

OFFICIAL

Our reference: 2024/199375  
Force complaint reference: CO/01435/23



PO Box 473  
Sale M33 0BW

Blwch Post 473  
Sale M33 0BW

Tel/Ffôn: 0300 020 0096

Email/E-bost:

enquiries@policeconduct.gov.uk

Mr. Andrzej Majewski  
Sent via secure email to: [andre.aplauz@gmail.com](mailto:andre.aplauz@gmail.com)

27 May 2025

Dear Mr. Majewski,

This letter is about your application for a review of the complaint decision by Dorset Police which we received on 10 November 2024.

The IOPC is independent of the police.<sup>1</sup> Our role is to decide whether your complaint against Dorset Police was handled correctly and the outcome was reasonable and proportionate. This decision was communicated to you by T J Whittle (Joint Head of Complaints and Misconduct Unit) in a letter dated 29 October 2024.

Our role is not to investigate your complaint.

In deciding whether the outcome was reasonable and proportionate, I have considered whether:

- the complaint handler engaged with you to fully understand and address your complaint
- the complaint handler conducted adequate enquiries and considered relevant information
- the conclusion was logical, appropriate and evidence-based
- reasonable actions were taken to address your complaint
- any potential for learning was identified as part of the process.

You may like to read a copy of our Frequently Asked Questions (FAQs) to help you understand more about how we make our decisions, including a definition of what we mean by 'reasonable and proportionate'. I have included a copy of our FAQs with this letter.

My decision

1. **I have concluded that the outcome of your complaint was reasonable and proportionate. Therefore, your application for review is not upheld.**

---

<sup>1</sup> Our legal powers and duties are set out in paragraph 6A of Schedule 3 of the *Police Reform Act 2002* and Regulation 29 of the *Police (Complaints and Misconduct) Regulations 2020*.

## OFFICIAL

2. When making my decision, I have considered:
- Your original complaint dated 10 December 2023.
  - Your application for review letter dated 10 November 2024.
  - Supplementary material you have sent in support of your application.
  - The report prepared by the complaint handler T J Whittle dated 29 October 2024 and the evidence referred to in their report.

### Application for review

3. In your application for review dated 10 November 2024, you asked me to review the decisions made by Dorset Police PSD in respect of your complaint.

### Point one

4. **You were unhappy about inaccuracies in evidence gathered, and statements or witness accounts.**

### My Assessment

5. The Complaint Handler concluded that the service level provided was acceptable for the investigation with you as a suspect. The service level determined for the investigation into you as a victim was found to be not acceptable and PC Pratt has been provided learning as a result of this incident.
6. In reviewing this point, I have found it useful to measure the response by officers to the guidance on investigating domestic abuse provided by the College of Policing.
7. *Police officers have a duty to take positive action when dealing with domestic abuse incidents. Often this means making an arrest, provided the grounds exist and it is a necessary and proportionate response. Officers must be able to justify the decision not to arrest in those circumstances. In some situations, other positive approaches may be more appropriate ([Arrest and other positive approaches | College of Policing](#)).*
8. I wanted to particularly highlight this part of the guidance: *Counter-allegations require police officers to evaluate each party's complaint separately and conduct immediate further investigation at the scene (or as soon as is practicable) to determine if there is a primary perpetrator.*
9. *If both parties claim to be the victim, officers should risk assess both. There may also be circumstances where the party being arrested requires a risk assessment, as in the case of a victim retaliating against an abuser. Officers should bear in mind the possibility that the relationship is a mutually abusive one. ([First response | College of Policing](#)).*

## OFFICIAL

10. On the subject of dual arrests:

11. *The arrest of the primary perpetrator does not prohibit the officer from arresting both parties if there is evidence that both parties have committed offences but it should be an exceptional measure, for example if both are causing a public order situation in the street and refusing to engage with attending officers.* ([Arrest and other positive approaches | College of Policing](#))

12. Taking into account the guidance provided, I have carefully considered this matter during my review. I acknowledge that both you and your ex-partner made allegations of abuse against each other, and I understand your frustration that your ex-partner's account was pursued, resulting in your arrest. I also recognise the substantial impact this has had on your family and business, and I do not wish to diminish the significance of these effects.

13. Based on the available information, the officers' initial decision to remove you from the property and proceed with an arrest following further reports of non-fatal strangulation appears to align with the relevant guidance. It is evident that you were presenting a counter-allegation; however, the crime report prepared by PC Pratt was closed prematurely, and it required multiple efforts on your part to have this recorded, particularly regarding the incident involving a broken nose.

14. I do not consider a dual arrest to have been a justified course of action in these circumstances, and I find it reasonable that the officers opted against pursuing this approach.

15. This issue has been acknowledged as an error on the part of PC Pratt, and I believe the corrective measures taken to address this through additional learning are appropriate. I do not find evidence to suggest that this omission was intentional, as the crime reports document your perspective on the relationship, in which you were listed as a suspect. If PC Pratt had deliberately sought to disregard this aspect, it would be reasonable to expect that an effort might have been made to exclude it from the crime report.

16. While I understand that this explanation may not fully address your concerns, in the absence of evidence demonstrating deliberate misconduct on the part of PC Pratt, I do not believe there is sufficient basis to conclude that she acted intentionally to undermine you or cause you further harm.

17. I have considered your request for the dismissal of PC Pratt in relation to this matter. While I acknowledge that your perspective may differ significantly from mine, given the personal and professional impact this incident has had on your life, I do not believe that PC Pratt acted with deliberate dishonesty or intent to cause harm. She has recognised the mistake made and its impact on you. Had she not already received learning, I would have recommended this as the most appropriate

## OFFICIAL

course of action. However, I do not consider misconduct proceedings to be warranted in this instance.

18. I will now address your following review points:

19. From the beginning of the investigation, police knew that the ex-partner was lying and this was noted by one of the officers in their report.

- I have reviewed the occurrence that contains the investigation of the incident on 24 June 2023 (55230098162). I cannot see where it is referenced that your ex-partner is lying or that the police had any knowledge of this.

20. Your ex testified that she attacked you and there was evidence to support this.

- I have reviewed the crime reports to find this information. It states that '*The female party also disclosed that a while ago (possibly a year or more ago) the male had pushed her or kicked her in the stomach after she had hit him, but this was not reported.*' I agree that it was admitted that this had occurred. As above, I believe that this information was noted to understand the relationship dynamic.

21. There was no evidence to support your ex partner's claims of domestic abuse. Furthermore, you would like a list of the evidence that was deemed sufficient to charge and refer the case to the CPS.

- Whilst I do not have access to the exact list of evidence for this matter, I have considered whether it would be reasonable and proportionate to request this for my review. Based on the available information, it appears that the supporting evidence for the CPS to authorise a charge consisted of two statements from the victim and a clip of body-worn footage. Given this, I do not consider it necessary to seek additional information. Having reviewed the crime reference report, I must emphasise that established procedures require the officer in charge to assess whether the evidence meets the criteria for CPS referral. Ultimately, the decision to charge rests solely with the CPS. In this instance, the CPS issued a 'no further action' decision, meaning that no formal charges were brought against you.

22. You would like to know who is the author of the allegation that you strangled your ex-partner.

- This was disclosed during a PPN (Public Protection Notice) with your ex-partner and officers.

## OFFICIAL

### Point two

- 23. The bail documents from PC Pratt were not signed by a superintendent and not enough notice was given for bail change.**

### My Assessment

24. The complaint handler determined that the service level provided in response to this point was appropriate, having reviewed an email from Inspector Allen that clarified bail procedures. After independently reviewing this email, sent to you on 16 January 2024, I find it to be a clear and comprehensive explanation of bail procedures. Given this, there was little additional insight the complaint handler could provide, and I believe the overall response to this point was reasonable.

### Point three

- 25. You were not happy that you had to leave the home.**

### My Assessment

26. The complaint handler determined that the bail conditions imposed required your separation from the two individuals residing in your home. The rationale provided was to safeguard the victim in the investigation and to prevent escalation or recurrence of incidents. The overall conclusion was that the service level provided in this matter was appropriate.
27. As previously referenced, the separation of parties following a domestic incident is often an investigatory decision. I acknowledge the impact this has had on you; however, given the circumstances, I believe that the officers were acting in accordance with their duties. While I recognise that you may strongly disagree with this assessment, it is important to consider the obligations placed on officers to ensure the safety and wellbeing of all parties involved.
28. I will now address your following review points:
29. From the beginning, the officers had an admission of physical assault from ex-partner.
- I have addressed this under point one.
30. 'Help' from officers was not help, just giving escort to property and then advised to cancel passport (believed to be stolen).
- I can understand that you feel let down by Dorset Police, but the advice given seems to be appropriate and reasonable in the circumstances.

## OFFICIAL

31. Why do they refuse to initiate an investigation against your ex-partner

- I would challenge that there was a refusal to investigate the allegations made against your ex-partner, as demonstrated by crime report 55240098686. The decision to NFA was communicated to you in an email and explained by PC Matt Lambert. I believe you were provided a sufficient explanation about why this had been decided.

Point four

**32. Officers have lied in their reports (PC Shaw 1720, PC Dutton 1985, PC Boobier 0482, PC Chubb 0817).**

My Assessment

33. Chief Inspector Buller reviewed the complaints against PCs Boobier, Chubb, and Dutton and found no evidence of wrongdoing. Regarding PCs Boobier and Chubb, the assault crime had already been recorded by PC Pratt, so there was no requirement for them to record it again or take further action under the Victims Code. For PC Dutton, CI Buller examined the report of a breach of bail on 25 June 2023 and determined that the incident was correctly recorded and handled. The incident log accurately stated that you were arrested on 24 June 2023 on suspicion of assault by beating and non-fatal strangulation. PC Dutton addressed the matter with words of advice, and CI Buller concluded that the officer's actions met an acceptable level of service, with no further action required.
34. I acknowledge your concerns regarding the wording used in the officers' report, specifically that they stated you had committed offences rather than being suspected of committing them. You believe this constitutes a fabrication of evidence and, therefore, dishonesty on the part of the officers. Whilst I understand your perspective, it is not uncommon for such language to be used in police reports. This does not amount to lying but rather reflects the manner in which the situation is formally documented and pursued.
35. To illustrate this point, when you have reported offences, the record has described you as a victim and your ex-partner as a suspect. Similarly, crime report 55240098686 states that *'KOWALSKA has refused to return items belonging to MAJEWSKI believed to still be at the 9 KINGFISHER CLOSE address.'* This demonstrates a consistent approach in which certain events are recorded as having occurred rather than framed as suspicion. Based on this, I do not consider the language used to be indicative of dishonesty or misconduct.
36. With regard to your review representations on this specific point, I have already addressed the evidence used to compile the case file referred to the CPS for a charging decision under allegation one. Therefore, I will not restate this here.

## OFFICIAL

### Point five

- 37. Lack of contact from PC Pratt on 8 December 2023 updating you that bail date had been extended.**

### My Assessment

38. Inspector Allen reviewed the issue and confirmed that the error regarding your contact number was an unintentional mistake. PC Pratt demonstrated that the incorrect digit was accidentally input on her work phone. The complaint handler found that the service provided by Dorset Police in this instance to be unacceptable but it was not deemed to be a deliberate error, and Inspector Allen issued an apology on behalf of Dorset Police. I believe this to be a reasonable and proportionate response to this point.

### Point six

- 39. You felt there was gender discrimination as the reports you made of violence against you were not actioned.**

### My Assessment

40. The assault by your ex-partner was initially recorded by PC Pratt under reference number 55230099012. However, as she was still investigating you as a suspect, she was unable to pursue the matter with you as a victim. The report was made as a counter-allegation during an interview, recorded but not followed up on. For learning purposes, PC Pratt has since been spoken to about this.
41. The case was later taken up by PC Boobier under reference number 55230106821, who spoke with the complainant on 13 July 2023 regarding the history of incidents with Ms Kowalska. As the complainant expressed his wish only to make Dorset Police aware of his concerns, the matter did not progress further. A subsequent contact in October 2023 to report domestic abuse resulted in the case being closed, as no new incidents were reported. The reference for this was 55230165470. The investigation into the assault was not reopened until 21 July 2024.
42. Upon reviewing the complainant's reports and interactions with Dorset Police, the service provided in relation to these matters was found to be unacceptable. Dorset Police initially failed to take appropriate action, and further conversations with the complainant could have better clarified the handling of his reports. His follow-ups in October and November 2023 should have prompted an investigation, but this did not commence until July 2024.
43. The assault report and the more recent theft allegation are currently being investigated by PC Lambert (0904) under reference number 55240098686. As this investigation remains ongoing (at the time of the complaint outcome), no determination on service level can be provided at this stage.



## OFFICIAL

44. The IOPC provides guidelines to police forces to assist them in investigating complaints of discrimination. The forces are not compelled to follow these guidelines as they are just a suggestion, however, these guidelines can give an idea of how the investigating officer came to a conclusion about whether there was a presence of discrimination, and in turn, how reasonable and proportionate their investigation is.
45. Firstly, the guidelines suggest that contact is made with the complainant to establish how and why the complainant feels discriminated against arising from the actions of the force. I can see that there has been an extensive amount of emails where you have been able to express your point of view on this and the impact it has had on you.
46. The guidance then goes on to recommend that the complaint history of the officers involved is looked into, to see if there are any themes of discrimination complaints in the complaint history. Furthermore, it is useful to utilise 'comparator evidence'. This asks the question whether there is a difference in the treatment of an individual compared to another, whether real or hypothetical.
47. Although the Complaint Handler did not incorporate complaint history into their assessment, I believe this was a reasonable decision given the number of officers involved in the various investigations. I am not convinced that including complaint history would have provided additional insight into whether discrimination was a factor in their decision-making.
48. The Complaint Handler has primarily relied on comparator evidence to assess the level of service. It appears to have been acknowledged that the original counter-allegation was mistakenly closed. Dorset Police have provided their rationale for the continuation or discontinuation of certain investigations. It is my opinion that this is not derived from discriminatory reasons, but there has obviously been an omission during this process, and I can understand why you feel incredibly let down by the process. Ultimately, I believe that the Complaint Handler has reached a reasonable and proportionate decision for this allegation.
49. I acknowledge your concerns regarding medical records and the impact you believe they may have had on the family court proceedings. While I am unable to comment on those proceedings, I have considered whether the issue of medical records, particularly in relation to the investigation and their potential relevance as comparator evidence, should have been addressed by the Complaint Handler.
50. In my view, this could have been a valuable and specific aspect to examine. However, I do not believe its omission renders the overall decision unreasonable. If you wish to have this matter explored further, I recommend submitting a separate complaint to ensure it is properly addressed.

### Point seven

#### **51. Non-compliance with the victim's code.**



## OFFICIAL

### My Assessment

52. The Complaint Handler concluded that Dorset Police did not comply with the Victim's Code regarding report 55230099012, as it was closed without providing an update or follow-on Victim Support. This failure was not acceptable, and PC Pratt has been spoken to for learning purposes.
53. As you were satisfied with the closure of report 55230106821, no further action was required under the Victim's Code, making the service level acceptable. The report submitted on 18 October 2024 (reference 55230165470) was closed as a duplicate, as you had already been spoken to regarding the assault, and the service level was deemed acceptable.
54. I have considered the requirements of the Victim's Code. Whilst I do appreciate that there seems to be a lapse in some provisions that should have been given to you (recording and support), I believe that these have been recognised by the Complaint Handler and a reasonable conclusion reached. I believe that the most appropriate way to deal with this is to raise the issue with the force and so they can review the way the Victim's Code is implemented throughout the force and ensure it is more consistently applied.
55. I will now address your following review points:
56. You do not recall agreeing to a situation during a conversation with PS Boobier that ex-partner would avoid responsibility and you would like a recording of the conversation with PS Boobier.
- Whilst there is not an audio recording of the conversation, I will include the entire entry made by PS Boobier on the crime report that details the contents of the conversation you had:
- MAJEWSKI reported at 1420hrs on 9th JULY 2023. He stated that he was arrested for a DA and now wants to make a counter complain. He reports that KOWALSKA has mental health problems and is on meds as well as drinking too much alcohol.*
- MAJEWSKI said that KOWALSKA would not stop making contact with him and making his life difficult. Concerned that if she saw him on the road then she would hurt him due to her rages.*
- 
- I have now spoke with MAJEWSKI. Essentially, he is angry and annoyed that KOWALSKA reported him to the police and that he had conditions placed on him. He is frustrated because he states that KOWALSKA is still trying to contact him and wished to place a counter argument against her.*

## OFFICIAL

*MAJEWSKI didn't actually have anything to report. He stated some things happened in 2021 (broken phone and assault), but he didn't really want to talk about them. I asked him on multiple occasions what allegations he wished to make about KOWALSKA and his response was always concerns about what might happen in the future, not what has happened in the past. He confirmed that nothing had happened recently that he needed to talk to us about. He no longer lives with KOWALSKA and is staying in a rented room on Holdenhurst Road and stated there is no reason for them ever to speak to each other again or see each other. She has not harmed him or assaulted him. He did not talk about any harassment or stalking related incidents or criminal damage. He just wished to make us aware of his concerns moving forward. Concerns about her mental health and alcohol related things. He is concerned that she may be volatile towards him if they ever bumped in to each other in the street.*

*MAJEWSKA came across on the phone that he just wanted to report KOWALSKA for something. Clearly frustrated at the situation he is in. But in the end did not have anything to report that she had done that he wished to make a statement about and was happy for this occurrence to be closed. WOA given in relation to reporting live incidents occurring now if she causes him issues or offends against him.*

--

*KOWALSKA was spoken to over the phone and advised to not contact MAJEWSKA either as this is not appropriate seeing as he has conditions not to contact her. KOWALSKA appeared AIO on the phone, not intoxicated and was happy to talk to me. She confirmed that she had sent MAJEWSKA a couple text messages, in relation to 'work' questions, not expecting a reply but just to let him know something. She will now no longer do this. There is no need to communicate with him at all. KOWALSKA confirmed that there have been no issues since with MAJEWSKA and is moving on with her life.*

--

*This was reported as MAJEWSKA wishing to make counter allegations against KOWALSKA but in fact was him just reporting his concerns about what 'might' happen in future.*

57. You want an explanation of contents of 55230165470, 55230106821, 55230099012

- I have included the summary as detailed on the crime occurrences for you where relevant.

## OFFICIAL

- 55230165470 – ‘duplicate occurrence of a historical domestic assault’ (breaking of your nose by ex-partner).
- 55230106821 – ‘DA with partner – outcome reviewed by CMU’.
- 55230099012 – ‘created to record 1x common assault for male as the victim due to historic allegation’.

Point eight

**58. On 24 June 2024, the call handler 7213 was rude to you and did not provide you with any information.**

My Assessment

59. The Complaint Handler concluded that a supervisor in the control room reviewed the call and provided her findings via email on 11 August 2024, including a review, explanation, and details of the actions taken. The service provided by Dorset Police in this instance was not acceptable, as the tone and wording used by the call taker could have been improved, and a clearer explanation of why an update could not be provided would have been beneficial. The call handler has been spoken to for reflection and learning. As the matter has been addressed, no further action will be taken.

60. I hope this review has provided clarity on certain aspects, including the confirmation that two domestic abuse cases can proceed concurrently, as per College of Policing guidelines. Whilst PC Pratt may not have been able to be the Officer in Case (OIC) for both, the two cases were intended to run concurrently, as suggested by the creation of two crime reports. However, due to an error by PC Pratt, the report naming you as the victim did not go forward as expected. I believe this to have been rectified at a later point (as discussed above).

61. You may have noticed that I have not addressed every review point you raised. I have focused on those I consider reasonable and proportionate to address, as I am unable to comment on aspects beyond the scope of the Complaint Handler's assessment.

62. I acknowledge your perspective that Dorset Police officers have acted unlawfully; however, I respectfully challenge this view. While certain mistakes have been identified and lessons have been implemented, there is no indication that the officers' actions constitute misconduct.

63. I am sorry that you feel overlooked as a victim, and I appreciate how difficult this must have been for you. Dorset Police have acknowledged areas requiring improvement and have reached a reasonable and proportionate conclusion

## OFFICIAL

regarding the overall service level for this complaint.

64. I also note that you have requested compensation in your review representations. The IOPC is not in a position to recommend compensation as a remedy. If you would like further information about the compensation process, you can find more details here: [Request compensation for something the police have done | Dorset Police](#)

### Conclusion

65. Therefore, I am unable to uphold your review on this occasion.

### Organisational learning

66. Throughout my assessment, I have carefully considered whether there are any further opportunities for organisational learning or improvement. In this case, I have not identified any additional learning.

### Matters we cannot consider

67. Where the complainant has raised additional matters, not recorded as part of the original complaint, which you have not considered. I can only consider the complaints that were recorded by Dorset Police under reference number 2024/199375. Any additional matters that you have raised during the review process have not been considered. Should you wish to pursue any matter not recorded under complaint reference 2024/199375 you would need to raise it as a new complaint either via the [IOPC website](#) or via Dorset Police.

68. I summarise these additional matters as follows:

- Reasoning for dispatching officers to your address on 23 June 2023.
- Allegation that PC Shaw falsified facts about you being not allowed to return to the property.
- Allegation that PC Dutton has falsified facts about the events of the night of the incident – specifically about pushing your ex-partner.
- Allegation that PC Pratt has falsified facts about the events on the night of the incident specifically about pushing your ex-partner.
- Concerns about the length of time the investigation by PC Pratt took (12 months).

This concludes my review and I hope my decision and the reasons I have given are clear. You cannot appeal the outcome of this review.

You can contact me if you have any comments or feedback, or if you need more information about the way I have reviewed the force's handling of your complaint. My contact details are at the end of this letter.

We are committed to providing the highest possible standard of customer service. Please let us know if you are unhappy with the service you have received.

Yours sincerely



**Kathryn McCarthy**  
Casework Manager  
**Independent Office for Police Conduct**

Telephone: 01216 733856

Email: [kathryn.mccarthy@policeconduct.gov.uk](mailto:kathryn.mccarthy@policeconduct.gov.uk)

[www.policeconduct.gov.uk](http://www.policeconduct.gov.uk)

Follow us on Twitter at: [@policeconduct](https://twitter.com/policeconduct)

**Find out how we handle your personal data**

**Now that your review to the IOPC has closed, you will be invited to participate in an online survey about your experience approximately within two weeks of receiving this letter.**

**If you do not wish to receive any research-related communications regarding your experience with the recent review process, please use the link or QR code below to opt out of receiving the survey invitation:**

<https://www.smartsurvey.co.uk/s/IOPC-opt-out-reviews/>



As survey invitation email will be sent separately to your outcome letter, unless you choose to opt out using the link above.

## OFFICIAL

This survey is managed by the IOPC's research team, which operates independently from the decision-making process related to reviews and investigations. Any information collected through this survey will be used solely for research purposes and will not have any impact on the final decision about your review/ investigation.

To assist us in improving our services and ensuring timely analysis, we kindly ask that you complete the survey **within two weeks** of receiving the email. Your prompt feedback is important for us to act on the insights gathered in a timely manner.

Os bydd arnoch angen yr arolwg hwn yn Gymraeg, cysylltwch â ni ar [userfeedback@policeconduct.gov.uk](mailto:userfeedback@policeconduct.gov.uk) os gwelwch yn dda.