at the heart of determining an outcome. To do this I have considered the culpability of the officer, the harm caused and then taking into account any aggravating or mitigating factors.

I have considered the circumstances of both allegations; when considering allegation 2, I note that the former officer has forwarded memes via WhatsApp which were already created and does not appear to have created these himself. I find a medium-to-high level of culpability here in that he has acted of his own volition to forward these memes on to a number of people, who know he is a police officer, and they are highly offensive and have the potential to undermine public trust in the profession of policing.

Turning to allegation 1, this is not something created by anyone else. This is a picture of the former officer and he has added language which is both offensive and racist in nature. I find a high level of culpability here, the creation of this and the use of a picture of himself is clearly a conscious and deliberate act. The College of Policing guidance speaks in particular to matters of Discrimination and guides me as the chair to consider that in cases where discrimination is conscious or deliberate, they will be particularly serious, as I indicated at the finding stage.

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When considering the harm of the former officer's actions I turn to the effect on the policing profession and on public confidence; It is my assessment that his behaviour undermines good order in the Police Service and I also consider that his behaviour would be perceived by the public as unacceptable and, if known, would cast doubt on their assessment of his ability to discharge his duties in accordance with the standards of behaviour. I am further guided that a factor of the greatest importance for my consideration is the standing and reputation of the profession as a whole, and at a time when policing is rightly under scrutiny on matters of discrimination, the circumstances of this conduct will further impact our profession which needs to build public trust and confidence.

The combination of culpability and harm leads me to assess that this is of the utmost seriousness.

I have considered the impact of any aggravating factors, while taking care not to double count, noting the relevance as set out by the former officer's own submissions of discrimination, and I therefore consider the discriminatory nature of the messages that he sent as an aggravating factor and further impacting the overall seriousness.

The former officer's submissions set out some mitigation in relation to the second allegation, which I have noted, in particular the limited reach of the messages, that he did not create these memes and thought these were wholly private interactions. This mitigation is broadly not relevant to the first allegation where the former officer has used an image of himself and added the racist text. Therefore, the mitigation is limited in its impact on the seriousness, but I do recognise the admissions that he made at an early stage in the process.

The former officer has provided a substantial amount of personal mitigation and testimony of his overall conduct and service with West Mercia Police, which I have found both compelling and moving to read. He has been through particularly difficult times in his personal life and has been recognised by West Mercia Police and his colleagues for contributions to protecting the public. I have found this personal mitigation both impactful and relevant, I find his complete remorse for his actions genuine, and I have taken it into account when considering the outcome of these proceedings. However, my role as the chair is to first and foremost consider the purpose of the police misconduct regime, this is threefold; namely to maintain public confidence and the reputation of the police service; uphold high standards in policing and deter misconduct; and thirdly to protect the public.

When assessing the sanction most appropriate, I have considered the lesser sanctions first, as well as also noting the College of Policing Guidance on Outcomes, which sets out that where Gross Misconduct has been found and the behaviour would cause serious harm to public confidence in the police service, dismissal is likely to follow. I consider public confidence to be a factor of great importance in maintaining law and order.

Therefore, the disciplinary finding imposed is Dismissal without Notice. Additionally, the former officer's full name and a description of the conduct will be entered on the Police Barred List held by the College of Policing.

I confirm that the above is correctly recorded. I also confirm that the officer's personal record was considered before a decision was reached on any disciplinary action to be imposed.

A handwritten signature in black ink, appearing to read 'Grant Wills' with the number '21961' written below it.

Signed:
Assistant Chief Constable Grant Wills

Date: 4th of March 2025

If you wish to receive a copy of the record of the proceedings, please contact the Professional Standards Department.

You have a right of appeal against the finding. Should you wish to exercise this right you must do so in writing to the Chairman of the Police Appeals Tribunal within ten days of this notice. Please note that the tribunal can increase any outcome imposed as well as reduce or overturn the decision of the panel. You have the right to be legally represented at the appeal hearing.

Form of receipt to be completed by officer subject of proceedings:

I acknowledge receipt of this written notice of the misconduct proceedings, dated2025 of which this is a true copy.

Signed.....

Date.....