IN THE POLICE MISCONDUCT HEARING

PURSUANT TO THE POLICE (CONDUCT) REGULATIONS 2020 (AS AMENDED BY THE POLICE (CONDUCT) (AMENDMENT) REGULATIONS 2024

IN THE MATTER OF:

PC STEPHEN SMITH

PC RACHEL COMOTTO

HEARING REPORT

Hearing Details and Representation

Hearing dates: 28 September – 6 October 2026

Chair: Assistant Chief Constable Peter Gardner

Independent Panel Members: Catherine Knight and Bryan McAlley

The Appropriate Authority ("the AA") was represented by Aaron Rathmell, Counsel.

PC Smith was represented by Denis Barry, Counsel.

PC Comotto was represented by Colin Banham, Counsel.

The Panel would like to thank the representatives for their assistance throughout the case, including the provision of an opening note.

The Panel were assisted by Helen Fleck, Legally Qualified Advisor.

Introduction

1. This is the written final decision in respect of the misconduct hearing for PC Stephen Smith and PC Rachel Comotto. The outline of the Panel decisions on facts and outcome was announced orally to the officer during the hearing.

The Allegations

2. At the outset of the proceedings, the AA made an application to amend the allegations as set out in the regulation 30 notices. To the extent that the amendments sought were typographical only, there was no disagreement from Mr Barry or Mr Banham. Two substantive amendments were however sought:
   (i) To add breaches of the standard of Equality and Diversity – for PC Smith & PC Comotto.
   (ii) To include the application of handcuffs as a breach of the Use of Force standard – PC Comotto only.

3. The Panel received and accepted the legal advice which is appended to this hearing report and determined that all typographical amendments could be fairly made without causing prejudice to either party.

4. In respect of the addition of the Equality and Diversity Standard, the Panel considered that the addition of this standard would not prevent it from considering the vulnerability of Mr Burgess or from assessing the gravamen of the case as a whole. It would however necessitate further time for both officers to consider and respond to this new aspect to the allegation. In the circumstances the Panel did not consider it would be in the interests of justice, and in particular the fair and expeditious resolution of this allegation, to permit the amendment.

5. The Panel reviewed the allegation as drafted and noted that particulars were already included which made reference to the application of handcuffs by PC Comotto. These were included as part of the allegation in the initial IOPC report and, significantly, had been responded to by PC Comotto in her responses, as well as being covered briefly in the expert report of Mrs Caffrey. The Panel considered that there would be some prejudice to PC Comotto but that this amounted to a practical difficulty as opposed to causing any unfairness. In any event the Panel concluded that any such difficulty could be resolved by the preparation of a short addendum report by Mrs Caffrey adding any further specific comment she was able to make on the application of handcuffs.

6. The allegations as set out in the amended notice, and which were considered by the Panel are as follows:

PC Smith

Factual background

1. *You became a member of Sussex Police Force on 31/3/2003.*

2. *On 21 June 2022:*
    a. *You were on duty, in a patrol car, with PC Rachel Comotto;*
    b. *You were asked to attend an incident at a Care Home. You were told that a resident had a knife and was threatening to stab staff. You were told that he had capacity, had dementia and that staff had isolated him from other residents;*
    c. *You were told by radio control that this was suitable for divisional/unarmed to deal with consideration around STO (specifically trained officer) as a contingency;*

d. *You arrived at the Care Home at approximately 13:14 hours;*
e. *The resident was called Mr Burgess and he was 92 years' old;*
f. *It was visibly apparent to you that he was an amputee (having one leg amputated) and was in a wheelchair throughout this interaction;*
g. *The knife Mr Burgess had in his hand was a dinner knife with a modified handle, with a serrated edge;*
h. *Mr Burgess died on 13 July 2022, at Hospital (it is not alleged in these proceedings that the officers caused his death).*

Allegations

3. *It is alleged that you, PC Stephen Smith, breached the Standards of Professional Behaviour as set out in Regulation 2 and the Schedule to the Police (Conduct) Regulations 2020 in respect of Authority, Respect and Courtesy, Use of Force and Discreditable Conduct in that:*

Interactions with Mr Burgess

4. *You were aware, or ought to have been aware, of any or all of 2 (a) to (g) above.*

5. *When you arrived in his room at approximately 13:15 hours, Mr Burgess was in his room with two members of staff. They left upon request and so it was just you, PC Comotto and Mr Burgess in the room.*

6. *You interreacted with Mr Burgess. As to this:*

    a. *You entered the room at approximately 13:15 hours and immediately said to Mr Burgess "Do you want to put the knife down mate for me or you will be sprayed or Tasered it's up to you".*
        i. *This was an immediate threat to use force;*
        ii. *without trying a softer approach first;*
        iii. *in a situation whereby Mr Burgess posed no credible or real danger to anyone, including himself.*

b. *At no point before the use of PAVA spray, the baton or taser, did you or your colleague PC Comotto speak to care home staff to establish Mr Burgess' diagnoses or whether he was vulnerable:*
    i. *You ought to have done so;*
c. *In your interactions with Mr Burgess you failed to treat him as the vulnerable person he was;*
    i. *He was largely silent when you were making commands;*
    ii. *His demeanour, at times, appeared confused.*
d. *In your interactions with Mr Burgess you failed to treat him with tolerance, respect and courtesy;*
    i. *Specifically, your manner lacked compassion;*
    ii. *Your manner was antagonistic / dismissive;*
e. *Within approximately 9 seconds of entering the room you drew your PAVA cannister / spray;*
f. *You failed to de-escalate the situation and / or take appropriate steps to de-escalate the situation, such as talking more calmly to him, asking him what was wrong or leaving the room. Instead you issued threats and continued to do so;*
g. *You used your PAVA spray having been in the room for just over one minute;*
    i. *He had not moved towards you or your colleague;*
    ii. *He had not done anything which escalated the threat and justified the use of the PAVA spray;*
h. *In quick succession thereafter, you draw your baton and struck Mr Burgess once on his hand / arm;*
    i. *He had not moved towards you or your colleague;*
    ii. *He had not done anything which escalated the threat and justified the use of the strike;*
i. *You failed to allow more time between the use of force tactics above to see if you could talk to Mr Burgess before resorting to the next use of force tactic.*
j. *You failed to consider, whether adequately or at all, the possibility of leaving Mr Burgess in his room to calm down and where he did not pose a threat to anybody else.*
    iii. *He did not appear to pose a meaningful threat to himself;*
    iv. *He had not threatened to harm himself.*

7. *By using your PAVA spray and / or striking Mr Burgess with your baton you breached the Standards of Professional Behaviour in respect of Use of Force because you used force that was not necessary and/or was not proportionate and/or was not reasonable in all the circumstances. Specifically:*
    a. *The force used (PAVA spray and / or a baton strike) was not reasonable in the circumstances;*
    b. *At the time you used force no one was in any real danger from Mr Burgess. Care Home staff were out of the room, your colleague had her taser out, Mr Burgess had been sprayed in the face with PAVA spray, Mr Burgess was 92 years old and an amputee in a wheelchair. He posed no credible threat to you, another or himself;*
    c. *You used two different types of force within approximately a minute and a half of being in the room with Mr Burgess;*
    d. *The use of the force you used was not commensurate with the risk posed by Mr Burgess;*
    e. *The escalation in force used against Mr Burgess was rapid, with PAVA spray, a baton strike and then a taser (discharged by PC Comotto) was used in quick succession and within a short period of time of being in the room;*
    f. *You failed to consider, adequately or at all, whether other options could have been tried to contain or manage Mr Burgess. This included just waiting a little longer before any use of force to see if speaking to him could calm the situation, or to allow further information to be gathered about him to see if that could provide insight into how to deescalate the situation.*
    g. *In all the circumstances, you used force which was excessive.*

Handcuffs

8. *Mr Burgess was placed in handcuffs. This was PC Comotto's decision but one you failed to challenge and / or agreed with:*
    a. *There was no requirement to use handcuffs in the circumstances of an elderly man, in a wheelchair with an amputation who had been subjected to PAVA spray, baton strikes and a taser;*
    b. *There was not sufficient justification to use handcuffs;*
    c. *Doing so was disproportionate and / or excessive;*
    d. *during the time when he was in handcuffs Mr Burgess complains, on more than one occasion, that his hands and / or wrists are hurting;*

9. *At no point during these interactions did you or your colleague arrest Mr Burgess.*

Standards of Professional Behaviour

1. *At any or all of allegations (6), (7) and (8) you breached the Standards of Professional Behaviour as set out in in Regulation 5 and Schedule 2 to the Police (Conduct) Regulations 2020 in respect of Authority, Respect and Courtesy.*

2. *At any or all of allegations (6), (7) and (8) you breached the Standards of Professional Behaviour as set out in in Regulation 5 and Schedule 2 to the Police (Conduct) Regulations 2020 in respect of Use of Force.*

3. *At any or all of allegations (6), (7) and (8) you breached the Standards of Professional Behaviour as set out in in Regulation 5 and Schedule 2 to the Police (Conduct) Regulations 2020 in respect of Discreditable Conduct.*

4. *The standards of Professional Behaviour that have been breached as alleged at (1) – (3) directly above are matters which individually and / or collectively, amount to gross misconduct and are individually and collectively so serious as to justify dismissal.*

PC Comotto

Factual background

1. *You became a member of Sussex Police Force on 27/10/2014.*

2. *You became accredited to patrol with a Taser.*

3. *On 21 June 2022:*
    a. *You were on duty, in a patrol car, with PC Stephen Smith;*
    b. *You were asked to attend an incident at a Care Home. You were told that a resident had a knife and was threatening to stab staff. You were told that he*

had capacity, had dementia and that staff had isolated him from other residents;

c. *You were told by radio control that this was suitable for divisional/unarmed to deal with consideration around STO (specifically trained officer) as a contingency;*
d. *You arrived at the Care Home at approximately 13:14 hours;*
e. *The resident was called Mr Burgess and he was 92 years' old;*
f. *It was visibly apparent to you that he was an amputee (having one leg amputated) and was in a wheelchair throughout this interaction;*
g. *The knife Mr Burgess had in his hand was a dinner knife with a modified handle, with a serrated edge;*
h. *Mr Burgess died on 13 July 2022, at Hospital (it is not alleged in these proceedings that the officers caused his death).*

Allegations

4. *It is alleged that you, PC Rachel Comotto, breached the Standards of Professional Behaviour as set out in Regulation 2 and the Schedule to the Police (Conduct) Regulations 2020 in respect of Authority, Respect and Courtesy, Use of Force and Discreditable Conduct in that:*

Interactions with Mr Burgess

5. *You were aware, or ought to have been aware, of any or all of 3 (a) to (g) above.*

6. *When you arrived in his room at approximately 13:15 hours, Mr Burgess was in his room with two members of staff. They left upon request and so it was just you, PC Smith and Mr Burgess in the room;*

7. *You interreacted with Mr Burgess. As to this:*

    a. *You entered the room at approximately 13:15 hours and immediately your colleague PC Smith stated "Do you want to put the knife down mate for me or you will be sprayed or Tasered it's up to you".*

i. *This was an immediate threat to use force;*
ii. *without trying a softer approach first;*
iii. *in a situation whereby Mr Burgess posed no credible or real danger to anyone, including himself.*

b. *At no point before the use of PAVA spray, the baton or taser, did you or your colleague PC Smith speak to care home staff to establish Mr Burgess' diagnoses or whether he was vulnerable;*
   i. *You ought to have done so;*

c. *In your interactions with Mr Burgess you failed to treat him as the vulnerable person he was;*
   i. *He was largely silent when you were making commands;*
   ii. *His demeanour, at times, appeared confused.*

d. *In your interactions with Mr Burgess you failed to treat him with tolerance, respect and courtesy;*
   i. *Specifically, your manner lacked compassion;*
   ii. *Your manner was antagonistic / dismissive;*

e. *Within approximately 17 seconds of entering the room you drew your Taser and said "Police Officer with a Taser";*

f. *You failed to de-escalate the situation and / or take appropriate steps to de-escalate the situation, such as talking more calmly to him, asking him what was wrong or leaving the room. Instead you issued threats and continued to do so;*

g. *You were aware that your colleague used PAVA Spray and then a baton strike to get the knife out of his hand;*

h. *You used the taser on him at around 13:16 hours and within approximately one and a half minutes of arriving in the room;*
   i. *This was in quick succession to him having been sprayed with PAVA spray and hit with a baton;*
   ii. *He had not moved towards you or your colleague;*
   iii. *He had not done anything which escalated the threat;*

i. *You failed to allow more time between the use of force tactics to see if you could talk to him before resorting to the next use of force tactic.*

j. *You failed to consider, whether adequately or at all, the possibility of leaving Mr Burgess in his room to calm down and where he did not pose a threat to anybody else;*

i. *He did not appear to pose a meaningful threat to himself;*
ii. *He had not threatened to harm himself.*

8. *By discharging the taser you breached the Standards of Professional Behaviour in respect of Use of Force because you used force that was not necessary and/or was not proportionate and/or was not reasonable in all the circumstances. Specifically:*
    a. *The force used (discharge of a taser) was not reasonable in the circumstances;*
    b. *At the time your discharged your taser no one was in any real danger from Mr Burgess. Care Home staff were out of the room, your colleague had his baton drawn, Mr Burgess had been sprayed in the face with PAVA spray, Mr Burgess was 92 years old and an amputee in a wheelchair. He posed no credible threat to you, another or himself.*
    c. *You discharged your taser within approximately a minute and a half of being in the room with Mr Burgess;*
    d. *The use of the taser was not commensurate with the risk posed by Mr Burgess;*
    e. *The escalation in force used against Mr Burgess was rapid, with PAVA spray, a baton strike and a taser being used in quick succession and within a short period of time of being in the room;*
    f. *You failed to consider, adequately or at all, whether other options could have been tried to contain or manage Mr Burgess. This included just waiting a little longer before any use of force to see if speaking to him could calm the situation, or to allow further information to be gathered about him to see if that could provide insight into how to deescalate the situation;*
    g. *In all the circumstances, you used force which was excessive.*

Handcuffs

9. *Mr Burgess was placed in handcuffs. This was your decision:*
    a. *There was no requirement to use handcuffs in the circumstances of an elderly man, in a wheelchair with an amputation who had been subjected to Pava spray, baton strikes and a taser;*
    b. *There was not sufficient justification to use handcuffs;*
    c. *Doing so was disproportionate and / or excessive;*

d. *during the time when he was in handcuffs Mr Burgess complains, on more than one occasion, that his hands and / or wrists are hurting.*

10. *At no point during these interactions did you or your colleague arrest Mr Burgess.*

Facebook Post

11. *On 21 June 2022 in response to another police officer's post on Facebook stating "Happy birthday, the care home is getting closer and closer":*
    a. *You made a comment "We all know what happens in care homes".*
    b. *This comment was concluded with a lightning emoji. This was in reference to the Taser you had used on Mr Burgess;*
    c. *You unnecessarily and inappropriately introduced your experience at the care home into a conversation on social media;*
    d. *You made light of the situation and the use of a taser on an elderly and vulnerable resident in a care home;*
    e. *This was inappropriate and / or unprofessional.*

Standards of Professional Behaviour

1. *At any or all of allegations (7), (8), (9) and (11) you breached the Standards of Professional Behaviour as set out in in Regulation 5 and Schedule 2 to the Police (Conduct) Regulations 2020 in respect of Authority, Respect and Courtesy.*

2. *At any or all of allegations (7), (8) and (9) you breached the Standards of Professional Behaviour as set out in in Regulation 5 and Schedule 2 to the Police (Conduct) Regulations 2020 in respect of Use of Force.*

3. *At any or all of allegations (7), (8), (9) and (11) you breached the Standards of Professional Behaviour as set out in in Regulation 5 and Schedule 2 to the Police (Conduct) Regulations 2020 in respect of Discreditable Conduct.*

4. *The standards of Professional Behaviour that have been breached as alleged at (1) – (3) directly above are matters which individually and / or collectively, amount to gross misconduct and are individually and collectively so serious as to justify dismissal.*

7. Both officers confirmed at the start of the hearing that the allegations were denied, however, as will be seen from this decision, some purely factual admissions were made in the course of evidence.

The Panel's approach

8. The Panel reminded itself it was required to:

   a. Consider the facts of the case and to make its findings of fact in relation to the allegation;
   b. Determine whether those findings of fact found constituted a breach of the relevant standards;
   c. Determine whether any conduct found proven against PC Smith and PC Comotto amounted to misconduct or gross misconduct.

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

10. The Panel approached its decision making by keeping in mind the purpose and character of police misconduct proceedings. The primary purpose being not to punish the officer but to protect public confidence in, and the reputation of, the police service by holding officers accountable and making clear that improper behaviour will not be left unchecked. A secondary purpose is to be declaratory of high professional standards and a final purpose is to protect the public and staff by preventing similar misconduct recurring in the future (*Salter v Chief Constable of Dorset [2012] EWCA Civ 1047, and The Queen (on the application of Williams) v Police Appeals Tribunal [2016] EWHC 2708 (QB)).*

11. The Panel also had regard to the framework of regulations and guidance, in particular the following:

   a. The Police (Conduct) Regulations 2020 (the "Regulations") that were in place at the time of this incident, including in particular the Standards of Professional Behaviour at schedule 2;
   b. 2018 Home Office Guidance (the "HOG"), including in particular chapter 1, summarising the Standards;

c. The definition of misconduct given at Reg 3(1) of the Regulations: “a breach of the Standards of Professional Behaviour”;
d. The definition of gross misconduct given at Reg 3(1) of the Regulations: “a breach of the Standards of Professional Behaviour so serious that dismissal would be justified”.

12. The Panel has assessed and taken into account all of the oral evidence and read and carefully considered every item of documentary evidence before them as well as considering the totality of the evidence received and submissions made. This hearing report does not propose to deal with each and every aspect of the evidence or submissions made, but to state the Panel’s main conclusions.

Evidence

13. The Panel was provided with the following documents and other evidence:

i. Misconduct hearing bundle comprising 636 pages which included the Regulation 31 responses.
ii. Body worn video footage.
iii. The AA’s opening note.
iv. Addendum report of Mrs Caffrey.
v. Bundle of stills prepared on behalf of PC Comotto.
vi. Bundles of character evidence
vii. CED policy

14. The Panel also heard from the following live witnesses:

i. Steven Cooper
ii. Donna Lahmouddi
iii. Liam Fitzpatrick
iv. Ian Mills
v. Joanne Caffrey
vi. PC Smith
vii. PC Comotto

Findings of Fact

General Findings Applicable To Both Officers

15. The Panel accepted that prior to arrival both officers reasonably believed they were responding to an incident involving a care home resident armed with a knife who had threatened staff. The information transmitted by control was capable of causing genuine concern. The officers were entitled initially to regard the incident as one carrying significant risk. The Panel however considered that upon entry to Mr Burgess’s room, the officers immediately possessed information which materially altered the risk picture. They could see that:

- Mr Burgess was seated in a wheelchair.
- He was alone.
- Staff had withdrawn after being instructed to do so by the officers.
- No member of staff was under immediate threat.
- No resident was exposed to danger.
- The knife was significantly less threatening than had originally been assumed.
- Mr Burgess was elderly and plainly vulnerable.
- His mobility was substantially restricted.

16. It was the Panel's finding that these factors required a reassessment of threat and available options in line with the National Decision Model. Neither officer carried out that reassessment to the standard reasonably expected of a competent officer. The Panel found that from the earliest stages of the encounter force became the dominant focus of the officers' approach. The Panel was particularly struck by the limited attempts made to gather information from staff despite ample opportunities to do so. The officers did not properly explore:
    - Mr Burgess's baseline presentation.
    - The existence and nature of any conditions experienced by Mr Burgess such as dementia.
    - Whether he had capacity.
    - Whether there were established de-escalation techniques.
    - Whether there was any history of violence or self-harm.
    - Whether containment remained a viable option.

17. This report does not contain a detailed assessment of witness credibility. This is because very little challenge was made to either of the care home staff or the expert witnesses, indeed in respect of this latter all parties accepted there was a high degree of consensus.

18. The Panel considered that PC Smith gave evidence in a calm and direct manner, albeit with limited expression or expansion as to his thought processes at the time. He did make significant admissions in cross examination as to trying to downplay Mr Burgess's vulnerability and accepted that he had referred to his being in a wheelchair in his Use of Force form which was prepared shortly after the incident. He accepted that what was on this form was more likely to reflect an accurate record of his actions. To the extent that this differed from later accounts, the panel preferred what was recorded on the Use of Force form.

19. PC Comotto gave evidence in a more expansive manner and became noticeably emotional when asked about the impact of her actions and what, if anything, she would have done differently. Again she accepted that where her account now differs from that given on her Use of Force Form, that earlier account is generally more likely to be accurate save to the extent that she maintained before the panel that she did perceive that PC Smith may have been about to strike Mr Burgess for a second time with the baton. The panel deals specifically with this aspect of the evidence at paragraph 49 below. Significantly PC Comotto accepted that during the incident she

could have said something to stop it and take time to regroup. She accepted that she had failed to do so.

20. The Panel recognised that both officers have now been asked to account for their actions on a number of different occasions after varying levels of disclosure, for example, before and after viewing the Body Worn Video footage. The Panel was cognisant of the difficulty for both officers in separating this after-the-fact reflection with what they were aware of and believed at the time and does not consider that either officer has deliberately sought to mislead the Panel.

Findings relating to PC Smith: Stage 1

FACTS

21. In this case, what took place and what was said throughout the incident is not in dispute. Extensive Body Worn Video and audio log evidence has provided a clear and accurate record of the incident on the day.

22. As set out in the regulation 30 notice, allegations 1 and 2 are not disputed but amount to a summary of objective facts and background to the incident. Allegation 3 is covered later in this decision where the Panel sets out its findings regarding any breaches of the standards.

Allegation 4: Proved

23. Allegation 4, which deals with the facts that PC Smith knew or ought to have known at the time of the incident. Most of this information is a matter of fact and not disputed, other than PC Smith's evidence that on his initial observation he thought that Mr Burgess was in his 70s rather than his actual age of 92.

24. The contested parts of the allegation for the Panel to determine were as follows:

    i. Firstly, was PC Smith aware of the (albeit incorrect) information that Mr Burgess had dementia. The Panel was satisfied on the balance of probabilities that PC Smith heard this information . It noted that PC Smith recalls other details of the same radio transmission that provided this information such as Mr Burgess's capacity, and that it was a reasonable assumption as he was responding to an incident at an elderly care home. The Panel also noted that PC Comotto, who was arguably more distracted at the time as she was driving, heard this information. PC Smith did not say that he did not hear this information, only that he couldn't recall hearing it. The Panel concluded that it was more likely than not that PC Smith did hear this information and was aware, albeit mistakenly, that Mr Burgess was described as having dementia.

    ii. Secondly, was PC Smith aware that Mr Burgess was an amputee and in a wheelchair? The Panel found that PC Smith was aware that Mr Burgess was in a wheelchair but that he was not aware that Mr Burgess was an amputee. He had a clear unobstructed view of Mr Burgess, noted the wheelchair in his Use of Force

Form and admitted to "downplaying the wheelchair" in his cross examination. The fact of Mr Burgess's amputated leg may not have been immediately apparent from PC Smith's position nor is it noted on the use of force form. The Panel considered that PC Smith honestly had not realised Mr Burgess was an amputee. This allegation is therefore found proved on the basis that after entering the room and making an initial assessment PC Smith ought to have ensured he received more information about Mr Burgess's circumstances.

iii. Thirdly, was PC Smith aware of the type and nature of the knife Mr Burgess was holding? The Panel found on the balance of probabilities that PC Smith was not aware of the knife in full detail when initially confronting Mr Burgess. The Panel accepted, as stated in his evidence that he had been focussed on the knife, to the extent that he was able to describe Mr Burgess's apparently strong grip and white knuckles, and also accept from this evidence, in particular PC Smiths Use of Force Form that he was not aware of the full details of the knife itself. The Panel considered that PC Smith must have been able to see that this was a short knife with a serrated edge and noted that PC Comotto who was further away was able to accurately describe the knife.

25. In any event, the Panel concluded that PC Smith ought to have known these facts. Whilst It was not unreasonable for PC Smith to immediately enter the room to confront what he honestly believed was a high-risk scenario, immediately upon entering the room, PC Smith ought to have realised the risk was considerably lower than anticipated with no immediate threat. At this point he ought to have found out more details, including the vulnerability of Mr Burgess and details of the knife and the circumstances.

Allegation 5: Proved

26. This is factual and not in dispute.

Allegation 6: Proved

27. This allegation pertains to the interaction between PC Smith and Mr Burgess in respect of which the Panel found as follows:

i. PC Smith issued an immediate threat to use force upon entering the room in the absence of a softer approach or intervention. At the time of making this threat, Mr Burgess was in his own bedroom isolated from residents and posed no risk to residents or staff. He posed no risk to the police officers as they were outside of his reactionary arc, he was seated in a wheelchair and displayed limited mobility. There was no information provided, nor anything said, indicated or done by Mr Burgess to suggest an immediate risk of self-harm.

ii. At this point PC Smith or PC Comotto should have spoken to care home staff and ascertained more information. At this point, the lower than anticipate risk should have been factored into decision making in line with the National Decision Model and steps taken to deescalate the situation. The Panel placed significant weight on

the conclusion of all three expert witnesses that more information should have been obtained.

iii. From the Body Worn Video, it is clear that Mr Burgess is largely silent during the interaction, he speaks very little and the Panel found that at times it does appear that he is confused. That Mr Burgess was able to ask a question about how many more people there were, does not in any way detract from the overall impression that Mr Burgess was confused and was both vulnerable, and should have been treated as, a vulnerable person at this time. The approach taken by PC Smith as shown in the Body Worn Video showed no compassion to the circumstances, vulnerability or state of mind of Mr Burgess. No attempt was made to gather information or to understand these factors.

iv. The Body Worn Video and audio show that PC Smith was antagonistic, dismissive and intolerant towards Mr Burgess throughout the encounter. PC Smith made an immediate threat to use force the moment he entered Mr Burgess's room. There was a lack of any attempt to meaningfully engage with Mr Burgess, or to seek information from staff to understand his circumstances and vulnerability. The Panel considered the note the tone and language PC Smith used to have been dismissive and uncaring throughout.

v. PC Smith drew his PAVA almost immediately upon entering the room and attempts to de-escalate were limited to a slight change of tone on occasion. The Panel accepted the expert evidence that the option to take time and space to negotiate existed and could have been used, and noted that no meaningful efforts were made to de-escalate the situation. Instead, continual threats and commands were made, with limited time given for Mr Burgess to respond despite there being no immediate threat of harm.

vi. The Panel also found that Mr Burgess had done nothing to escalate the threat of harm to justify the deployment of PAVA. The level of risk posed had not changed, and his limited arm movement was a defensive gesture in response to PC Smith's move forward. This was not an escalation of threat, but a responsive action, the threat was escalated by the officer.

vii. From repeated viewing of the Body Worn Video and having close regard to the sound made on contact, the Panel accepted that PC Smith struck the knife rather than the hand / wrist of Mr Burgess. At the point of the strike however, Mr Burgess had not moved towards either officer or done anything to escalate the threat so as to justify the baton strike. We also note there were 12 seconds between the PAVA deployment and baton strike. The Panel accepted the expert evidence, which was unchallenged, that PAVA effects may be immediate, delayed or have no effect at all. Whilst it is clear that it did have some effect on Mr Burgess, limited time was given to assess the response to the PAVA or to respond to the additional shouted commands to drop the knife.

viii. The Panel is in agreement that PC Smith, as he himself admitted, failed to consider the possibility of leaving Mr Burgess in his room to calm down. This was an environment where he posed no threat to anyone else, had not threatened to harm himself and did not appear to pose a meaningful threat to himself.

Allegation 7: Proved

28. This allegation pertains to the use of force by PC Smith on Mr Burgess. The Panel found as follows:

i. Firstly, the Panel noted that the use of force and the timing of the use of force is a matter of fact and clearly made out in the Body Worn Video.

ii. The Panel considered that the use of PAVA by PC Smith against Mr Burgess was unnecessary and disproportionate under the circumstances. As per the Panel's earlier findings, at the time of this use of force Mr Burgess posed no risk to residents, care home staff or the officers themselves. In addition, there was no information, action taken or anything said which gave a reasonable basis to consider Mr Burgess posed a risk to himself. PC Smith failed to consider or assess Mr Burgess's vulnerability, and no time or reasonable steps were taken to de-escalate the situation before resorting to this use of force.

iii. Whilst the Panel found the baton strike was intended to dislodge the knife rather than strike Mr Burgess, the Panel still consider this force to be unreasonable. In reaching this conclusion, the Panel took into account not only the act of the baton strike itself, but the entirety of the surrounding circumstances. There was no reasonable basis to conclude there was any threat to the officers or others, vulnerability was not considered, no time was taken and no reasonable de-escalation attempts were made. In addition, very limited time was taken to assess the effectiveness of the PAVA. The Panel accepted that by this point, based on the expert evidence as to the possible effects of PAVA, there was an increase in risk of inadvertent self-harm, should Mr Burgess have reached towards his eyes whilst still clutching knife, though no such movement was observed. It was significant to the Panel that this increased threat or risk was entirely caused by PC Smith's decision to use PAVA.

iv. The Panel considered that PC Smith's own admissions that he had a fixed mindset in his approach to the situation were telling and accurately reflected how he had approached his interaction with Mr Burgess. The Panel accepts that this approach may have worked well for PC Smith in the past but common sense and the National Decision Model require a circumstance specific assessment to be made to determine the appropriate response to such situations. In this case it is clear that PC Smith failed to adapt or respond to the lower threat presented, including taking time to reassess or gather information.

v. Given the Panel's findings above, in particular the rapid escalation and use of force which was unreasonable under the circumstances and not commensurate

with the threat faced and risk posed, the Panel found the use of force to be excessive.

Allegation 8: Not proved

29. This allegation pertains to the use of handcuffs and as such is highly dependent upon the Panel's findings in relation to PC Comotto which are contained at paragraphs 48 – 49 below. The use of handcuffs was, in the Panel's judgement, a reasonable use of force and not one which PC Smith was under any duty to challenge.

Allegation 9: Proved

30. That Mr Burgess was never placed under arrest is not disputed.

31. In light of these findings, the Panel went on to consider whether the standards of Professional Behaviour had been breached.

<u>Standards Of Professional Behaviour</u>

AUTHORITY, RESPECT and COURTESY

32. The Standard of Authority Respect and Courtesy as set out in Schedule 2 of The Police (Conduct) Regulations 2020 states that the expectation that: *"Police officers act with self-control and tolerance, treating members of the public and colleagues with respect and courtesy." And "Police officers do not abuse their powers or authority and respect the rights of all individuals."*

33. The Panel concluded that the findings in particulars 6 and 7 amounted to breaches of the Standard of Authority, Respect and Courtesy.

USE of FORCE

34. The Standard of Use of Force as set out in Schedule 2 of The Police (Conduct) Regulations 2020 states that the expectation that: *"Police officers only use force to the extent that it is necessary, proportionate and reasonable in all the circumstances."*

35. Given the Panel's findings in relation to particulars 6 and 7, the Panel found that the Standard with respect to Use of Force has been breached.

DISCREDITABLE CONDUCT

36. The Standard of Discreditable Conduct as set out in Schedule 2 of The Police (Conduct) Regulations 2020 states that the expectation that: *"Police officers behave in a manner which does not discredit the police service or undermine public confidence in it, whether on or off duty.*

37. The Panel concluded that PC Smith's actions also amounted to breaches of the Standard of Discreditable Conduct has been breached.

Misconduct / Gross Misconduct

Severity assessment

38. Following the staged process the Panel then considered the severity of the breaches of the Standards and whether they were at a misconduct or gross misconduct level (that is, misconduct so serious as to justify disciplinary action or misconduct so serious as to justify dismissal).

39. Considering the College of Policing Guidance on Outcomes for the purposes of assessing seriousness at this stage, the Panel found that PC Smith's level of culpability was high having regard to the factors laid out in the College of Policing guidance:
    - The conduct was intentional and deliberate; PC Smith chose his tactical options and the exclusion of others and chose to use force.
    - Given the vulnerability of Mr Burgess (his age, disability, and possible mental frailty) and the care home setting, PC Smith should have reasonably foreseen the risk of harm.
    - The officer's actions were directed at a vulnerable person, and PC Smith made no attempt to assess or understand these vulnerabilities.

40. The consequences of PC Smith's actions fell at the high end of the harm scale, having regard to the factors laid out in the College of Policing guidance:
    - The physical injuries incurred by Mr Burgess and his obvious psychological distress.
    - The significant reputational harm to trust and public confidence in Sussex police and policing in general.

41. There Panel considered that based on the evidence received up to this point, there were a number of aggravating factors present:
    - The behaviour continued after PC Smith ought to have realised it was wrong.
    - There was a meaningful departure in the use of force from guidance, training and the application National Decision Model.
    - Though related to a single incident there are multiple proven allegations and breaches of the Standards of Professional Behaviour

42. The Panel found there was limited mitigation for PC Smith's actions:
    - Whilst PC Smith was acting pursuant to a legitimate policing purpose in the initial entry into the room, this should have been immediately re-assessed thereafter.

43. Taking all of the above into consideration, the Panel concluded that PC Smith's conduct was so serious, and fell short of the Standards expected to such an extent, that his dismissal from Sussex Police could be justified. Accordingly, the Panel made a finding of Gross Misconduct in this matter for the breach of the standards individually and collectively.

Findings in relation to PC Comotto

FACTS

44. As with PC Smith, what took place and what was said throughout this incident is not in dispute. Extensive Body Worn Video and audio log evidence has provided a clear and accurate record of the incident on the day.

45. As set out in the regulation 30 notice, Allegations 1, 2 and 3 are not disputed but amount to a summary of objective facts and background to the incident. Allegation 4 is covered later in this decision where the Panel sets out its findings regarding any breaches of the standards.

Allegation 5: Proved

46. Allegation 5 which deals with the facts that PC Comotto knew or ought to have known at the time of the incident. Most of this information is a matter of fact and not disputed. Similar to our findings for PC Smith, the Panel accepted that PC Comotto's initial view was that Mr Burgess was in his 70s rather than 92. Nonetheless, PC Comotto ought to have asked how old Mr Burgess was as well as finding out more information as to his circumstances.

47. PC Comotto also accepts in her written evidence and in the evidence in front of the Panel that she was aware that Mr Burgess was an amputee and in a wheelchair. Similar she also accepts that she was aware of the nature of the knife, describing it as looking like a tomato knife with a rounded end, though the Panel accepts that she did not know how sharp it was.

Allegation 6: Proved

48. This is factual and not in dispute.

Allegation 7: Proved

49. This allegation pertains to the interaction between PC Comotto and Mr Burgess in respect of which the Panel found as follows:

    i. Firstly, the use of force and the timing of the use of force is a matter of fact and clearly made out in the Body Worn Video. It is also not disputed that the officers failed to gather more information from staff or to withdraw from the room to give any time and space to negotiate. By this the Panel means that PC Comotto had a duty to find out more information but did not do so. This duty arises as both a matter of common sense and the application of the National Decision Model.

    ii. In her evidence, PC Comotto stated that upon entering the room she realised that the situation was of a lower risk than anticipated. As per our earlier findings, Mr Burgess posed no risk to the police officers or staff as they were outside of his reactionary arc, he was seated in a wheelchair, in his own bedroom, and displayed limited mobility. There was no information provided, or anything said, indicated or done by Mr Burgess to suggest an immediate risk of self-harm.

iii. Once PC Comotto had entered the room, and determined the lower risk of the situation, either she or PC Smith should have spoken to care home staff and ascertained more information. At this point, the lower than anticipated risk assessment should have been factored into decision making in line with the National Decision Model and steps taken to deescalate the situation. The Panel placed significant weight on the conclusion of all three expert witnesses that more information should have been obtained.

iv. It is readily apparent from the body worn footage that Mr Burgess is largely silent during the interaction, spoke little and at times appeared confused. That he asked how many more officers there were does not, in the Panel's view detract from his overall demeanour and facial expressions. In addition, PC Comotto was aware that he was an amputee in a wheelchair, and yet she showed no compassion to the circumstances, vulnerability or state of mind of Mr Burgess. Likewise, no attempt was made to gather information or to understand his circumstances and presentation.

v. Likewise, the Panel observed from the Body Worn Video and audio that PC Comotto's language was dismissive and antagonistic towards Mr Burgess. there was no appreciable change in tone or de-escalating language from PC Comotto, who stated "we don't want to hurt you" which could be interpreted by Mr Burgess to be a threat. Other comments made by PC Comotto included "last chance" and "seriously". PC Comotto also drew and aimed the taser before other tactics had been used, with limited time given to respond despite the absence of any immediate threat of harm. The Panel found this to be inappropriate in the circumstances.

vi. It was clear from the Body Worn Video that Mr Burgess had moved the knife. However, as per the Panel's earlier findings, this appeared to be a defensive gesture in response to PC Smith's move forwards. The Panel did not accept this was an escalation of threat, but a responsive action. The threat was escalated by the officers themselves. Whilst the Panel noted and accepted the initial uses of force were made by PC Smith, it was concerned that PC Comotto's use of force in the form of drawing the Taser occurred before any effective time was allowed for the verbal tactics could take effect. The aiming of the Taser (albeit as a contingency) is still a use of force and took place after PC Smith's step forward to take the knife, this was a very rapid escalation of force without a consummate increase in threat, risk and without allowing time for the effectiveness of other tactics. The taser was also fired within seconds of the use of PAVA and the baton strike without taking any appropriate time to allow these to take effect.

Allegation 8: Proved

50. This allegation pertains to the use of force by PC Comotto on Mr Burgess. The Panel found as follows:

i. Firstly, the use of force and the timing of the use of force is a matter of fact and clearly made out in the Body Worn Video.

ii. The use of force by PC Comotto was unnecessary and disproportionate under the circumstances. At the time of the drawing and aiming the taser by PC Comotto, Mr Burgess was not a threat and posed no risk to care home staff or to the officers present. There was also no information to support a reasonable belief that he posed a threat or risk to himself.

iii. At the time of firing the taser, PC Comotto offered 2 explanations:

- Firstly in relation to the prospect of a second strike: Taking into account PC Comotto's evidence and the substantial good character evidence, whilst the Panel noted the inconsistencies regarding a second baton strike between her earlier more contemporaneous evidence, such as her use of force statement and her later evidence such as her IOPC statement and Regulation 31 response, the Panel found it both plausible and reasonable that she could have anticipated a second baton strike. This accords with the body worn video footage in which, acting in a fast-moving situation and without the benefit of hindsight, it does appear that a second strike may have been contemplated by PC Smith. However, even if such a belief was honestly and reasonably held by PC Comotto, the Panel concluded that it did not reasonably and objectively justify the immediate use of the Taser. This was not the only option, nor the least forceful needed to secure the aim of preventing any second strike. The Panel did not consider it a reasonable course of action to use force against Mr Burgess to prevent further action from PC Smith.

- Considering then the alternative rationale, which was to prevent Mr Burgess from harming himself, the Panel noted that this risk had only come about due to the escalation of the incident by the officers themselves, and as such the Panel found the use of force unreasonable. There was nothing said or done by Mr Burgess, nor any information known to PC Comotto that would mean any such belief could be reasonably held. PC Comotto also failed also to consider the vulnerability of Mr Burgess or make any attempts to understand the circumstances. In addition, no time was taken or reasonable efforts made to de-escalate the situation before resorting to using force. In the circumstances, the use of force was not objectively necessary nor was the level of force used reasonable.

51. The Panel noted its previous findings regarding the risk posed by Mr Burgess, and the lack of alternative de-escalating tactics used, including taking space and time to negotiate. Given these findings, in particular the rapid escalation and use of force which was unreasonable under the circumstances and not commensurate with the threat faced and risk posed, the Panel concluded the use of force was excessive.

Allegation 9: a proved; b&c not proved; d proved.

52. This allegation pertains to the use of handcuffs. It is not disputed that PC Comotto applied handcuffs to Mr Burgess. The Panel accepted that the application of the handcuffs was in line with policy and justified under these circumstances, noting that this was the conclusion of all three expert witnesses. The Panel further considered that whilst no witness contended that there was a requirement to apply handcuffs, there was a two-fold rationale offered. This was to prevent harm to Mr Burgess should he touch or try remove the remaining barb, and to facilitate safe movement under these circumstances. The panel determined that was objectively reasonable. The Panel also noted the consideration and care taken in the application of the handcuffs by PC Comotto. Whilst the application of handcuffs is a use of force, both the manner and justification of PC Comotto's actions satisfied the Panel that this was neither disproportionate nor excessive.

53. Particular 9d is found proved on the basis that Mr Burgess complaining about the handcuffs can be seen on the body worn footage. However the Panel noted that this occurred when Mr Burgess was in the care of other officers and these officers adjusted them in response. This is not a matter which has any bearing on PC Comotto's culpability.

Allegation 10: Proved

54. That Mr Burgess was never placed under arrest is not disputed.

Allegation 11: Proved

55. This allegation pertains to the Facebook post. The Panel noted that the comments, emojis and timings related to this post are not in dispute and are a matter of fact. In her evidence PC Comotto admitted that the lightening emoji was in reference to a taser, that the comment was inappropriate and that it was making light of the situation without any operational or other need to make such comments. The Panel accepted that in making the post she intended to make fun of herself rather than Mr Burgess and that it was not intended for an outside audience. Despite this the Panel found it to be inextricably linked with what must have been a distressing encounter for Mr Burgess and it was not appropriate for this to have been made the subject matter of online humour. It was both unnecessary and inappropriate. There were members of the public on the Facebook group and PC Comotto would have no control over who saw or read the post and making such a comment had the very real potential to become widely circulated.

<u>Standards Of Professional Behaviour</u>

AUTHORITY, RESPECT and COURTESY

56. The Standard of Authority Respect and Courtesy as set out in Schedule 2 of The Police (Conduct) Regulations 2020 states that the expectation that: *"Police officers act with self-control and tolerance, treating members of the public and colleagues with respect and courtesy." And "Police officers do not abuse their powers or authority and respect the rights of all individuals."*

57. Given the Panel's findings with regards to allegations 7, 8 and 11, the Panel concluded that the Standard of Authority, Respect and Courtesy has been breached. PC Comotto's actions did not show self-control in the situation and failed to treat a vulnerable elderly gentleman with respect and courtesy.

USE OF FORCE

58. The Standard of Use of Force as set out in Schedule 2 of The Police (Conduct) Regulations 2020 states that the expectation that: *"Police officers only use force to the extent that it is necessary, proportionate and reasonable in all the circumstances."*

59. The Panel found that PC Comotto's actions also breached the Standard of Use of Force. As set out in our reasons in respect of allegations 7, and 8 above, the force used by PC Comotto was unnecessary, disproportionate and excessive.

DISCREDITABLE CONDUCT

60. The Standard of Discreditable Conduct as set out in Schedule 2 of The Police (Conduct) Regulations 2020 states that the expectation that: *"Police officers behave in a manner which does not discredit the police service or undermine public confidence in it, whether on or off duty.*

61. Given the Panel's findings with regards to allegations 7, 8 and 11, the Panel found that the Standard of Discreditable Conduct has been breached. The excessive use of force against Mr Burgess is a matter which was highly likely to undermine public confidence in the police service and to bring discredit upon it.

SEVERITY ASSESSMENT

62. PC Comotto bears a high level of culpability having regard to the factors laid out in the College of Policing guidance:
    - The conduct was intentional and deliberate, PC Comotto chose the taser option before other options had been tried or exhausted.
    - Given the vulnerability of Mr Burgess (his age, disability, and possible mental frailty) and the care home setting, PC Comotto should have reasonably foreseen the risk of harm
    - PC Comotto's actions were directed at a vulnerable person, and she made no attempt to assess or understand these vulnerabilities.
    - Despite the actions of PC Smith, which escalated the situation, each officer is responsible for their own individual actions. Despite recognising a lower level of risk upon entering the room, no attempt was made by PC Comotto to intervene or de-escalate, instead she opted to use force early in the engagement.

63. The actions were at the high end of the harm scale, having regard to the factors laid out in the College of Policing guidance:
    - The physical injuries incurred by Mr Burgess and his obvious psychological distress.
    - The significant reputational harm to trust and public confidence in Sussex police and policing in general.

64. There were a number of aggravating factors present. Including:
    - The behaviour continued after PC Comotto ought to have realised it was wrong.
    - There was a meaningful departure in the use of force from guidance, training and the application of the National Decision Model.
    - Though related to a single incident there are multiple proven allegations and breaches of the Standards of Professional Behaviour

65. The Panel found there was some mitigation for the behaviour. However, this was limited to the aftercare provided by PC Comotto in the aftermath of the PAVA, baton and Taser deployment.

66. Taking all of the above into consideration, the Panel found that the Officers' conduct was so serious and fell short of the Standards expected to such an extent, that their dismissal from Sussex Police could be justified. Accordingly, the Panel makes a finding of Gross Misconduct in this matter for the breach of the standards individually and collectively.

Decision on Outcome

67. The Panel was provided at this stage with PC Smith and PC Comotto's records of service. No further evidence was received from either party. The Panel heard submissions from all counsel as to the appropriate outcome.

68. The Panel applied the Home Office Guidance and the "Guidance on outcomes in police misconduct proceedings" issued by the College of Policing, and considered the available outcomes in ascending order starting with the least severe. It reminded itself of the purposes of police misconduct proceedings which includes the need to protect the public, to maintain confidence in the police service, and to declare and uphold proper standards of conduct and behaviour.

69. The Panel approached its decision on outcome in three stages to determining the appropriate sanction:

    Stage 1: Assess the seriousness of the misconduct.
    Stage 2: Keep in mind the purpose of disciplinary action
    Stage 3: Choose the sanction which most appropriately fulfils that purpose for the seriousness of the misconduct in question.

70. In assessing the seriousness of the conduct found proven the Panel had regard to the four factors identified in the guidance: Culpability; Harm; Aggravating Factors; and Mitigating factors.

PC Smith

71. The Panel carefully considered the additional information received and submissions made by the AA and on behalf of PC Smith but saw no reason to depart form the provisional severity assessment made at the previous stage.

72. PC Smith's interactions with and use of force against Mr Burgess were unnecessary, disproportionate and excessive from the outset. There were no attempts made to gather important information regarding circumstances and vulnerability and there was limited adherence to the National Decision Model. PC Smith's approach was dismissive and antagonistic and any swift escalation was directly caused by PC Smith's rigid mind-set and rapid resort to the use of force. Such actions against an elderly and vulnerable member of the public, in his own room, where he posed no immediate threat to anyone strike directly at the heart of public confidence in, and the reputation of the police service.

73. The Panel accepted as matters of mitigation that PC Smith has over 20 years of service and numerous positive references. It appears that this was a relatively short incident where the use of force was out of character for PC Smith. The Panel could not however rule out any risk of repetition because PC Smith told the Panel that, even with hindsight, he would not do anything differently. Thus, whilst any risk of repetition may be low, the Panel considered this was a factor which further increased the risk of harm to public confidence.

74. The Panel did not consider that the imposition of a final written warning, even for the maximum period of 5 years, would be sufficient to reflect the harm done to public confidence, nor that it would serve to declare and uphold the standards of conduct and behaviour required of police officers. This is a matter in respect of which dismissal without notice is the only outcome which properly reflects the seriousness of the misconduct and the extent of the harm to public perception and public confidence. The Panel accordingly concluded that the outcome to be imposed is one of dismissal without notice.

PC Comotto

75. The Panel reviewed its findings and the initial severity assessment it had carried out at the previous stage and concluded that the findings of high culpability and high harm remained appropriate.

76. PC Comotto provided the Panel with extensive character reference and the Panel accepted, as was submitted on PC Comotto's behalf that this, and the care shown to Mr Burgess after the knife was taken from him, were more indicative of her character than were her earlier actions. The Panel further considered that PC Comotto showed some reflection and insight into her actions. In her evidence she stated that looking back, she should have done things differently, and she apologised for the distress caused to Mr Burgess's family.

77. The Panel also bore in mind that the tenor of the interaction was set by PC Smith and his initial comments threatening the use of force. However, PC Comotto and indeed any other officer bears responsibility however for their own actions and must work within the circumstances they find themselves, however caused. PC Comotto had a number of options to deescalate the situation, instead she further added to the excessive force used against Mr Burgess.

78. Despite these factors, the severity of the misconduct and its effects, for Mr Burgess, his family and in terms of the wider negative impact on public confidence and the reputation of the police service is such that the Panel was not able to conclude that a final written warning would be an appropriate outcome. PC Comotto had sufficient opportunities, even within the short period of time over which the incident took place, to re-direct the interaction towards a more compassionate approach. She perceived that Mr Burgess did not pose any significant risk yet still chose actions amounting to an excessive use of force. In the hours after the incident, she further compounded the risk of harm to public confidence by making an inappropriate comment directly linkable to her interaction with Mr Burgess.

79. In light of all these factors, the twin aims of maintaining public confidence and declaring and upholding standards of conduct and behaviour within the police service would not be achieved by anything less than the imposition of dismissal without notice.

Right of Appeal

80. In accordance with Regulation 43(2), the Appropriate Authority shall provide the Officer with a copy of this report and a notice of the right of appeal. The Officer is reminded he has a right to appeal to the Police Appeals Tribunal. ("PAT"). The PAT may increase or decrease any penalty or overturn this decision.

Chair: ACC Peter Gardner

Date: