

Jordan Begley*

Investigation into the death of Mr Jordan Begley on 10 July 2013, after he was Tasered and restrained by Greater Manchester Police officers

* This report refers to the deceased as Jordan Begley, his registered name. He was also known as 'Jordon'.

> Independent investigation report

Investigation information

Investigation name:	Jordan Begley
IOPC reference:	2013/011110
Investigation type:	Conduct
IOPC office:	Birmingham
Lead investigator:	Matt Whalley
Case supervisor:	Paul Gledhill
Director General delegate (Decision maker):	Ian Todd
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> Introduction

> The purpose of this report

1. I was appointed by the IOPC¹ to carry out an independent investigation into the events leading up to the death of Mr Jordan Begley on 10 July 2013.
2. At 8.16pm on 10 July 2013, Mr Jordan Begley's mother, Mrs Dorothy Begley, called 999 to request police assistance at her address in Gorton, Manchester. She stated that neighbours had accused Mr Begley of stealing, and that he wanted "*to go out fighting.*" She stated that he was in possession of a knife.
3. A number of officers attended in response to the call, but this investigation has focused principally on the actions of PC Terence Donnelly, PC Christopher Mills, PC Peter Fox, PC David Graham and PC Andrew Wright.
4. According to those present, Mr Begley was outside in the street when the first of the officers arrived, but subsequently accompanied some of the officers indoors, followed shortly afterwards by PC Donnelly. Mrs Begley remained outside.
5. The officers who were inside the address with Mr Begley stated that he became angry and shouted at the officers to leave, and then approached PC Donnelly. PC Donnelly then discharged his Taser, and Mr Begley was taken to the ground and restrained. PC Mills delivered two distraction strikes before officers handcuffed Mr Begley to the rear.
6. The officers stated that Mr Begley very quickly became unwell, and appeared to be struggling to breathe. They requested an ambulance, and Mr Begley was taken to Manchester Royal Infirmary. He was pronounced deceased at 10pm on 10 July 2013.
7. This matter first came to the attention of the IOPC on 11 July 2013, as a Death or Serious Injury (DSI) referral². At that time, the IOPC decided to carry out an independent investigation. Having reviewed the evidence, the Lead Investigator considered that there was an indication that some of the attending officers may have committed a criminal offence, and/or behaved in a manner that would justify

¹ The Independent Police Complaints Commission (IPCC) became the Independent Office for Police Conduct (IOPC) on 8 January 2018. Whilst the organisation was known as the IPCC for the majority of this investigation, we have referred to ourselves as the IOPC throughout this report to avoid confusion.

² Paragraph 12 of the Police Reform Act 2002 defines a DSI matter as any incident in which a member of the public has died or sustained a serious injury in police custody, or following police contact, and where there is an indication that the contact may have caused or contributed to the death or serious injury. Schedule 3, paragraph 14C of the Police Reform Act 2002 states that police forces must refer all DSI matters to the IOPC.

the bringing of disciplinary proceedings. As a result, the investigation was re-classified as a conduct investigation³.

8. On 23 April 2014, the IOPC concluded that none of the attending officers had a case to answer for misconduct or gross misconduct.
9. In July 2015, an inquest was held into Mr Begley's death. The jury at the inquest criticised the use of force by the attending officers, and concluded that the Taser discharge and subsequent restraint had contributed to Mr Begley's death.
10. In light of the inquest findings, the IOPC undertook a review of the initial investigation and decided to apply to the High Court to quash its own decision⁴. The application was approved on 25 November 2016, and the IOPC then carried out a reinvestigation. This report outlines the findings of that reinvestigation.
11. In an IOPC investigation, the powers and obligations of the Director General (DG) are generally delegated to a senior member of IOPC staff, henceforth referred to as the decision maker. The decision maker for this investigation is Deputy Director General Ian Todd.
12. In this report, I will provide an accurate summary of the evidence, and attach or refer to any relevant documents. I will also provide the decision maker with sufficient information to enable him to determine:
 - whether any person serving with the police has a case to answer for misconduct or gross misconduct, or no case to answer, or whether any such person's performance was unsatisfactory
 - whether disciplinary proceedings should be brought against any person to whose conduct the investigation related, and the form of any such proceedings
 - whether to refer any matter to the Crown Prosecution Service (CPS)
 - whether to make a recommendation to any organisation about any lessons that may need to be learned
13. On receipt of this report, the decision maker will decide whether to make a referral to the CPS⁵. The decision maker will also form an opinion⁶ on whether any person serving with the police has a case to answer for misconduct or gross misconduct, or no case to answer, on whether a person's performance was unsatisfactory, and on any other matters dealt with in the report.

³ Paragraph 12(2) of the Police Reform Act 2002 defines a conduct matter as any matter where there is an indication that a person serving with the police may have committed a criminal offence, or behaved in a manner that would justify disciplinary proceedings.

⁴ R (on the application of the Chief Executive of the IPCC v Independent Police Complaints Commission) v IPCC v Dorothy Begley, PC Donnelly, PC Mills, PC Wright, PC Fox, The Chief Constable of Greater Manchester Police [2016] EWHC 2993 (Admin)

⁵ Para 23(2)(b) & (c) set out the criteria for referral to the DPP

⁶ The legislation that sets out what information needs to be included in an investigation report has changed. There is no longer a requirement for the investigator to give their opinion on whether any subject of the investigation has a case to answer for misconduct or gross misconduct or no case to answer within the report. Instead, the delegated decision maker will give their opinion on a separate opinion document.

14. The IOPC will then send a copy of the report and the decision maker's opinion to Greater Manchester Police (GMP), who must advise the decision maker what action, if any, they will take in response to the investigation findings. If the decision maker does not agree, he may make recommendations and ultimately directions for further actions or determinations in respect of misconduct or performance proceedings.
15. It has been determined that the circumstances of this case potentially engage Article 2 of the European Convention on Human Rights (ECHR), because of the circumstances of Mr Begley's death. Article 2 states that, with certain limited exceptions, everyone's right to life shall be protected by law, and no one shall be deprived of his life intentionally.
16. The state has a duty to investigate cases where it appears that Article 2 may be engaged, and to ensure as far as possible that the investigation is independent, effective, open and prompt, and that the full facts are brought to light and any lessons learned. This investigation is intended to assist in fulfilling the state's investigative obligations under the ECHR.

> Background information about Mr Begley

17. Mr Jordan Begley was the older of two brothers, and was 23 years old at the time of his death. At the time of the events under investigation, he was working in a local ice cream factory, and was planning to move out of the family home into his first rented property.
18. On 5 May 2013, Mr Begley attended Manchester Royal Infirmary and reported that he had recently started suffering blackouts and chest pains. His hospital notes state that he was an alcoholic and consumed 75cl of vodka and lager per day. He was seen by the Alcohol Team, and stated that he wanted help to stop drinking. He was referred for an ECG⁷ and an echocardiogram⁸, but subsequently failed to attend an appointment for an ECG.
19. On 7 May 2013, Mr Begley was admitted to Prestwich Hospital for treatment for his alcohol addiction. It was reported that, at worst, he had been consuming up to a litre of vodka daily. He completed the detoxification process on 14 May 2013, and returned to the clinic once following a relapse on 23 June 2013.
20. Mr Begley was five feet ten inches tall, and at the time of his death, he weighed approximately ten stone and one and a half pounds.

> The post-mortem findings

21. Dr D conducted a post-mortem examination on 11 July 2013.
22. In her report of her findings, she noted that Mr Begley had a number of facial injuries, including bruising to his left eye (described as a black eye), a number of

⁷ An electrocardiogram (ECG) measures the heart rhythm and electrical activity.

⁸ An echocardiogram is an ultrasound scan of the heart and surrounding blood vessels.

marks around his forehead, marked bruising and swelling to his right upper eyelid, an abrasion at the lateral end of his right eyebrow, and “*purple bruising... with a distinct stippled and striped appearance*” above his right eyebrow.

23. She also recorded that he had two deep bruises below his right shoulder blade, which were not visible on the surface of the skin.
24. She recorded that the heart had been examined by Dr C, a Consultant Histopathologist with an interest in cardiac pathology, who concluded that its overall appearances were “*within normal limits for a man of this age and body mass.*”
25. She recorded that the brain had been examined by a Consultant Neuropathologist, who found no evidence of any traumatic injury or natural disease that could potentially have caused or contributed to Mr Begley’s death.
26. She recorded that Mr Begley’s blood alcohol level was nearly three and a quarter times the current legal drink drive limit in England and Wales.
27. Dr D’s conclusions are nine pages long. What follows is a summary of the key points that are considered relevant to this investigation.

“Post mortem examination revealed numerous injuries, none of which, of themselves, were actually life-threatening... There was some minor injury to the wrists commensurate with the history of handcuffs being applied. The bruising to the arms is compatible with the reported attempts to extract his arms from beneath him whilst police officers tried to apply the handcuffs. The bruising to the back/shoulder area could have been caused by the two “distraction” blows struck by an officer in an attempt to extract Jordan Begley’s right arm. The injuries to the right side of his face are obviously ‘carpet burns’ caused by the carpet abrading his face when he lay on the floor during the attempted arrest. In other words, the injuries here are, in my opinion, in keeping with the history provided by the attending police officers... As previously stated, I emphasise that none of these injuries has contributed to death.

...deaths from Taser use per se seem to be rare and some studies indicate that ventricular fibrillation is very unlikely to be induced by a Taser discharge alone without concomitant complicating background features. Whether or not the Taser discharge alone can be deemed responsible for Jordan Begley’s death is not a question I can answer based on all the available pathology... However, I readily accept that the stressing effect the use of such an instrument is likely to have had is likely to be relevant to his death...

Sudden death during, or immediately following, restraint is a recognised hazard. These deaths most commonly occur when a person is restrained face down with the arms behind the back and the restraint usually lasts for a significant period of time, i.e. at least several minutes...

From the information available to me, it seems likely that the relative timings from the Taser and the defibrillator are unreliable in terms of assisting in determining for how long the restraint might have been...

What are not present in Jordan Begley’s case are... injuries which might indicate a prolonged and violent struggle or a period of prolonged restraint. Of additional importance is the fact that there are no ‘asphyxial’ signs such as facial congestion, petechiae (small areas of bleeding caused by congestion in the head and neck when venous return to the heart is disrupted) and cyanosis (a purple

colour in the face). Asphyxial signs are a common finding where there is significant and prolonged compression of the chest and/or neck and they therefore may be found in cases of restraint where the chest has been compressed or there has been compression of the neck (although asphyxial signs are not always present in all cases). I readily accept that the prolonged resuscitation might have masked some asphyxial signs, but I would be very surprised if all would disappear if they had initially been present...

Stress, whether physical, psychological or physiological, causes the heart rate to increase...

Taking the incident and available pathological and toxicological evidence as a whole, there were several factors which, alone or in combination, would have increased the stress Jordan Begley was under including:

- Alcohol intoxication with reportedly agitated behaviour
- The events resulting in his reportedly arming himself with a knife in a dispute prior to the arrival of the police.
- The arrival of the police and their initial attempts to engage with him
- The discharge of the Taser
- The (reportedly) brief period of restraint prior to his collapse

In addition, there is the possibility here... that Jordan Begley did have some sort of tendency to develop an abnormal heart rhythm... The factors listed above could all have interacted with his heart to induce a cardiac dysrhythmia during his arrest. I am not able to quantify the relative contributions of each of these factors, although I emphasise that the Taser and brief restraint are likely to be the final factors in a series of stressors throughout the incident in its entirety.

In terms of determining the precise cause of death, this I am not able to do since the pathological evidence does not provide me with a definitive **structural** cause of death. Based on all of the available pathological evidence, both positive and negative, and also on all of the information made available to me, in my opinion, the most likely cause of Jordan Begley's collapse and subsequent death was the development of a stress-induced cardiac dysrhythmia which occurred at the culmination of a long and stressful series of events. Since I cannot prove or disprove that a cardiac dysrhythmia occurred on the basis of visible pathology, this must represent a diagnosis by exclusion and I offer it on the balance of probability. Therefore, in strictly pathological terms, the cause of death should, in my view, be certified as 'unascertained'."

> The investigation

> Terms of reference

28. Deputy Director General Ian Todd approved the terms of reference for this investigation on 2 March 2017. The terms of reference can be seen in full in Appendix 4; however, in brief they are:

1. To investigate the circumstances and events leading up to the death of Mr Jordan Lee Begley including:
 - a) The initial Greater Manchester Police (GMP) response to a call to 5 Beard Road on the evening of Wednesday 10 July 2013.
 - b) The subsequent interaction between Mr Begley and police officers attending 5 Beard Road and the decision to deploy Taser against him.
 - c) The use of Taser in these circumstances and whether it was necessary and, proportionate and whether all national and local policies in respect of Taser deployment and use were complied with (including the aftercare of Mr Begley).
 - d) The use of restraint in these circumstances and whether it was proportionate and in line with national policies.
 - e) To ascertain whether the care provided to Mr Begley by police after he became unwell was in line with national and/or local policy.
 - f) To consider whether there are any notable discrepancies (as alleged by Mr Begley's family) in the evidence provided by police officers to the previous IPCC investigation and/or the coroner's inquest into the death of Mr Begley.

> Family concerns

29. In her statement dated 13 August 2013, Mrs Begley recalled that Mr Begley had marks on his face and the skin was missing in some places when he was brought out of the house. She stated that she challenged the police about the marks at the hospital, and a female officer told her that they were from when he had fallen over. She stated that she told the officer that she was "*not having it, not a chance*", and the officer did not reply.
30. She further stated that one of the attending officers told her repeatedly that he knew her [REDACTED]. She stated that [REDACTED] she found that there was another person [REDACTED] who was wanted by GMP at the time. [REDACTED]
31. She stated:

"My son Jordan was not wanted and I think that it may have been a case of mistaken identity, perhaps the officers thought that they were coming to deal with the other wanted man. I feel that the situation could have been sorted out so easily as the first two officers that attended had him so calm and they could have listened to the circumstances and then spoken to the other family about it in order to sort the matter out."
32. At the inquest, Mrs Begley stated that a number of items had been moved in the house, and that officers appeared to have been "*rooting*" in the bedroom and removed items from Mr Begley's bedroom. In particular, she stated that two bottles in Mr Begley's bedroom appeared to have been moved.

33. In a meeting with the IOPC on 8 February 2017, Mrs Begley alleged that the officers' accounts at the inquest differed from the accounts that they provided to the IOPC. As a consequence, the IOPC has reviewed the accounts of the officers provided to the IOPC against those recalled at inquest.

> Subjects of the investigation

34. There was an indication that the police officers listed below may have committed a criminal offence, or behaved in a manner that would justify the bringing of disciplinary proceedings.
35. Where there is such an indication for any police officer, police staff member or relevant contractor, they will be categorised as a subject of the investigation.
36. All subjects must be served with a notice of investigation informing them of the allegations against them, and stating whether the allegations would amount to misconduct or gross misconduct if proven.
37. The notices served on officers during the original 2013 investigation were reviewed against the evidence now available, from both the original investigation and the evidence provided at the inquest. As a consequence, the investigator assessed the potential severity of the actions of officers and served new notices.
38. The following people have been categorised as subjects of this investigation:

Name	Role	Severity	Date notified	Interviewed
Terence Donnelly (Resigned from the force on 4 March 2018) ⁹	Police Constable	Gross Misconduct	2 Aug 2013, 19 Sept 2017	24 Sept 2013 & 17 Dec 2013
Peter Fox	Police Constable	Gross Misconduct / Misconduct	2 Aug 2013, 19 Sept 2017	24 Sept 2013 & 17 Dec 2013

⁹ Prior to 15 December 2017, any officer who was the subject of an allegation could not give notice of intention to resign or retire without the consent of the appropriate authority (AA) as per Regulation 10A of the Police (Conduct) Regulations 2012.

Following the introduction of the Police (Conduct, Complaints, Misconduct and Police Appeal Tribunal Rules)(Amendment) Regulations 2017, Regulation 10A of the Conduct Regulations will be removed. From 15 December 2017 there will be no basis to refuse notice to resign or retire on the basis that the officer has an outstanding gross misconduct allegation. Any officer who is currently prevented from resigning/retiring by Regulation 10A will be able to do so after 15 December 2017, but once they do they will still be able to be disciplined for gross misconduct as a former officer (provided the allegation was made on or after 22 November 2012).

David Graham	Police Constable	Gross Misconduct /Misconduct	2 Aug 2013, 19 Sept 2017	2 Oct 2013 & 18 Dec 2013
Christopher Mills	Police Constable	Gross Misconduct /Misconduct	2 Aug 2013, 20 Sept 2017	10 Oct 2013 & 18 Dec 2013
Andrew Wright	Police Sergeant ¹⁰	Gross Misconduct /Misconduct	2 Aug 2013, 29 Sept 2017	23 Sept 2013 & 17 Dec 2013
Lee Moore	Police Constable	Misconduct	19 Sept 2017	Written response 6 Oct 2017

39. All of the officers were interviewed during the first investigation, with the exception of PC Lee Moore, who was identified as a subject in the reinvestigation because of a comment that he made while giving evidence at the inquest.
40. After they had been served with fresh notices of investigation, all of the officers who were interviewed during the first investigation were asked if they wished to provide any further information to the investigation.
41. Following the serving of the final notice on PS Andrew Wright on 29 Sept 17 the IOPC was informed by the Police Federation none of the original officers had anything further to add to the evidence they had provided during the Post Incident Procedure, to the IOPC at interview, and at the inquest.
42. PC Lee Moore was served with a notice for the first time after he gave evidence at the inquest. He provided a written response to this notice.

PC Terence Donnelly

43. PC Donnelly was served with a notice of investigation worded as follows:

“On Wednesday 10 July 2013 at approximately 8.20pm you were involved in an incident at 5 Beard Road, Gorton, relating to a Mr Jordan Begley. It is alleged that during this incident you discharged your Taser once for between 8.01 and 9 seconds. It is alleged that by utilising the Taser for more than the 5 second cycle without further evaluation of the situation, that this use of force may have been excessive and disproportionate and not in accordance with the training you received. Further, it is alleged that during the restraint of Mr Begley you failed to take adequate steps in regard to the immediate aftercare of Mr Begley once he had been Tasered, in particular it is alleged that the giving of verbal reassurance and instruction set out on the Greater Manchester Police Policy on the operational use of Taser did not take place.”

¹⁰ PS Wright was a police constable at the time of the events under investigation. To avoid confusion, he is referred to henceforth as PC Wright.

PC Christopher Mills

44. PC Mills was served with a notice of investigation worded as follows:

“On Wednesday 10 July 2013 at approximately 8.20pm you were involved in an incident at 5 Beard Road, Gorton, relating to a Mr Jordan Begley. It is alleged that during the restraint of Mr Begley you performed two distraction strikes on him in quick succession. This use of force it is alleged may have been excessive and unnecessary.

It is further alleged that during the restraint of Mr Begley you failed to take adequate steps in regard to the immediate aftercare of Mr Begley once he had been Tasered, in particular it is alleged that the giving of verbal reassurance and instruction set out on the Greater Manchester Police Policy on the operational use of Taser did not take place.”

PC Andrew Wright, PC Peter Fox and PC David Graham

45. All three officers were served with a notice of investigation worded as follows:

“On Wednesday 10 July 2013 at approximately 8.20pm you were involved in an incident at 5 Beard Road, Gorton, relating to a Mr Jordan Begley. It is alleged that during the restraint of Mr Begley you failed to take adequate steps in regard to the immediate aftercare of Mr Begley once he had been Tasered, in particular it is alleged that the giving of verbal reassurance and instruction set out on the Greater Manchester Police Policy on the operational use of Taser did not take place.”

PC Lee Moore

46. PC Moore was served with a notice of investigation worded as follows:

“On 8 June 2015 whilst giving evidence at the Inquest into the death of Mr Jordan Begley you made the following statement –

*‘When I say they took a moment to themselves, the situation had been going on, they’ve been struggling with Jordan, the handcuffs have come on and there wasn’t any requirement to struggle with him anymore, so there was though [sic] requirement to have any hands on Mr Begley, and that’s that sort of... We take a sort of, we used to call it a Hamlet moment¹¹ where you just, right, You take in the situation , what’s the next moment, right, let’s get on and deal with this...’
(continues).*

It is alleged that the use of the phrase ‘Hamlet moment’ in front of the family of recently deceased Mr Begley was a breach of the professional standard, Conduct, where your actions it is alleged, bring Greater Manchester Police Force into disrepute.”

¹¹ This is believed to be a reference to the Hamlet cigar advertising campaign, which features men in a variety of challenging situations who relax and smile after lighting a Hamlet cigar.

> About Taser

47. Taser is a Conducted Energy Device (CED) approved for use by UK police forces. The model used in this case was an X26.
48. The X26 Taser resembles a pistol style handgun, but is bright yellow to differentiate it from a normal handgun. The Taser cartridge contains two barbed projectiles attached to copper wires, and a number of small paper discs marked with the cartridge reference number. These discs are known as AFIDs (Anti-Felon Identification discs), and can be used to identify which Taser was fired, and the user's approximate location when it was fired.
49. When Taser is fired, the barbed projectiles are propelled towards the target. The copper wires channel an electrical current from the device to the projectiles, with the aim of completing a circuit through the intended target.
50. If both barbs attach to the target's skin or clothing correctly, with sufficient spread, the effects are likely to be instantaneous. People who are Tasered usually experience some loss of voluntary muscle control, accompanied by involuntary muscle contractions. This is referred to as neuro-muscular incapacitation (NMI).
51. One known risk associated with Taser is the risk of head injury, which can occur if the person falls onto a hard surface while they are incapacitated.
52. Taser is equipped with a red dot laser sight, which indicates to the user roughly where the upper projectile would strike the target if it were fired. The lower projectile is propelled downwards at an angle of eight degrees, and consequently the spread between the two projectiles can be used to calculate the approximate distance from the Taser to the target.
53. The device will cycle for five seconds if uninterrupted, but the user can interrupt this cycle at any point by activating the safety switch. Alternatively, the user can extend the five-second cycle by maintaining pressure on the trigger.
54. Provided the barbs are still in contact with the intended target, the user can activate the device again if necessary.
55. The body of the Taser contains a recording device, which captures the local time, date, temperature and duration of each activation.

> Policies, procedures and legislation considered

56. During the investigation, I have examined relevant national and local policies and legislation, as set out below. This will enable the decision maker and the appropriate authority to consider whether the officers, staff and relevant contractors named in this report complied with the applicable guidance and legislation, and whether the existing policies were sufficient in the circumstances.

> Legislation and case law governing the use of force by the police

57. Section 117 of the Police and Criminal Evidence Act (PACE) 1984 states that a police constable may use reasonable force, if necessary, in the exercise of his or her powers. A person also has a power under common law to use reasonable force in self-defence.
58. Section 3 of the Criminal Law Act 1967 states that a person may use such force as is reasonable in the circumstances in the prevention of crime, or in effecting or assisting in the lawful arrest of offenders or suspected offenders or of persons unlawfully at large.
59. Section 76(3) of the Criminal Justice and Immigration Act 2008 states that the reasonableness (or otherwise) of any use of force will be decided by reference to the circumstances as the person believed them to be.
60. Section 76(4) states that, if a person claims to have held a particular belief as regards the existence of any circumstances, the reasonableness of that belief is relevant to the question whether it was genuinely held. If it is determined that the person did genuinely hold the belief, he is entitled to rely on it regardless of whether it was (a) mistaken, and (b) reasonable.
61. Section 76(7) sets out two points that should be taken into consideration when deciding whether a particular use of force was reasonable. These are:
 1. A person acting for a legitimate purpose may not be able to weigh to a nicety the exact measure of any necessary action; and
 2. If there is evidence that a person only did what they honestly and instinctively thought was necessary for a legitimate purpose, then that will constitute strong evidence that only reasonable action was taken by that person for that purpose.
62. The law does not require a person to wait until there has been an assault before using force, as confirmed by Lord Griffiths in *Beckford v The Queen* [1988] AC 130:

“A man about to be attacked does not have to wait for his assailant to strike the first blow, or fire the first shot, circumstances may justify a pre-emptive strike.”
63. In civil law, the necessity to take action in response to an attack or imminent attack must be judged on the facts as the defendant honestly believed them to be, whether or not he was mistaken. However, if he made a mistake of fact, he can rely on that fact only if the mistake was a reasonable one to have made¹². If the decision maker concludes that the defendant’s belief in a set of circumstances was genuine, mistaken, but reasonably mistaken, then the objective reasonableness of the force used will be assessed by reference to the defendant’s belief. In the case of *R (on the application of Erenbilge) v IPCC*¹³, the court indicated that the IOPC should apply the civil law test when making decisions about cases in which the police have used force.

¹² *Ashley v Chief Constable of Sussex Police* [2008] 2 WLR 975.

¹³ [2013] EWHC 1397 (Admin)

> National Decision Model (NDM)

64. The NDM sets out six areas that police officers should consider when making a decision. In summary, these are as follows:
- Consider what information and intelligence is available and/or required;
 - Assess the threat and risk, and develop a working strategy;
 - Consider what powers and policies apply;
 - Consider what options are available to resolve the situation with the least risk of harm, and develop a contingency plan;
 - Consider whether the decision is consistent with the police Code of Ethics;¹⁴
 - Take action, review the outcome, and repeat the NDM if necessary.
65. Further information about the NDM is provided in Appendix 2.

> GMP policy on the operational use of Taser by authorised firearms officers and extended use of Taser by specially trained Taser officers, June 2013

66. This policy sets out the standards that are expected of Specially Trained Officers (STOs) when carrying and using Taser. STO is the term used in the policy for any officer who retains their original role but is authorised to carry Taser after having successfully completed the appropriate training.
67. Section 4.1 states:
- “The National Decision Model can assist in the decision making process and provides a structure for the documentation of decisions and their rationale. The cyclical nature of the model indicates the necessity for a sequential process of continual reassessment. The model prompts the decision maker to take action based on the most up to date information and intelligence available at the time. The NDM is established as the methodology by which firearms are currently deployed and will be the process through which Taser is deployed. All officers commanding and supervising officers carrying Taser and using Taser operationally must be trained in the use of NDM.”*
68. Section 4.2 states (in part):
- “Taser should not be regarded as a replacement for other issued ‘work equipment’ or for conventional firearms but rather one of a number of personal safety tactical options, as an officer may also need to resort to another option if the device does not have the intended effect.”*
69. Section 4.4 states (in part):
- “The Force Duty Officer may grant firearms authority for initial incidents, which includes the authority to issue the X26 TASER if appropriate... there may be*

¹⁴ The Code of Ethics sets out the policing principles and standards of behaviour that police employees are expected to uphold. They include “Accountability”, “Fairness”, “Objectivity”, “Honesty” and “Selflessness”.

some eventuality where officers with immediate access to firearms suddenly encounter a situation where there is reason to suppose that the protection of life or prevention of serious injury cannot be achieved without immediate use of the X26 TASER. In such circumstances it is expected that the officers would act accordingly and be ready to use the X26 TASER without further authority in accordance with their training.”

70. Section 4.6 states that no specific authority is required for the use of Taser by STOs attending spontaneous incidents.
71. Section 4.11 states that, in a spontaneous incident, the Force Duty Officer (FDO) will consider the necessity or otherwise of specialist resources, in particular firearms resources, and assume command should firearms resources be required.
72. Section 5.1 states,
73. *“After application of the device and, once the subject has been properly restrained, it is important that the officer provides verbal reassurance as to the temporary effects and instructs them to breathe normally. This will aid recovery and mitigate hyperventilation.”*
74. Section 8.1 states that officers must carry Taser in the approved holster or tactical vest provided.
75. The policy does not include any guidance on when it may be appropriate for officers to extend the automatic cycle beyond five seconds. However, it states that in all cases, *“the individual officer’s use of Taser must be justifiable and compliant with current national policy and guidance and this force policy.”*
76. The policy states that STOs must test the correct functioning of the device by performing a visual inspection, checking the battery, laser sight and torch illumination, depressing the trigger and allowing the device to “spark” for a one second cycle, and finally setting the safety catch to “fire” and allowing the device to cycle for the full five seconds. The policy states that defective Tasers must be taken out of service immediately.

> Association of Chief Police Officers (ACPO) Guidance on the extended operational deployment of Taser for Specially trained Units, 2008

77. This guidance sets out the national expectations for the use of Taser by police in England and Wales.
78. Paragraph 5.4 states:

The direct incapacitating effect [of Taser] is only likely to last for as long as the electrical charge is being delivered. The subject may recover immediately afterwards and could continue with their previous behaviour. It is therefore important that an incapacitated subject is approached and restrained quickly and effectively.
79. Paragraph 8.10 states,

Repeated, prolonged and/or continuous exposure to the Taser electrical discharge may cause strong muscle contractions that may impair breathing and respiration, particularly when the probes are placed across the chest or diaphragm. Users should avoid prolonged, extended, uninterrupted discharges or extensive multiple discharges whenever practicable in order to minimise the potential for over-exertion of the subject or potential impairment of full ability to breathe over a prolonged time period.

80. Paragraphs 10.1 and 10.2 state,

“Use of the Taser is one of a number of tactical options available to an officer who is faced with violence or the threat of violence. Its purpose is to temporarily incapacitate an individual in order to control and neutralise the threat that they pose. It is not to be used to inflict severe pain or suffering on another in the performance or purported performance of official duties (The Criminal Justice Act 1988 s. 134).

The duration of the initial discharge and any subsequent discharge and any subsequent discharge must be proportionate, lawful, appropriate, necessary and non-discriminate, in all the circumstances. The decision to use the Taser is an individual one for which the officer will be accountable. The Conflict Management Model¹⁵ should assist officers in making such judgements.”

81. Paragraphs 11.1 to 11.4 state:

Where circumstances permit, officers should give a clear warning of their intent to use the Taser, giving sufficient time for the warnings to be observed, unless to do so would unduly place any person at risk, or would be clearly inappropriate or pointless in the circumstances of the incident.

It may in certain circumstances be appropriate to provide a visual display of the sparking effect of the unloaded Taser in order to induce compliance, thus avoiding the need to actually discharge the Taser at the subject.

The visual effect of the laser sight being directed at an individual may also have a deterrent effect. Officers should be aware that the pointing of a Taser at an individual represents a use of force and may in certain circumstances constitute an assault.

Police officers shall give the clear verbal warning ‘Taser, Taser’ indicating to all persons in the vicinity that Taser is being discharged.

82. Paragraph 12.1 states:

“After the application of Taser and once the subject has been properly restrained it is important that the officer provides verbal reassurance as to the temporary effects of the Taser and instructs the subject to breathe normally. This will aid the recovery and mitigate against hyperventilation.”

¹⁵ After the guidance was issued, the Conflict Management Model was superseded by the National Decision Model.

> Summary of the evidence

83. During this investigation, I have gathered a volume of evidence. After thorough analysis of all the evidence, I have summarised that which I think is relevant and answers the terms of reference for my investigation. As such, not all of the evidence gathered in the investigation is referred to in this report. However, further relevant information is provided in the attached appendices.

> Contemporaneous evidence

The recorded 999 call

84. At 8.16pm¹⁶ on Wednesday 10 July 2013, Mrs Dorothy Begley called to request assistance from the police at her address on Beard Road, Gorton, Manchester.
85. During this call, Mrs Begley told the call handler that her son, Mr Jordan Begley, had been accused of stealing and wanted *“to go out fighting.”*
86. She further stated, *“You want to explain to the police that when he comes he’s wants [sic] to go out with a knife so you need to get someone here quick.”* During the call, Mrs Begley stated repeatedly that she believed Mr Begley was in possession of a knife.
87. She gave her name and her son’s name to the call handler, who asked if the name was *“Jordan Bagley.”* Mrs Begley confirmed that it was¹⁷.
88. The 999 call lasted for 9 minutes and 15 seconds. At 8 minutes and 52 seconds, sirens can be heard in the background.

Police radio communications

89. The IOPC obtained and reviewed recordings of the police radio communications in relation to the incident.
90. At 8.17.35pm, the Dispatcher stated *“Any patrols can start making a further Grade 1, it’s 5 Beard Street, sorry Beard Road in Gorton. Disturbance ongoing outside the address. Caller states her 23 year old son has been accused of theft who now wants to go out and confront the people with a knife.”*
91. At 8.18.35pm, the Dispatcher stated, *“We’re not sure how many’s involved. There’s several people outside her son is arguing with. The caller, the mother, said he wants to go out with a knife. A 23 year old Jordan Bagley [sic].”*
92. Officer 11¹⁸ (who was single crewed) was the first to confirm that he would attend. The Dispatcher replied, *“Yeah, if you could [REDACTED], and we’ll get you some backup.”*

¹⁶ Taken from the timings of the audio recording of the 999 call

¹⁷ A high level of background noise is audible in the recording of this call, which may have made it difficult for Mrs Begley to hear the call handler.

¹⁸ Officer 11 remained outside the address throughout the incident. As such, his account is not included in this report.

93. Officer 7 (crewed with Officer 8) was the second officer to respond confirming that he would attend.
94. At 8.19.17pm, PC Terence Donnelly responded confirming that he would attend. The Dispatcher asked if PC Donnelly was Taser trained, and he confirmed that he was.
95. The Dispatcher then asked Officer 7 if he was Taser trained and equipped, and he stated that he was not.
96. At 8.20.39pm the Dispatcher stated "*Information for patrols attending this address, there's been an update to say that the son is a very violent natured person. Previous on the address was a concern for welfare*".
97. At 8.21.04pm the Dispatcher stated "*From the mother, she states that male is trying to go out, states that he has a knife. At the moment he's punching furniture, he's also under the influence of alcohol*".
98. At 8.21.20pm, the Control Room Inspector requested that the FDO be asked if firearms officers could attend, as there was a shortage of Taser authorised officers.
99. At 8.21.56pm, Authorised Firearms Officer PC Andrew Wright stated via radio, "*Give us the postcode, we'll start heading while we speak to the FDO directly.*"
100. At 8.22.26pm, Officer 7 confirmed that he could see the man outside the property. When asked if the man had a knife, he replied, "*Can't see one at present.*"
101. At 8.22.34pm, Authorised Firearms Officer PC Christopher Mills requested and was given the address.
102. At 8.23.27pm, Officer 7 stated, "*He's come out of the address and is currently talking to me now, on the street.*"
103. At 8.23.57pm, Officer 7 stated, "*At the moment this chap's quite calm and in fact going back into the address. Slow the patrols down...*"
104. At 8.24.12pm, the Dispatcher stated, "*Patrols making Beard Road, if we can slow it down, slow it down at this point. Patrols can still make, but slow it down at this point please.*"
105. At 8.25.26pm, an officer¹⁹ stated that the FDO was "*happy for us to attend as Taser patrol officers, no actual firearms authority and we've got three ARV's²⁰ following, literally 2 minutes away.*"
106. At 8.29.21pm, PC Donnelly stated, "*Taser deployed.*"
107. At 8.30.48pm, PC Wright stated, "*Can you get an ambulance to this address please, male coming in and out of consciousness.*"
108. At 8.40.52pm, PC Donnelly confirmed that a paramedic first responder was at the scene.

¹⁹ PC Wright confirmed in interview and at inquest that he had requested permission from the FDO for firearms officers to attend. However, it is not clear whether this was him speaking.

²⁰ Armed Response Vehicles.

Taser download data

109. On 24 July 2013, engineers at The Centre for Applied Science and Technology (CAST)²¹ tested the correct operation of PC Donnelly's Taser and downloaded the available data in the presence of representatives from the IOPC and GMP. CAST provided a report of the test and the results to the IOPC on 2 October 2013.
110. The test of the device showed that (at the time of the test) it was operating within the parameters set by the manufacturer.
111. The downloaded data showed that PC Donnelly tested the device twice at 1.30pm on 10 July 2013, as per force policy. It shows that the Taser was next activated at 8.30.30pm. PC Donnelly did not activate the Taser again on this date.
112. The CAST report states
"The internal clock of the Taser X26 CED rounds the time up every 10 milliseconds. For example, a cycle time of 3.009 seconds will be recorded as 3 seconds where as [sic] a cycle time of 3.010 will be recorded as 4 seconds."
113. The download of PC Donnelly's Taser showed that he activated the device for nine seconds at 8.30.30pm on 10 July 2013, which would mean that the duration of the discharge was between 8.010 and 9.009 seconds.
114. The CAST report states,
"The internal clock of the Taser X26 CED drifts over time²². The manufacturer states that the drift can be +/- 4 minutes over a period of a month. The amount of drift varies between devices. To correct the amount of time drift the internal clock of the Taser should be synchronised with the clock of the computer during the periodical data download process. When the Taser X26 CED clock differs by more than 10 minutes frm [sic] the computer clock the operator is prompted to do this."
115. The Taser barbs were between 12.2cm and 12.3cm apart, from which CAST calculated that the Taser had been 69cm from Mr Begley when it was fired.
116. The CAST report states,
"When the Taser X26 is discharged a large separation of the probes is desirable in order to provide maximum incapacitation. It is generally accepted that a separation of less than 225mm (9 inches) is unlikely to result in the full incapacitation effect... the person is more likely to experience the pain of the electric shock."

Defibrillator download data

117. The defibrillator download data shows that the device was switched on at 8.39.20pm. The device advised delivering a shock to Mr Begley at 20.39.42pm, and a shock was delivered at 8.40.02pm, after the device had finished charging.

²¹ The Centre for Applied Science and Technology (CAST) develops technological solutions to tackle crime, see www.gov.uk/government/collections/centre-for-applied-science-and-technology-information

²² This may account for why the police radio transmissions show that PC Donnelly reported the Taser discharge at 8.29.21pm, whereas the Taser download data shows that the activation occurred at 8.30.30pm.

The device also issued prompts to perform two periods of cardiopulmonary resuscitation (CPR). The device was switched off at 8.43.05pm.

Mr Begley's clothing

118. At 2.15am 11 July 2013, GMP Crime Scene Examiner ██████████ seized the clothing that Mr Begley had been wearing at the time of the incident from Manchester Royal Infirmary. The clothing consisted of a pair of jogging bottoms, a t-shirt, a pair of socks and a pair of trainers. These items were sealed in an exhibit bag and retained by GMP.
119. The IOPC did not request that the clothing be forensically examined during the first investigation. It became apparent at the inquest that, due to an administrative oversight, GMP had destroyed the clothing without notifying the IOPC. When questioned at the inquest, the original IOPC investigator stated that the jogging bottoms did not feature in his investigation as "*there had been mention in evidence that there was pockets.*"
120. As the clothing was destroyed prior to the commencement of this investigation, the existence of pockets within the jogging bottoms remains unresolved, and any other potential lines of forensic examination could not be explored.

> Witness and subject accounts of the Taser discharge

Account of Mrs Dorothy Begley

121. IOPC Investigators interviewed Mrs Begley on 23 July 2013, and she signed her statement on 13 August 2013.
122. Mrs Begley explained that Mr Begley returned from work on the evening of 10 July 2013, and spoke to her about moving into a property of his own. She stated that he had some money from his employer to pay the deposit. She stated that they both went outside, at which point a local man accused Mr Begley of stealing the money from his aunt.
123. She stated that Mr Begley denied stealing, and explained that the money had come from his employer. She stated that more people became involved in the argument, and someone said the police were on their way, while the person who had originally accused Mr Begley threatened to fetch his uncle to "*leather*" him. She stated that they both went back indoors, and Mr Begley said to her that he would get a knife if the uncle came round.
124. She stated that Mr Begley had been drinking vodka the night prior to the incident, and his employer had told her that he had been drinking at work.
125. She stated that she locked the front door to stop him from leaving, and Mr Begley then picked up a small black handled knife, which she described as a "*potato knife.*" She stated that Mr Begley did not threaten to harm anyone while he was in possession of the knife.
126. She stated that she called the police, but told Mr Begley that she was speaking to a friend, as he had not wanted her to call the police. She stated that she could not remember exactly what she said, but she did say that Mr Begley was threatening to take a knife out because someone had upset him. She stated that

she remembered the operator asking whether he was capable of using the knife and whether he had a knife in his hand. She stated that she thought she made a “Mmm” noise in response because she thought the operator was asking if Mr Begley would go out with the knife.

127. She stated that when the police arrived, Mr Begley said, “*Fuck this I’m getting off*”, and threw the knife “*on the side*” in the kitchen. She recalled hearing it bounce as it landed.
128. She stated that Mr Begley ran into the spare room and picked up his money, which he had left on the table, and then she opened the front door and he followed her outside. She stated that there were two police officers outside who spoke to Mr Begley, and he asked them to come inside to discuss the matter, but they said that they would stay outside and talk to him.
129. She stated that approximately four or five more officers arrived, and she believed that they may have been firearms officers as they arrived in a van and their uniforms were more “*padded out*.” She stated that these officers asked Mr Begley to come inside to discuss the situation, and Mr Begley walked calmly into the house with them.
130. She stated that she spoke to a female officer, and at some point she went back into the house. She stated that when she went indoors, she heard Mr Begley say, “*I don’t care who you fucking are get out of me house*.” She stated that at this point, he was in the “*spare room*” near the dining table, and the officers were standing at the bottom of the stairs facing him.²³
131. At the inquest, Mrs Begley explained that Mr Begley was inside the back room, by the “*first chair as you walk through the living room door*.”
132. She stated that she went back outside and continued speaking to the female officer, who asked her whether Mr Begley had been drinking and whether he had any mental health issues. She stated that she told the officer that Mr Begley had been in “*rehab*” after collapsing six or seven weeks ago with a weak heart, and had previously spent time in a detox unit²⁴.
133. She stated that she continued making small talk with two of the officers who were standing outside. She stated that they were speaking near to her front windows, which were very thin, so she would have heard if Mr Begley had been “*kicking off*” inside. She stated that if this had happened she would have gone in, as she was the only person who could calm him down; she certainly would not have stayed there talking to the officers.
134. She stated that the female officer then asked her to go back into the house to get the family dog, because they “*had got the Taser out*.” She stated that when she went indoors, she saw an officer holding a Taser pointed at Mr Begley’s heart. She stated that Mr Begley was standing in the same position as when she had last seen him, “*with his hands at his side, nothing in his hands, feet apart*.”
135. At the inquest, Mrs Begley stated that he was “*stood up against the chair same as the first time I saw him, his hands by his sides, legs apart he was stood upright*.”

²³ A plan of the house is included at Appendix 2

²⁴ The inquest jury concluded that there were several “*major and minor failures in communication*” between the officers, one of which was that Officer 8 and Officer 9 did not pass on what Mrs Begley said about the knife, and that PC Donnelly and Officer 9 did not speak when they met in the doorway.

136. She recalled hearing the officer holding the Taser say to Mr Begley in a loud voice, *“This is your third and final warning, step back.”* She stated that this was the only time she heard the officer give a warning, and she did not hear any officer shout *“Taser, Taser,”* or anything like that.
137. She stated,
- “I could see the fear in his face and he wasn’t saying anything to the officers. It is something I will never forget as to my mind he had done nothing that deserved being tasered... Rest assured if Jordan had been kicking off in the house with the officers I would not have left.”*
138. She stated that, as she left the house with the dog, the front door was slammed shut behind her. She stated that she then stayed outside and did not hear anything more until the ambulance arrived.
139. She stated that she recalled other officers arriving, including one carrying a shield, and at some point, one of the officers came out of the house and asked her about an injury to Mr Begley’s eye. She stated that she explained that she had pushed him away during an argument, and caught him on his eye²⁵ with the heel of her right hand.

Account of Mr A

140. Mr A provided two statements to the IOPC. Mr A is a civilian witness who stated that he was in the area at the relevant time.
141. In his first statement, he stated that, at approximately quarter past or half past seven, he left his house to go to the [REDACTED] shop he owned at that time. He stated that, as he was crossing Beard Road, a police van arrived and parked in the middle of the road. He stated that at that time, he could see Mr and Mrs Begley (whom he referred to as Dot) in their front garden talking to one another and laughing.
142. He stated that a female officer approached to speak with them, and Mr Begley invited her into the house, but she stayed outside the gate.
143. He stated that he then realised he had forgotten his phone, so he returned home. He stated that when he returned to Beard Road some minutes later, he saw two police Range Rovers drive past with their sirens on and come to a halt at one end of Beard Road. He stated that two officers alighted from each vehicle and ran towards Mr and Mrs Begley and the female officer. He stated that Mr Begley said, *“Come in the house,”* and two officers then grabbed Mr Begley by the top of his left arm and pushed him indoors. He stated that he had reached their front gate by this time.
144. He stated that Mrs Begley also invited the officers in and went into the hallway, but the two other officers *“grabbed her hands and shoulders and threw her out.”* He stated that she almost fell, and he asked her if she was alright, but she was in shock and did not answer. He stated that approximately thirty seconds elapsed from the Range Rovers pulling up to Mrs Begley being thrown out of the house.

²⁵ Mrs Begley did not state which eye, but based on the other available evidence, this is understood to be his left eye.

145. He stated,

"I stood outside the gate looking into the house, I could see right through to the kitchen as it has no door. JORDAN was standing in the back room. I could see him.

When the 2 officers threw DOT out, one of the other officers walked out of the house to the boot of the first Range Rover to pull up, the one furthest away from me. I saw him get the TASER out, shut the boot, it has a glass door, and ran back in the house. It was a yellow gun which he held in his right hand down by his side. I know what a TASER looks like from watching 'Crime Watch' and 'Street Crime' on the telly.

JORDAN is still standing up in the back room still in my view as I was standing right by the gate at the front of the house. The front door was open. I saw 3 officers pull JORDAN to the floor, one held his legs down by kneeling on them and 2 held a hand and shoulder each, holding his hands up his back. The officer with the TASER was one holding a hand and shoulder. He was on one side of JORDAN, the other officer holding a hand and shoulder the other side and I could see the back of the officer kneeling on JORDAN's legs. He knelt on his legs after the other 2 officers had pinned his hands and shoulders. Jordan was face down. The officer with the TASER was white, tall and athletic. I can't remember anything about the other officers. The fourth officer was in the front door way, side on talking to the policewoman who was still outside the gate. I had a clear view past the fourth officer into the house.

The three officers let go of JORDAN and the officer with the TASER Tasered him. A couple of seconds after the tasing finished, JORDAN got up and shouted "Get the fuck out of my house". He had said this earlier as well, when the officers were pinning him down. I couldn't see where on his body he was Tasered but he was lying on the floor in the back room on his belly. I didn't hear anyone else say anything. JORDAN got up slowly, the 2 officers who had held his hands and shoulders again went to pin him down and get his hands and shoulders again and the 3rd officer again knelt on his legs. I saw them get him down on the floor again on his front, then they all stepped back from him, just inches away and the officer with the TASER tasered him again JORDAN stayed on the floor. I heard the police saying 'stay'. I can't remember who said it but then it went quiet. I heard an officer say they needed an ambulance and an officer started pressing on JORDAN's chest. At this stage I was in shock and can't remember which officer did what. The last thing I saw was the officer pressing on JORDAN's chest then the door closed. I can't remember who closed it, after I saw the officer pressing on JORDAN's I was so shocked I couldn't focus on anything else... I do remember that both times JORDAN was pinned down, while they pinned him down, the officers were using what I would call a 'shuffle' kick quite a few times around his legs and waist. It was the 2 officers who held his hands and shoulders. They had been in the first Range Rover to pull up. Also I didn't see anything in JORDAN's hands at any point I was watching."

146. In a subsequent statement, he clarified that, when Mr and Mrs Begley saw the officers approaching, he heard both of them say, "What the fuck's going on." He stated that when Mrs Begley tried to go indoors, she only got as far as the step before one of the male officers took hold of her shoulders and "threw" her to one side.

147. He stated,

"I saw Jordan stood in the back room held by police officers, as they had marched him in. At this point the three male officers were holding him. I heard him say 'Get out, I've let you in, I've done nothing wrong'. Jordan said this I had a clear view of this I was stood by the gate, the two female police officers were nearby. Nobody was stood in the doorway to the house, I had a clear view. In my original statement I refer to the 'fourth officer' stood in the front doorway, side on, talking to the police woman outside the gate. This 'fourth officer' was the slightly balding officer from the second car, he was only in the door way for a couple of seconds after he had grabbed and threw Dot and then he went into the house. This was the only time that I saw an officer standing in the doorway of the house... [Jordan] was forced down by two officers using their hands, and the third officer, pulled his legs straight and knelt on them. The officers pinned Jordan down so that he was lying face down with hands pinned up his back by officers, he was lying diagonal in the backroom with his head facing the back window... I could see the table and chairs clearly and past them into the kitchen. I did not see Jordan strike his head on the table and/or chairs as he was pinned down... As stated in my original statement I saw the athletic officer approach the Range Rover... and [get] the TASER out... I saw the athletic police officer re-enter the house, he said step back to the two male officers holding Jordan who is still in the same position. I saw the two male officers step towards the table... I didn't see the TASER at this point as this officer had his back to me but I could tell he was pointing it from his stance. I would like to clarify that I did not see Jordan being Tasered but I believed he had been as I heard him say 'Ow, what the fuck's that, I let you in my fuckin house'. Because I heard this and because of the athletic officers stance I believed he had been TASERED. I couldn't see Jordan's body at this point, my view was obstructed by the athletic officers back. Within a couple of seconds of Jordan making this comment I saw him try to get up but he couldn't get up past his knees. As he was getting up he shouted 'Get the fuck out of my house'. He didn't stand up fully, he got up on one of his knees, I could see one of his shoulders, his right one and his back. In my original statement I said that three officers then pinned Jordan down again. However I want to clarify that this happened only once before he was Tasered the first time. After Jordan started to get up after I believed he had been Tasered the first time, I didn't see officers touch him or pin him down again but they were saying 'stay'... As Jordan started to get up I believed he was Tasered a second time. Again I would like to clarify that I didn't see the gun/TASER I believe he was Tasered the second time as I heard the athletic officer say 'stand back'. I took this to mean that he had been Tasered again but I didn't see anything specific and my view was obscured by the athletic officer's back. After the officer said stay it all went very quiet and everything else happened in accordance with my original statement. I did not see Jordan holding anything other than a cigarette the whole time I was watching him on the 10th July. I thought he was polite towards the police as he asked them to come in... I would also like to clarify that the officers conducted the shuffle kick to try and get him down, in my view, when they were pinning him down. I thought that Jordan was co-operating with the police as he asked them to come in nicely."

Account of Officer 7

148. Officer7 provided a statement to the investigation on 5 September 2013.

149. He stated that he had been a police officer for six years at the time of the incident, and on that day, he had been crewed with Officer 8. He stated that he had been dealing with another incident on Beard Road when he heard the request for assistance, and travelled to the scene with his emergency lights and sirens activated.
150. He stated that he first recalled hearing mention of a knife when he arrived and got out of his vehicle. He also recalled Mr and Mrs Begley's names being given over the radio.
151. He stated that Mr Begley "*appeared agitated, he was pacing up and down and swearing, telling me to 'fuck off' and shouting: 'what do you want'; and 'you're making me look like a grass'.*"
152. He stated that Mrs Begley appeared distressed and was asking for help, and others in the street were shouting "grass" at him, which appeared to Officer 7 to be "*winding him up even more.*"
153. He stated that he asked Mr Begley to show him his hands, as he knew that there had been mention of a knife. He stated that Mr Begley showed him the front and the back of both of his hands, and he could not see a knife.
154. He stated that Mr Begley had a black eye, but he could not recall which eye it was. He stated that Mrs Begley informed him that she had given him the black eye.
155. He stated that he began to talk to Mr Begley in an effort to calm him down. He stated that Mr Begley went back into the house, and he followed him through to a room at the back of the property.
156. He stated that he kept his distance from Mr Begley at this point, as he had not had a chance to search him properly and was aware that he might have a knife concealed about his person.
157. He stated that Mr Begley spoke to him about the situation with the money and the flat he was intending to move into, but still seemed agitated. He stated that he was angry that the police had been called and suspected that his mother had called them, and he told them that she had not in an attempt to calm him down.
158. He stated that this seemed to work, as he was able to have a conversation with Mr Begley about the flat he was intending to move into; however, he still seemed agitated and was jumping from the conversation about the flat and the money, to why the police were at his house. He stated that Mr Begley also kept picking up some money that was on the table and putting it back down again.
159. He stated that a short time later, Officer 9 came into the house and, while trying to speak to Mr Begley, disclosed that his mother had called the police. He stated that Mr Begley was very unhappy about this and became aggressive, shouting and swearing. He stated that Officer 9 left after 30 or 40 seconds, as it was clear that Mr Begley was not happy with her being there.
160. He stated,
"It seemed as if I was the only person Jordan wanted in the room and I was the only one he would talk to. A few seconds after Officer 9 left, another colleague, PC Terry Donnelly appeared at the doorway. He just stood there and let me continue trying to talk to Jordan. PC Donnelly was not stood aggressively and his taser wasn't drawn at this stage.

Jordan seemed uncomfortable at the appearance of PC Donnelly; his voice wasn't normal and he kept twitching looking between me and PC Donnelly. Jordan became very agitated and I noticed his body language change, he made his body bigger and he clenched his fists. His attention was diverted to PC Donnelly at this point and he wouldn't engage with me. Jordan then moved from behind the table and towards where PC Donnelly was stood...

[PC Donnelly] warned Jordan that he was a taser officer and not to approach him. Jordan still continued to move towards PC Donnelly. Further taser warnings were given, I heard the warning of 'taser, stay where you are' given to Jordan, but he continued to ignore them and was shouting back. I then saw a red dot appear on Jordan's chest. (I am taser aware but I am not a taser trained officer). At this point I moved back towards the clothes rail that was in the room, I wanted to get out of the way in case the taser was deployed.

As Jordan was moving closer towards PC Donnelly near the doorway of the back room, PC Donnelly was moving backwards, out of the doorway and out of my view. Jordan continued to ignore the warnings he was being given and he then also went out of my sight, out of the doorway of the back room. At no point did I hear Jordan make any direct threats towards any officers, but he was shouting aggressively directly at PC Donnelly while closing in on him."

161. He stated that he could not see PC Donnelly or Mr Begley at the time of the Taser discharge, as both had moved out of his sight; however, he heard the words "Taser, Taser, Taser" followed by the "popping sound" of the Taser being fired. He stated that Mr Begley fell backwards into the room and initially tried to stay on his feet, but then paused and fell to the ground.
162. Officer 7's evidence at the inquest was consistent with his statement.
163. He confirmed that Mr Begley showed him the front and the back of both of his hands, but stated, "*I did not know if he had [a knife] in his pocket, in his trouser lining or anywhere on his person.*"
164. He recalled Mr Begley saying to him, "*You're OK, you can stay*", which he took to mean that Mr Begley was happy to speak to him.
165. He stated that he could not recall seeing Mr Begley's hands in his pockets. He stated that he "*would expect*" to have remembered if this had been the case.
166. He stated that PC Donnelly only discharged his Taser once, and Mr Begley "*stumbled backwards a number of feet and appeared to be trying to remain on his feet.*" He stated that, when he did fall, it was "*somewhere between crumbling [sic] and falling down.*"

Account of PC Terence Donnelly

167. PC Donnelly was interviewed under criminal and gross misconduct caution by IOPC investigators on 24 September 2013 and 17 December 2013.
168. In interview, he stated that he was double-crewed with Officer 9 when he heard the call for officers to attend an incident involving a man with a knife at an address in Gorton. He recalled that there had been a call for Taser equipped officers, and confirmed that he had identified himself as an STO to the Dispatcher.

169. He was asked whether the call for Taser equipped officers had influenced his decision making process, and potentially made him more likely to use Taser. He replied,
- “When a call handler asks for, if there’s any Taser patrol then yeah, it does, your ears do prick up a little bit, erm, but the thing that got me was when the call handler was saying... he’s erm going round punching furniture and he’s annoyed... It’s the same as any other job, you get there and you take into account what, what’s happening at the time, it’s not like, you know, I’m not getting my Taser out on the way there.”*
170. He stated that the call had been graded as grade one²⁶, which he took to mean that there was an immediate concern for life or property, or the possibility of injuries.
171. He stated that he started driving to the location with his lights and sirens activated, but turned both off when he heard the request for attending officers to slow down. He stated that everything seemed calm when he arrived.
172. He stated that Mr Begley appeared “*very normal*” when he first saw him outside the address. He stated that, while he was talking to Mrs Begley, he heard Mr Begley talking about money.
173. He stated, “*bit by bit within a space of probably sixty seconds it got to the point where he was a bit more argumentative with [Officer 7] as to what had been going on so within the space of a couple of minutes... I start hearing a bit of a raised voice. He looked uncomfortable, he didn’t, didn’t stand still, he was moving about and trying to explain...*” He stated that Mrs Begley was “*very calm*” at this point.
174. He stated that Officer 7 followed Mr Begley into the house, while he remained outside and spoke to Mrs Begley with a view to finding out more about the knife and when she had seen it.
175. He stated that Mrs Begley told him that Mr Begley “*had the knife and the last time she saw it was on the kitchen table in the house.*” He described the knife as a “*steak knife*” based on what she had told him.
176. He stated that Mrs Begley also explained that she had hit Mr Begley the night before during an argument.
177. He stated that he then went into the house, and when he was about halfway through the first room, he heard Mr Begley shouting. He stated that prior to that Mr Begley had been raising his voice, but not shouting. He stated that Mr Begley was shouting something about money and “*someone at work,*” but when he saw PC Donnelly, he started shouting, “*Get out the house, you’ve no right to be in the house.*”
178. He stated that he believed Mr Begley was saying this to Officer 7, as he was the only other person in the room with him.

²⁶ A Grade 1 response requires police attendance within 15 minutes of the creation of the incident log. It encompasses circumstances where there is, or is likely to be a danger to life, the use, or immediate threat of use of violence, serious injury to a person and or serious damage to property. Where the contact relates to an allegation of criminal conduct, it will be dealt with as an emergency if a crime is, or is likely to be serious, a crime is in progress, an offender has just been disturbed at the scene, or an offender has been detained and is likely to pose a risk to themselves or others.

179. He stated that Officer 9 and Officer 8 were standing in the doorway at the bottom of the stairs, and he saw Officer 7 in the room when he looked over the other officers' shoulders.
180. He stated that Mr Begley was standing "*at the other end of the kitchen table*", which caused him concern because Mrs Begley had said that she last saw the knife on the kitchen table, and "*I could see a table in a room I knew was a kind of a kitcheney [sic] dining room...*" He stated that he could see bank notes on the table, but no knife.
181. He stated that Officer 7 tried to explain that they needed to be there to make sure that he was "*not going to be doing anything silly,*" but Mr Begley continued shouting.
182. He stated that he told Officer 9 and Officer 8 to leave, because he could see that Mr Begley was engaging with Officer 7. He stated that he remained behind, because he did not want to leave Officer 7 in the house on his own given that Mr Begley had reportedly been trying to fight people with a knife.
183. He was asked about his first impressions of Mr Begley. He stated that Mr Begley was not physically intimidating, and it was "*hard to say*" whether he was intoxicated.
184. He stated,
"He started shouting about some bank notes and 'I've got this money'. I didn't know what he was talking about really, er, and that's when he's started looking at me, so I've said, 'Well you need to come round here,' and I've asked him about this knife, and he said, 'What knife'. We've got a report of someone with a knife, erm, I want to make sure it isn't you." I knew it was him, but I didn't want to say it was him.
He's then slowly walked round the side of the table... erm, very very slowly that's [sic] I could see his hands on the table as he's walked round, but then he's put his hands in his pocket. That's raised my suspicions quite a bit, as to if it's a steak knife then it's quite easily stuck in a pocket. Erm, he's getting quite close to me, and also I was concerned about him blocking off any escape route for [Officer 7] if he did have a weapon on him. So that's when I've started telling him I want him to do certain things. I need him to stand still and I need him to show me his hands. I can't remember what order, but that, words, words [sic] to that effect. Stand still, show me your hands."
185. He stated that there was no change in Mr Begley's demeanour, and "*he just seemed concentrated on the money... the only thing he was talking about was this money.*" He stated that Mr Begley was not shouting at that point, but was still "*talking very loud and aggressively sounding.*"
186. He stated,
"I was becoming very fixed on his hands at this point. Erm the way he was acting, the way he, his temper had changed from outside to inside, and the fact he'd come closer to me with his hands in his pockets from behind this table where his mum had told me the knife was, so I was quite concerned at this point for me and [Officer 7] in the corner... He had a clear run at me if he wished to do so, he was closer to [Officer 7]. That's when I've took the Taser out of its holster..."

187. He stated,
“I’ve withdrew my Taser, give him warning: ‘Police officer with a Taser, stand still.’ With to [sic] which he did do at the beginning. I then, what we get taught is the officer with the Taser takes control of the situation, so he’s not get, not receiving orders off everybody. I’ve told him that my colleague’s gonna search him, and to do that he needs to stand still. Any sudden movements towards myself or my colleague I’ll deploy the Taser.”
188. He stated that Mr Begley was saying something to him at that point, but he could not recall what, as he was more focused on making sure he did not make any sudden movements. He stated that Mr Begley’s demeanour did not change in response to him drawing the Taser.
189. He stated,
“From what I remember he’s taken a step closer towards me, looking at me. I’ve taken a step back to give me a bit of room, ‘cause he was, the Taser needs a bit of spread to, to work effectively. He’s taken a step towards me, I’ve taken a step back. I’ve repeated ‘Stand still show me your hands’” or words to that effect.”
190. He stated that Mr Begley’s progress all the way round the table was “quite slow, methodical,” but the final step was, “I wouldn’t call it a lunge, but it was a quick step towards me.”
191. He stated that Mr Begley was about six feet²⁷ away from him at this point, and from training, he recalled that this was roughly the minimum distance at which it was still possible for a Taser discharge to achieve incapacitation.
192. He stated,
*“That’s when I’ve deployed the Taser. Shouted ‘Taser, Taser’ to alert, I’m presuming [Officer 7] knew I’d done that. Er, as I’ve, it’s a five second cycle. I’ve cycled through the five seconds, he’s, he’s gone rigid and kind of, I think he’s either gone ninety degrees or one eighty degrees and, but on the spot.
As the cycle has come to an end, he’s gone down very slowly but he’s not gone down as if he’s gonna stay still as to listen to what we’re going to say. Er what I wanted him to do, stand still stay still.”*
193. He clarified that he could not remember exactly how Mr Begley had gone to the ground, but he was “still kicking”.
194. He stated,
“The, I’ve then discharged another five seconds, er, which I believed he was gonna get back up and still couldn’t see exactly what was in his hand, didn’t know what he had on him. As I’ve done that second cycle, I’ve just felt officers coming in behind me.”
195. He explained that he still could not see Mr Begley’s hands and “I didn’t want him getting up after the first five seconds and going in his pockets cause right at this

²⁷ As outlined above, the CAST report concluded that the Taser was discharged at a distance of 69cm (two feet three inches) from Mr Begley. However, it appears that PC Donnelly was estimating the distance between him and Mr Begley, rather than the distance between Mr Begley and the Taser. When questioned at the inquest, he estimated the distance as being two feet from the end of the Taser.

- time I didn't know whether [the other officers] had come in.*" He clarified that he knew other officers were coming, but did not know whether they had arrived.
196. It was put to PC Donnelly that the Taser download data showed that there had been one continuous discharge. He replied that he honestly believed that he had activated it twice for five seconds each time.
 197. He explained that the use of Taser may be authorised in advance in certain circumstances, such as in pre-planned operations, but the Taser discharge on this occasion was "*an instantaneous self-deployment*" to protect himself and his colleague.
 198. He explained that, in training, officers were taught to aim Taser at the centre of the body because it was the biggest target and you get a "*nice big spread across the centre of the body mass.*"
 199. He was questioned about the other options that might have been available to him. He stated that his baton was not an option because this would have required him to get close to Mr Begley, and he did not want to do that if he had a knife in his pocket. He stated that incapacitant spray did not always work, and did not always work quickly enough, and because it was an enclosed space, the spray would have affected him and Officer 7 as well. He stated that simply leaving or closing the door was not an option, because Officer 7 was still in the room.
 200. He stated that physical restraint would not have been an option because of the risk of injury to him if Mr Begley had had a knife in his possession.
 201. He was asked whether he had considered letting Officer 7 speak to Mr Begley again, given that Mr Begley had engaged with Officer 7 initially. He stated that, by the time he had drawn his Taser, Mr Begley was fixated on him. He stated, "*I don't know if it would have worked or not, but it was, he was only looking at me.*"
 202. He stated that he would not have considered asking Mrs Begley to come in and speak to Mr Begley, because "*obviously something happened*" that resulted in her calling 999, and she had also mentioned hitting him the night before. He stated that he had surmised from this that the relationship between them "*wasn't the best.*"
 203. PC Donnelly gave evidence at the inquest on 11 June 2015.
 204. In relation to the description of the knife, he stated, "*I can't remember what she [Mrs Begley] - the specific words, but I've got the picture in my head of a steak knife after speaking to her.*"
 205. He stated that while he was standing in the doorway, he looked for a knife on the table but could not see one.
 206. It was put to PC Donnelly that Mr Begley was not in the kitchen (where Mrs Begley had said she last saw the knife), and he replied, "*I could see into the kitchen, the kitchen's only – and I know the layout of similar houses. That was the only place where a table could be.*"
 207. He stated that when Mr Begley first started approaching him, his hands were on the table, but when he reached a point approximately halfway along the long side of the table, he put his hands into his pockets.
 208. He stated that he did not know why Mr Begley decided to approach him. He was asked whether he had said anything that might have caused Mr Begley to come

towards him, and replied, *“I’ve asked him – well, told him we’ve had a report of someone with a knife. I didn’t say come here or... He’s just walked round the table.”*

209. PC Donnelly stated that, while he had said in interview that he asked Mr Begley to *“come round here,”* he could not recall what he had actually said at the time. He stated, *“The only way I can feasibly think why I’ve asked him to come round the table would be so he wasn’t facing the back of the kitchen, so he wasn’t going to be running back out.”*
210. He stated that at this point, he aimed the Taser and told Mr Begley that he would fire if he made any sudden moves while Officer 7 was searching him. He stated that Mr Begley responded by taking one or two slow steps towards him, while looking directly at him.
211. He stated that this *“got me worrying,”* and he took a small step back and repeated his instructions to Mr Begley to stand still and show his hands. He stated that Mr Begley then took a quicker step towards him, with his hands still in his pockets, at which point he fired the Taser and shouted, *“Taser, Taser, Taser.”*
212. He initially stated that if Mr Begley’s hands had been visible, he would not have fired the Taser. However, when questioned further, he stated, *“If I still thought the knife was in his possession, then yes, I would have.”*
213. It was put to PC Donnelly that Officer 7 had given evidence that Mr Begley had not put his hands in his pockets at any time. PC Donnelly denied that this had been the case.
214. He stated,
“As I’ve fired the Taser, both of the barbs had hit Jordan. He’d spun round in - either 90 degrees, or maybe a bit more, was going down very slowly, to the point I thought, well, that’s not worked, so in my recollection that’s when I fired the second activation.”
215. He clarified that Mr Begley had *“not actually fallen, he’s gone down, his legs have bent very slowly, hands still in his pockets²⁸. From my recollection, the five seconds was getting close to ending, so that’s when I fired it again.”*
216. He stated, *“I can’t argue with the download, but my memory is I fired it twice.”* He confirmed that he was aware at that time that maintaining pressure on the trigger would extend the automatic five-second cycle.

Account of Officer 9

217. In interview, Officer 9 stated that Mr Begley was shouting *“You’re not needed here you don’t need to be here.”* At the inquest, she reiterated that he *“was repeatedly telling us to get out of the house, that we weren’t needed.”*
218. At the inquest, she stated that he was not being *“physically abusive”*, but was shouting and swearing.
219. In interview, she stated that Mr Begley appeared drunk and was *“very animated with his arms flailing.”*

²⁸ PC Donnelly was not questioned in relation to this matter in interview.

220. In interview and at the inquest, Officer 9 stated that, in her opinion, Officer 7 was developing a rapport with Mr Begley. She stated that she attempted to engage Mr Begley in conversation, and disclosed that his mother had called the police.
221. At the inquest, she stated that Mr Begley became even angrier on learning that his mother had called the police. She stated that after this, *“he was up and down, he was irrational, he seemed paranoid. He would be calm and then he’d rise up again. He was being very unpredictable.”*
222. In her statement, she explained that she left the rear room as *“I felt my presence inside was not helpful at that time and that I would be more use talking to Jordan’s mum and ensuring there was no crowd gathering.”*
223. In interview, she stated that her view was obscured by PC Donnelly after she left the room, but she could see that Mr Begley was still pacing about with his arms flailing, and PC Donnelly was standing with his Taser pointed at him.
224. In interview and at the inquest, Officer 9 stated that she heard PC Donnelly saying, *“Calm down”* and *“Stay back”*; she then heard him shout *“Taser”* and heard the *“clicking”* sound that a Taser makes when discharged.

Account of Officer 8

225. Officer 8 stated that he spoke to a witness outside the address, and then went inside, as he did not want Officer 7 to be in the house on his own.
226. At the inquest, he stated that Officer 7 was *“very calm”* with Mr Begley, and that Mr Begley *“seemed to have a bit of rapport”* with him. He expressed the view that Officer 7 seemed to be in control of the situation. He stated that Mr Begley *“had money in his hands and he was kind of shaking his hands... showing his frustration.”*
227. In interview, he stated that Mr Begley *“appeared to be very angry because he was flailing his arms around, he looked frustrated... he had clenched fists.”*
228. In his statement, he stated that after PC Donnelly arrived in the doorway he heard Mr Begley say words to the effect of *“You weren’t invited, why are you in here.”*
229. At the inquest, he stated that Mr Begley seemed *“more annoyed or more frustrated but more towards us now as there were more officers there now.”*
230. At the inquest and in his statement, he stated that he heard someone say, *“Taser, Taser, Taser,”* but was not certain who said it.

Account of PC Peter Fox

231. In interview, PC Fox stated that he heard the request for assistance at Beard Road on one of three radio channels monitored in his vehicle.
232. At the inquest, he stated that he did not hear the request for officers to slow down. He was asked, *“If you had received a message about slowing down would that have informed you that you can turn your siren off turn your lights off and drive at normal speed limits to get to the property?”* He replied *“Yes.”*
233. In interview and at the inquest, he stated that upon arrival at the scene he made his way to the address with his Taser drawn, as he was aware that there was possibly a man armed with a knife.

234. He stated that he spoke with a male officer outside the address, who said, "*He's inside.*" He stated that he then entered the address and saw the back of a male officer (understood to be PC Donnelly) in the doorway to the room at the rear of the property.
235. In interview and at the inquest, PC Fox stated that he heard shouts of "*Get out of my house*" as he began to enter the property. He stated that, at almost the same time, he heard the distinctive sound of a Taser being discharged.
236. He stated that he moved to one side to re-holster his Taser and PC Graham moved past him into the room; he then followed.
237. At interview and at the inquest, PC Fox did not say that he heard PC Donnelly issue any warnings to Mr Begley before discharging the Taser.

Account of PC David Graham

238. In interview and at the inquest, PC Graham stated that he recalled hearing about an ongoing incident in Gorton, and from the radio transmissions it was clear to him that there were issues with finding a Taser-trained officer to attend.
239. He stated that he drove to the scene with his lights and sirens activated. At the inquest, he stated that he could not recall hearing a request for officers to slow down.
240. He stated that, when he arrived at the address, he could see officers outside speaking with a woman. He stated that he immediately made his way into the property, at which point he saw an officer (understood to be PC Donnelly) standing at the end of a small corridor in a doorway.
241. He stated that PC Donnelly was speaking to someone in the room as he approached him, but he could not recall the specifics of the conversation.
242. At the inquest, PC Graham stated that he saw PC Donnelly raise his arms to the 'aim' position with the Taser, and moved back slightly so as not to hinder him. He stated that he then heard a distinctive sound that he recognised as a Taser discharge.
243. He estimated that between two and three seconds elapsed from when he arrived behind PC Donnelly until PC Donnelly discharged his Taser.
244. When asked at the inquest if PC Donnelly had given any warnings before discharging his Taser, PC Graham stated, "*I cannot recall it.*"

> Witness and subject accounts of the restraint

Account of Officer 7

245. Officer 7 stated that, as Mr Begley fell to the ground, four or five firearms officers entered the room, surrounded him and attempted to restrain him. He stated that he did not participate in the restraint, but he heard the officers communicating with Mr Begley and telling him to stop resisting. He stated that he did not hear Mr Begley respond, but he kept tensing up and pulling his arms forward.
246. He stated that one of the officers who was attempting to restrain Mr Begley's right arm delivered two distraction strikes to his upper back and shoulder. He stated

that these strikes were successful, because the officers were then able to put Mr Begley's arms behind his back.

247. He stated that one of the officers asked him for his handcuffs, and he passed them over. He stated that the officers handcuffed Mr Begley and moved him first to his knees, and then to his feet.

Account of PC Terence Donnelly

248. In interview, PC Donnelly stated that, immediately after the second Taser discharge²⁹, other officers came into the room and restrained Mr Begley on the floor.
249. He stated that he moved closer to maintain the integrity of the copper wires attached to the Taser barbs, in case he needed to discharge the Taser again. He stated that the officers took hold of Mr Begley, who at that point was on the floor *"kicking out arms and legs."*
250. He stated that he shouted to one of the officers, *"Do you want me to do it again,"* meaning did he want him to discharge Taser again so that they could gain control of him. He stated that the officer replied, *"No, no, we're alright."*
251. He stated that he remembered seeing hands on Mr Begley's arms, *"so I knew there was no danger of him going in pockets and so I was quite happy that they knew what they were doing."*
252. He stated that he then put the safety catch on, removed the cartridge from the front of the Taser, snapped the copper wires and left the room. He stated that he did not participate in the restraint and did not return to the room after this.
253. At the inquest, PC Donnelly stated that he did not see the two distraction strikes. He was not questioned in relation to this matter in interview.

Account of PC David Graham

254. PC Graham stated that, following the Taser discharge, he waited for a couple of seconds and then *"jostled"* PC Donnelly out of the way and entered the back room. He stated that at this point, Mr Begley was already on the floor and he moved to his left hand side and took up a position near to Mr Begley's left arm.
255. He stated that the Taser was still cycling when he entered the room. He stated that as the Taser cycle finished, he attempted to gain control of Mr Begley's left arm. He stated that Mr Begley offered *"minimal"* resistance.
256. At the inquest, he stated that he was able to gain control of Mr Begley's left arm by holding it away from Mr Begley's body with the palm facing up. He stated that at this point, he could see that Mr Begley had nothing in his hand.
257. He could not recall Mr Begley offering any other resistance or moving any other limbs, although he stated that he was focused on the task in hand.
258. He stated that he could see PC Mills holding Mr Begley's right arm and PC Fox positioned by Mr Begley's legs. He stated that, in his opinion, PC Fox was *"poised to place the handcuffs on once we'd got his arms under control."*

²⁹ As outlined previously, while the Taser download data indicates that PC Donnelly only discharged his Taser once, he expressed the belief in interview and at the inquest that he had discharged it twice.

259. At the inquest, PC Graham stated that he did not recall seeing PC Mills delivering the two distraction strikes.
260. In interview, he stated that Mr Begley moved “*very slightly*” to a different position on the floor while they were restraining him. He was not able to say whether Mr Begley had moved of his own accord, or because of the officers’ actions.
261. At the inquest, PC Graham confirmed that Mr Begley had moved by the time they finished restraining him.

Account of PC Peter Fox

262. In interview and at the inquest, PC Fox stated that Mr Begley was already on the floor as he moved into the room, and he moved to take control of his legs. In interview he described Mr Begley’s legs as “*splaying everywhere*”, and at the inquest he described them as “*flailing about*”.
263. In interview, he stated that he heard PC Graham shout “*Lift your arms, lift your arms,*” and then “*Give me your arms, release your hands.*” At the inquest, he stated that he heard PC Graham shouting “*Give me your hands, release your hands.*”³⁰
264. He stated that he took hold of Mr Begley’s legs just above the knees. He stated that he did not want to break the Taser wires, and was concerned about coming into contact with the wires if the Taser were to be activated again.
265. He stated that he positioned Mr Begley’s legs almost flat to the floor and used his arm strength and upper body weight to control them.
266. In interview and at the inquest, he stated that he saw PC Mills attempting to gain control of Mr Begley’s right arm and delivering two distraction strikes to his upper arm and shoulder area.
267. When asked at the inquest what he had heard, PC Fox stated that he heard PC Mills say, “*Release your hands, release your hands*” before delivering “*two quick strikes.*”
268. He was asked, “*Is there not a gap? There’s not one strike, repeat the order and instructions, and hit again? It’s give him the order, doesn’t work, struck twice; is that your recollection?*” PC Fox replied, “*I just remember him shouting “release your arms” and there were two strikes. Whether there was something said in between, I can’t recall.*”
269. He stated that he then released Mr Begley’s legs, and moved to take hold of his right forearm and bring his arm into a position to allow the handcuffs to be applied. He stated that he called for handcuffs and another officer handed them to him. He stated that he was not sure of the officer’s name, but described him as the “*Section*” officer.
270. At the inquest, PC Fox stated that, as he moved to take Mr Begley’s arm, he asked the officer next to him to take control of Mr Begley’s legs and he did so. PC Fox stated that he was not certain who this officer was, but he believed it was PC Lee Moore.

³⁰ PC Graham did not state in his evidence that he issued commands to Mr Begley. However, as outlined below, PC Mills confirmed that he shouted at Mr Begley to give up his arm and stop fighting.

271. He confirmed that Mr Begley had initially been in one location, but had either moved or been moved to another location. He stated that he had not moved far, and that his legs did not move but his torso and head “swivelled” to this new position.
272. He stated that, given the number of officers restraining Mr Begley, he thought that Mr Begley would not have been able to move on his own to any significant degree.
273. PC Fox stated that, once Mr Begley was handcuffed to the rear, he stood up to get out of the way so that he could be turned over. He stated that at this point he stumbled over a dog that appeared behind him in the room, so he ushered it out of the house and spoke to Mrs Begley, who agreed to get the dog.

Account of PC Christopher Mills

274. PC Mills was interviewed under criminal and gross misconduct caution by IOPC investigators on 10 October 2013 and 18 December 2013.
275. He stated that he was crewed with PC Lee Moore when he heard over the radio that there was an incident involving a man with a knife. He stated that he heard other officers responding, but did not hear any instructions to attending officers to slow down.
276. He stated that, when he arrived, he could hear raised voices and could see other police officers running towards the address.
277. He stated that, when he entered the address, he saw Mr Begley on the floor in the rear room with officers around him.
278. He stated,
“[PC Graham] had managed to apply a handcuff to Begley's left wrist and had the arm up behind his back. Erm [PC Fox] was attempting to get the arm, his right arm from underneath him. Sorry, I didn't say did I, he was face down. Erm [PC Fox] was trying to get his right arm from underneath him at the same time as controlling his legs. And you could see that he was, err, that Begley was resisting at the time. Erm, I took up a position on his right shoulder and knelt on the back of his right shoulder in the ground pin position. Erm, I have tried to pull his arm out along with [PC Fox], he was still resisting, I told him to give his arms up and erm to stop fighting and I delivered a distraction strike to his lower right back rib area. He still resisted, I warned him again, I told him to give his arm up again and stop fighting and obviously he didn't. I gave him another distraction strike, clenched fist, same area. At that point he stopped resisting, his arm came out, and we were able to, erm, put him into handcuffs.”
279. He confirmed that he delivered both strikes with a clenched fist, to the lower back rib area just above the belt line on Mr Begley's right side.
280. He stated that he did not see a knife during the restraint, but *“obviously at this point we've got one arm secured, there's a male there with a knife somewhere and the knife could well have been underneath him, and that was obviously part of our threat assessment.”*

281. He acknowledged that Mr Begley was small in stature compared to the officers, but stated, *“you get little lads that are, that, that possibly on drugs or whatever, and they fight.”*
282. In relation to the level of force that was used during the restraint, he stated, *“It was necessary, it was proportionate, erm, in, it couldn't have been more textbook in my opinion, what we did was what we have been trained to do. There was no over use of force, there was no overzealous behaviour. It was absolutely minimal, necessary and proportionate. It, it, it couldn't have been written better if it was a scenario on a training exercise.”*
283. He estimated that it took them roughly thirty seconds to bring Mr Begley under control, but certainly less than a minute.
284. PC Mills gave evidence at the inquest on 15 June 2015. There were no significant discrepancies between the evidence that he gave at the inquest and his evidence in interview.
285. He stated that, when he entered the room, PC Fox was kneeling by Mr Begley's left side and PC Graham was kneeling by Mr Begley's right side. He stated that PC Graham had applied a handcuff to Mr Begley's left wrist, and his left arm was up behind his back.
286. He stated that, within seconds, he realised that the officers were struggling to restrain Mr Begley and needed assistance to do so. He stated that, as well as trying to control Mr Begley's right arm, PC Fox was also trying to restrain his legs.
287. He stated, *“[Mr Begley] was thrashing his legs around and he had his one arm underneath – obviously one arm was under control – and you could see movement in him. That's probably the best way to describe it.”*
288. He stated that he applied pressure to Mr Begley's right shoulder blade with his right knee. He was asked whether this would have put more weight on the arm that was trapped under his body, and replied, *“It immobilises the joint as such. It will put weight on there. I don't think I can quantify how much weight that would be.”* He clarified that he had used “some” of his body weight, but *“wouldn't like to say how much.”* He stated that his body weight would not have prevented PC Fox from drawing Mr Begley's arm out from underneath him.
289. He stated, *“I ordered Jordan to release his arm, put his arm out. I told him to stop fighting and I pulled on the arm as well to no effect. I delivered a distraction strike to interrupt the brain signals – that's how a distraction strike works, it interrupts the brain signals and for a split second the subject should stop fighting, in effect giving you a chance to take control of the arm or whatever limb it is you're going for. This didn't work, I ordered again for him to stop fighting and give his arm up and carried out another distraction strike and at this point his arm came out, it was put behind his back, and he was handcuffed in a rear-stack position.”*
290. He stated that he delivered both strikes *“above the belt line, the rib area,”* and had used *“as much force as I was able to in the circumstances.”*
291. He was asked whether it struck him as surprising that the officers were unable to pull Mr Begley's arm out, given his position and the difference in stature between him and the officers. He replied, *“I wouldn't say it was surprising. We deal with*

different shapes and sizes of people all the time and you get small people that are very, very strong.”

292. He could not recall whether Mr Begley had offered his arm voluntarily, or whether the officers had finally been able to pull it out from underneath him.

Account of PC Lee Moore

293. In his account to the IOPC, PC Moore stated that he responded to a request for officers to attend Mr Begley’s home address.
294. He stated that, on arrival, he entered the house straight away. He stated that, as he approached the rear living room, he heard a “*thud*” that he believed, from previous experience, to be a head hitting the floor.
295. He stated that, as he entered the rear living room, he saw Mr Begley lying on the floor with his head facing the front of the property. He stated that Mr Begley was resisting, and PC Mills and PC Fox were trying to control him.
296. He stated that he heard PC Mills shout, “*Stop struggling, release your arm.*” He stated that PC Mills then “*put his knee into Jordan’s shoulder blade in a ground pin position and delivered two distraction strikes to the middle of the back.*”
297. He stated that PC Mills delivered the distraction strikes with a clenched fist and, following the strikes, Mr Begley released his hands from under his body and was handcuffed.
298. He stated that approximately 25 seconds elapsed from when he entered the house until he saw Mr Begley being handcuffed. He stated that he did not participate in the restraint.
299. During the inquest, he stated that he did not hear the request over the radio for patrols to slow down, but if he had, he would have considered the call downgraded.
300. He stated that as he entered the address, he heard a “*thud*”, which he described as similar to the noise when a colleague had hit the floor with his head.
301. He stated that he saw PC Mills attempt to apply a ground pin hold which failed and then administer two distraction strikes to the “*centre torso of [Mr Begley’s] upper back using his clenched fists*”.
302. He stated that he heard PC Mills shouting at him, “*Release your arm, release your arm*”, before striking him twice “*on the centre of the back.*”
303. He stated that the strikes were “*not immediately one after the other*”. He stated that there was one strike but then PC Mills was “*still pulling at his [Mr Begley’s] arm at this point in time, he’s not releasing it, and he punches him again and then he managed to pull his arm out.*”
304. He stated that Mr Begley was then handcuffed to the rear, “*with hands facing out so it doesn’t apply a lot of pressure to the chest and back area.*” He stated that following the application of the handcuffs, Mr Begley was immediately placed in the recovery position and searched.

Account of PC Andrew Wright

305. At the inquest, PC Wright confirmed that he had heard the original call for police attendance but did not recall hearing the call for officers to slow down.
306. He stated that he discussed tactics with Officer 10, and they agreed that they would take a shield into the house.
307. He recalled entering the back room and seeing police officers on the floor surrounding Mr Begley attempting to restrain him.
308. He stated that he knelt down near to Mr Begley and offered to assist the other officers. He stated that PC Graham told him that he had Mr Begley's left arm under control, and PC Mills then gave a command to Mr Begley.
309. At the inquest, he stated that PC Mills ordered Mr Begley to stop struggling and free his arms. He described Mr Begley as offering passive resistance at this point, *"where if someone just lies on their belly, and if they've got their arms underneath them and they just let go their body weight."*
310. At the inquest, he described PC Mills giving Mr Begley one warning and then striking his lower back. PC Wright stated that he interpreted this as a distraction strike. He was asked if there was a second warning given prior to the second distraction strike, and replied, *"I remember it being continuous commands from PC Mills to free his arms and stop struggling."*

Account of Officer 10

311. Officer 10 stated that he entered the address carrying the shield, which he described as a personal shield measuring approximately three feet by two and a half feet.
312. He stated that, due to the time it took him to retrieve the shield and secure their vehicle, he was some twenty to thirty seconds behind PC Wright. He stated that, when he entered the address, he saw an officer in front of him in the doorway (understood to be PC Donnelly). He stated that he looked into the room briefly and saw Mr Begley on the floor with officers around him. He stated that he then stepped back out of the way, as he considered that there were sufficient officers there to deal with the situation.
313. He stated that he then went back outside and asked Mrs Begley about the location of the knife. He stated that she did not know where the knife was, but disclosed that Mr Begley had drunk a litre of vodka that day. Officer 10 stated that he passed this information to PC Donnelly, who then moved out of the doorway and started up the stairs. He stated that he then returned to the rear room to check if the situation was still under control. He stated that at this point Mr Begley was sitting up surrounded by the officers, and his breathing was *"somewhat erratic."*

> **Witness and subject accounts regarding how long Mr Begley was left face down in handcuffs**

314. At the inquest, PC Lee Moore stated that, after Mr Begley had been handcuffed, *“We take a sort of, we used to call it a Hamlet moment where you just, right, you take in the situation, what’s the next moment, right, let’s get on and deal with this...”*
315. When questioned about this term, he explained that the officers took a moment to allow themselves to gather their thoughts before going on to search for the knife and move Mr Begley into the recovery position.
316. In his written account to the IOPC, PC Lee Moore explained that he first heard the term *“Hamlet moment”* during his time in the military. He stated that the training instructors frequently used this term to describe a brief period of reflection and assessment during intense scenarios and training. He stated that it was never used in a derogatory sense, and he had never perceived it in that way. He stated that he had used this phrase during the inquest to describe the situation with Mr Begley, *“whilst under the pressure of a court room, in my own words.”*
317. The officers were asked in the inquest how long Mr Begley was left face down whilst handcuffed to the rear.
318. PC Lee Moore stated, *“probably about five seconds, if that.”*
319. PC Graham stated, *“thirty seconds at the very most and that’s probably being generous.”* He stated that, once it became clear that they had Mr Begley under control, they stepped back, assessed the situation and had a brief discussion, *“Only in so much as to establish that everybody is OK, everyone has achieved what they wanted in terms of detaining Jordan. No full blown conversation.”*
320. He stated that the officers then spoke to Mr Begley to prompt a reaction from him, but none was forthcoming. He stated that initially he was not concerned, but after a short time, he did grow concerned and they moved Mr Begley into the recovery position.
321. In interview, PC Wright stated that Mr Begley was left face down for *“seconds.”* At the inquest, he stated that he was left for *“the time it takes just to pat someone down, do the head to toe and roll them over.”* It was put to him that this was not the case, and that in fact Mr Begley had been left face down for thirty seconds to one minute. PC Wright denied that this was the case.
322. PC Fox stated that he saw the other officers move into position to move Mr Begley seconds after he had been handcuffed, at which point he left the room with the family dog.
323. Officer 7 stated that he could not be certain how long Mr Begley had been left in that position. When asked if it had been for thirty seconds or longer, he stated

that he “*couldn’t be exact,*” but that “*a minute would be rather a long time. It all happened very fast.*”

324. PC Donnelly stated that he had not seen Mr Begley in handcuffs, and did not know how long he had been left in that position.
325. In interview and at the inquest, PC Mills stated that Mr Begley was moved onto his side once the officers had control of him. He denied that he was left face down with his hands cuffed to the rear.
326. PC Graham and PC Lee Moore were also asked at the inquest whether any sarcastic or abusive comments were made to Mr Begley during this time.
327. PC Graham explained that he had wanted to elicit a reaction from Mr Begley, and had spoken to him for twenty or thirty seconds in an effort to prompt a response. He stated that he did not remember exactly what was said, but he recalled that the conversation started politely and then became “*slightly louder, maybe to some a bit of sarcasm to get a reaction.*” He was unable to provide a specific example when asked.
328. When asked if the conversation had progressed to abuse, PC Graham replied, “*No, no never.*” When asked if he drew the line at sarcasm, he said, “*Well sometimes yes that’s not uncommon just to get a response.*”
329. PC Lee Moore stated that he did not hear any sarcastic or abusive comments.
330. Officer 7, PC Donnelly, PC Fox and PC Wright were not questioned about this matter in interview or at the inquest.

> **Actions of officers after they recognised that Mr Begley was having difficulty breathing**

Account of Officer 7

331. Officer 7 stated that, when the officers lifted Mr Begley to his feet, he noticed a swelling and a lump above his eye in addition to the black eye he had seen earlier. He stated that this injury “*wasn’t bleeding but it was similar to a carpet burn, it appeared red and speckled and it was a good size swelling.*”
332. He stated that Mr Begley was making a rasping, snoring sound, and it was apparent to him that something was wrong with him. He stated that the officers in contact with Mr Begley immediately removed the handcuffs and moved him back to the floor, following which they conducted medical checks and positioned him on his back. He stated that the officers then began CPR and an ambulance was requested via police radio.
333. He recalled a defibrillator being brought into the property by one of the firearms officers and applied to Mr Begley. He stated that the defibrillator was automated, and it recommended that a shock be delivered to Mr Begley.
334. He stated that, at this point, a first responder paramedic entered the room and took over the treatment. He stated that there were a number of people in the room, so he decided to leave and go outside.

335. He stated that once outside, he spoke to Mrs Begley in the presence of Officer 9 and Officer 11. He stated that he told officers to use their radio earpieces so that Mrs Begley would not overhear any information about Mr Begley's condition and treatment. He stated that he then went back into the house and waited in the front room with PC Donnelly until [REDACTED] came to the address and asked them to attend the Post Incident Procedure³¹ (PIP) at the Central Park Police Station.

Account of PC Andrew Wright

336. In interview, PC Wright stated that, once Mr Begley was handcuffed, they moved him into the recovery position and checked him for a knife.

337. He stated that, as he looked at Mr Begley, he thought, "*That doesn't look right,*" and alerted his colleagues that something was wrong. He described Mr Begley's colour at this point as "*grey and ashen.*" He stated that they then removed the handcuffs and positioned Mr Begley against the fireplace³².

338. He stated,

"I recall myself requesting an ambulance on the radio and explaining why to the communications operator, cause there was a lot of traffic on the radio, so I actually remember pressing button one on our radios... I just said get us an ambulance to this address, got a white male, he's slipping in and out of consciousness. Need an ambulance.

I know [PC Donnelly and Officer 7] have taken a back row now. Again nothing against them it's just as firearms officers we're trauma trained to deal with basically ourselves getting shot or that type of thing, so we're higher trained. You know, it's not just standard first aid. We do a, you know, trauma course, refresh and that and carry the kit in the vehicles, so I think that they quite saw that straight away that obviously we were going into that mode, and it was, a couple of lads were doing the standard capillary refill test on him, they were, you know, pinching the ear, checking the pupils, just trying to get some type of reaction, to see what we were dealing with, cause first thing, dealt with it many times over the years, 'was he faking it to get his handcuffs back off,' will go through your mind, and at that type of time again, I know I said it, but I'm pretty sure I also overheard other people saying it, and I sent [Officer 10] to go and get our trauma [kit] out of the vehicle.

We started working on him. Working on him is terminology for carrying out trauma support and going through the MARCH³³ anagram [sic] for working out what's up with the person, which is, he'd been turned so that his legs were facing towards the table and his head was up towards the chair and he was obviously laid on his back at that stage. When the trauma [kit] has been brought back, the lads have carried on doing like the basic tests and not getting any response, and one of the first things what's done is the option for out of the kit bag and I remember two of the officers on my right hand side, I've basically ended up with my back to this wall here where you've got a basket, I don't remember a basket being there. I remember being knelt there for some considerable time with my

³¹ The Post Incident Procedure is a police protocol followed in incidents where a death or serious injury occurs. It is a process instigated to capture the best evidence possible following such incidents.

³² This is believed to be a reference to an enclosed chimney breast.

³³ MARCH stands for Massive haemorrhage, Airway, Respiratory, Circulation, and Hypothermia.

back against the wall, with the subject lay lengthways across me, and seen everybody coming in. In and out at that stage, and I was just get the oxygen out. These two were starting setting the oxygen up to put on him, and I just started CPR on him, chest compressions, straight away.

So as I was doing chest compressions, there was other officers getting out what we call a pulseominator [sic], which is like a little digital device which you put on a finger and it will give you the oxygen rate what's in your body, it will also give you your heart rate and that, so it will give you all the vital signs, and as part of our trauma we understand what them have got to be in between what the readings are and it will give you an idea of what's going on.

We've put that on and there was no readings, it wasn't even like lighting up, so again, the lads were going, it's not working, so one of the lads put it on his own finger and the vital signs came. So with that we knew that we were dealing with something serious and put it back onto his finger, and we kept getting intermediate readings off the pulsometer.

With that we've again, I know I did, but I also remember couple of lads straight away, as soon as they've seen that, as requesting go and get a defibrillator out of the vehicle as well.

I remember [Officer 10] coming back in the room with that and kneeling down to my left hand side, opening the kit. The kits are very simple to use. They are self-explanatory, anyway they are like a computer voice, once you open them, it will guide you through."

339. He stated that they continued to administer CPR and first aid until the paramedics arrived.

Account of PC Christopher Mills

340. In interview, PC Mills stated that, once Mr Begley was handcuffed, they moved him onto his side into a position similar to the recovery position.

341. He stated that Mr Begley was staring dead ahead, was not speaking to them, and "*something didn't look quite right.*" He stated that his breathing seemed to alter from "*a heightened state of breathing... to sort of longer deeper breaths, which didn't seem right.*"

342. He stated,

"Erm at that point we sort of became aware that something wasn't quite right with the male and [Officer 10] went out to get erm our trauma kit, it has oxygen on board. Erm, myself and [PC Wright] positioned him up... and tried to get some response out of him. Erm, I touched his eye, there was no response when I touched his eye. I flicked a light across his eyes, his pupils weren't moving, and I tried to get a carotid pulse and I couldn't get one.

I was soon became [sic] more concerned about his, erm, about his state at that point. Erm, he was err, the handcuffs were taken off and he was positioned on his back, erm, by that point, the trauma kit was back in and we got an oxygen mask on him, erm, and positioned himself so he had an open airway and erm err [PC Wright] used scissors to cut his t-shirt off and, erm, began CPR. Erm, er, erm, a mask and bag was then used and it was my role from that point to seal the

bag and mask around his face to make sure he was getting a seal, keep the airway open, erm, and err I sort of remained doing that.

Erm, I've missed out the defib, we had the defib in place pretty quick. The defib almost immediately said to give a shock, so he was shocked once with the defib, err, and then we continued with CPR. Erm, the rest of the lads present rotated their roles, but as I say, I stayed on keeping his airway and keeping the seal on that mask, and that was continued really. There was, there was a pulsometer used on one of his fingers, erm, which gave no reading to begin with, and one of the lads, I don't know which one it was, took it off and put it on one of his fingers to test it and it worked, and it went back on.

Erm so we kept up with that, and err, I'm not sure who it was, but somebody in our group obviously notified ambulance, I think that was a bit further back actually, I think I missed that bit out, erm, the paramedics arrived."

Account of PC David Graham

343. PC Graham stated that, after he was handcuffed, Mr Begley was breathing quite rapidly, but in a manner similar to any other detainee.
344. He stated that, shortly afterwards, he spoke to Mr Begley in an attempt to gain a response, and when no response was forthcoming, Officer 7 moved Mr Begley slightly to put him in the recovery position. He explained that, as Mr Begley was in a position similar to the recovery position already, Officer 7 only needed to bring one of Mr Begley's legs up and move his head slightly back to ensure that his airway was open.
345. PC Graham stated that, after just a few seconds, Mr Begley's breathing changed to the point that they became concerned. He stated that he sat Mr Begley up, and PC Mills performed some response checks. He stated that at this point, Officer 10 was asked to fetch the trauma kit.
346. PC Graham was unable to recall how Mr Begley's breathing changed, other than that it changed from "*quite quick heavy breathing.*"

Account of Officer 10

347. Officer 10 stated that he went outside to fetch the trauma kit from one of the armed response police vehicles. He stated that he returned to the rear room with the oxygen from the trauma kit, and was then asked to fetch the defibrillator, which he did.
348. He stated that on his return, officers were performing CPR on Mr Begley. He stated that the defibrillator was unpacked and a shock was administered to Mr Begley as recommended by the device, and then the officers continued CPR.

Account of Paramedic Mr B

349. Mr B stated that the officers were performing CPR when he entered the room, and had attached Mr Begley to their own automated defibrillator.
350. He stated that he asked the officers to continue administering CPR while he attached his defibrillator. He stated,
"I cannot be certain which officers carried out the CPR as there were so many of them and they, as trained, changed rescuer approximately every two minutes.

The quality of CPR that they undertook was excellent and I could tell that they had trained for this regularly.”

> Evidence in relation to the concerns raised by Mrs Begley

The injury to Mr Begley’s right eye

351. Officer 7 stated that he first saw the injury to Mr Begley’s right eye when the officers moved him following the restraint. He stated that his attention was drawn to this injury because he had not seen it when he was speaking to Mr Begley before he was Tasered. Officer 7 could not account for how Mr Begley had sustained this injury.
352. Officer 10 stated that, when he returned to the room with the oxygen from the trauma kit, he saw an injury over Mr Begley’s right eye, *“like a small lump, maybe a golf ball size”*, which was *“a bit inflamed.”*
353. PC Lee Moore stated that he heard a *“thud”* on entering the address, which he described as being similar to the noise when a colleague had hit the floor with his head. He described the injury as a *“big golf ball sized lump to his head.”* He stated that, on becoming aware of the injury, he left the house and spoke to Mrs Begley to find out whether it was a pre-existing injury. He stated that Mrs Begley confirmed that Mr Begley had a blackened left eye, but no pre-existing injury to his right eye.
354. PC Wright stated that, as he approached the address, he heard commands being given followed by a thud similar to the sound of somebody falling down. He stated that he noticed the injury to Mr Begley’s right eye when the officers began administering medical treatment to him. He stated that the injury looked as though Mr Begley *“had gone down face first and hit what I remember as being quite a coarse, rough carpet.”* He stated that there was *“an exact impression of the carpet on the swelling.”* He could not recall any conversation between the officers regarding how the injury had occurred.
355. Paramedic Mr B stated, *“I was informed by the officers, I do not recall which one, that the male had been ‘Tasered’ by them following an incident and that he had fallen to the ground hitting his head on the fireplace.”*
356. At the inquest, PC Wright confirmed that he had said that there was a fireplace in the room when he was interviewed by IOPC investigators. He stated that, having seen photographs of the room, he now knew that there was no fireplace. He explained that he had been shown a plan of the ground floor of the property in the interview, which included what he took to be a fireplace. He stated that he could not recall whether he had mentioned a fireplace on the night in question.
357. PC Graham was asked at the inquest whether he had heard the thud described by PC Wright and PC Moore. He stated that he *“certainly didn’t hear a thud.”*
358. PC Mills stated that he *“made an assumption”* that the injury *“was a carpet burn on his face. I made the assumption that it had happened when he’d been tasered and gone over, but this was just an assumption.”*
359. Dr D gave evidence at the inquest. When asked about the injury to Mr Begley’s right eye, she stated that the injuries were consistent with him *“moving a distance*

across the carpet with the head abrading on the surface.” She stated that the bruising and swelling around his right eye could only have been caused by trauma, including potentially as the result of a fall, or a blow to the area.

360. She stated that, *“because of the very close proximity of those injuries, clearly there has been trauma in that region and it may well be that the bruise is part and parcel of whatever it was or the abrading traumatic injury of force that has caused that graze as well to the outer ridge of the right eyebrow.”*
361. She stated that the injuries were consistent with a fall to the ground, whether from a standing or kneeling position. She stated that the level of force required was *“not what I might describe as trivial. There’s clearly been enough force there in order to break blood vessels and to cause the injury that we have.”*
362. She was asked whether the injury was consistent with a scenario in which Mr Begley had raised his head from the floor while in the prone position and then had his head forced back down to the floor. She stated, *“It could be, is the fundamental answer to that.”* She confirmed that there was no bruising or injury to the opposite side of Mr Begley’s head.

The allegation that officers searched the address

363. At the inquest, Mrs Begley stated that a number of items had been moved in the house and that officers appeared to have been *“rooting”* in the bedroom. In particular, she stated, a picture had been removed from the wall, two bottles, had been removed from under Mr Begley’s bed, wicker baskets had been removed from shelves and other wicker storage (bins) appeared to have been moved from their usual location in Mr Begley’s bedroom.
364. PC Donnelly was asked in interview whether he had gone upstairs, and replied, *“I don’t think so, no.”* He was questioned again at the inquest, and stated that he *“could not remember going upstairs”* and would have had no reason to do so.
365. PC Wright was asked whether he or anyone else had gone upstairs, and replied, *“Not to my knowledge.”*
366. Officer 10 stated at the inquest that he went back into the address after speaking to Mrs Begley, and saw PC Donnelly at the bottom of the stairs. He stated that PC Donnelly *“started going upstairs or headed halfway up the stairs. I’ve not continued to watch him; he could have just been getting out the way.”* He stated he had not seen whether PC Donnelly continued to the top of the stairs, as he had then gone into the back room.
367. Crime Scene Investigators and Crime Scene Managers conducted a forensic examination of the various scenes, including Mr Begley’s bedroom. A number of items were moved to assist in the search, and a number of items were seized. Amongst the items seized were two empty bottles.
368. Fingerprint analysis of the bottles found that none of the prints matched PC Donnelly’s fingerprints.

The allegation that the officers confused Mr Begley with another man

369. The IOPC obtained a GMP briefing document featuring another man [REDACTED]. This document, which is undated, includes a photograph of the other man [REDACTED]. The man in the photograph appears to be

- of a similar build to Mr Begley, [REDACTED]. The document also includes the details of the known home addresses of this man's [REDACTED] and a couple of known associates. All the addresses included in this briefing document were [REDACTED].
370. Officers were questioned as to whether they knew of this individual or recalled being briefed about him.
371. Officer 7 confirmed in his statement that the morning briefing mentioned a [REDACTED], who was wanted, and included a photograph. He stated that, when he saw Mr Begley, he knew that it was not the same person featured in the briefing.
372. At the inquest, he stated that he was “*aware at the time of [REDACTED] [REDACTED] being wanted. However, I had nothing to link the two. The information I had initially didn't suggest this was the same [REDACTED], the police communication room would normally indicate a wanted male. There was no such indication, I had no reason to believe he was [REDACTED].*” He denied questioning Mrs Begley about whether she [REDACTED].
373. In his statement and at the inquest, PC Lee Moore stated that he had not received a briefing at the start of his shift on the day of the incident. At the inquest, he explained that it was normal for firearms officers to receive a daily briefing, but this tended to concern firearms matters.
374. In interview, PC Donnelly stated that he had not received any briefing and had not previously been aware of anyone [REDACTED]. At the inquest, he stated that he had received a briefing on the day of the incident but did not recall the [REDACTED] being mentioned.
375. PC Fox, PC Graham, PC Wright, PC Mills, , Officer 9 and Officer 8 all denied any knowledge of the [REDACTED].
376. PC Graham, PC Fox, PC Mills and PC Wright were not asked about this matter at the inquest.

Analysis of the evidence

377. On receipt of the report, the decision maker will record his opinion on whether each subject has a case to answer for misconduct or gross misconduct, and on whether the performance of each such person is satisfactory. Within the analysis, I will not make any determinations about these matters.

> The initial Greater Manchester Police (GMP) response to Mrs Begley's 999 call

378. Mrs Begley called 999 at 8.16pm on 10 July 2013 to report that Mr Begley was armed with a knife and wanted to “*go out fighting.*”
379. The Dispatcher alerted officers to the incident at 8.18pm, and a number of officers confirmed that they were en route.

380. At 8.22pm, Officer 7 reported via radio that he could see Mr Begley outside the house. When asked if he had a knife, he replied, "*Can't see one at present.*" Shortly afterwards, he reported that he was speaking with Mr Begley and that he was "*quite calm.*" He stated that the other officers en route could slow down.
381. The Dispatcher relayed this message to the other officers. Some later stated that they heard and turned off their lights and sirens, but others stated that they did not recall hearing this update.
382. In summary, the evidence indicates that officers arrived at the scene six minutes after Mrs Begley called the police. No concerns have been identified in relation to the time officers took to respond, or in relation to their use of lights and sirens.

> The subsequent interaction between Mr Begley and the attending officers, including whether the Taser discharge was necessary, proportionate, and in accordance with national and local policy

383. The evidence indicates that Officer 7 and Officer 8 were the first to arrive, at 8.22pm. Officer 7 reported via radio that he could not see a knife at that time, and was speaking with Mr Begley who was "*quite calm.*"
384. Officer 7 later stated that Mr Begley was clearly angry when he first arrived, and complained that the officers were making him look "*like a grass,*" but showed his hands when asked. He stated that he was mindful that Mr Begley might still have a knife concealed elsewhere about his person, and accordingly kept his distance while they went indoors.
385. Officer 7 stated that Mr Begley remained agitated while explaining the situation with the money, but appeared willing to talk to him and said at one point, "*You're OK, you can stay.*"
386. Officer 9 and Officer 8 both confirmed that, although Mr Begley remained frustrated and angry, Officer 7 seemed to have a rapport with him.
387. Officer 7 and Officer 9 stated that Mr Begley became even angrier when she unwittingly revealed that his mother had called the police. (Mrs Begley confirmed in her statement that he had not wanted her to call the police, and so she had pretended that she was speaking to a friend.)
388. PC Donnelly stated that he heard Mr Begley shouting something about money and "*someone at work,*" when he first entered the house, but when Mr Begley saw him, he started shouting, "*Get out the house, you've no right to be in the house.*"
389. PC Donnelly stated that he believed Mr Begley was speaking to Officer 7. However, Officer 7 and Officer 8 both stated that Mr Begley reacted badly when he saw PC Donnelly. It is not clear from the evidence whether Mr Begley was unhappy because more officers were coming into the house, or whether he had a specific objection to PC Donnelly being there.

390. PC Donnelly stated that he told Officer 9 and Officer 8 to leave, because he could see that Mr Begley was engaging with Officer 7. He stated that he remained behind to provide Officer 7 with backup, in light of the information they had received about a possible knife.
391. In interview, PC Donnelly stated, “[Mr Begley] started shouting about some bank notes... I’ve said, ‘Well you need to come round here,’ and I’ve asked him about this knife.”
392. At the inquest, PC Donnelly did not say that he had asked Mr Begley to “come round here.” When questioned, he stated that he could not recall what he had actually said at the time. He stated, “The only way I can feasibly think why I’ve asked him to come round the table would be so he wasn’t facing the back of the kitchen, so he wasn’t going to be running back out.”
393. It should be noted that PC Donnelly has given inconsistent accounts in interview and at the inquest regarding whether he told Mr Begley to approach him or remain where he was.
394. Officer 7 stated that he did not recall PC Donnelly telling Mr Begley to “come round here,” and could see no reason why he would do so.
395. In interview and at the inquest, PC Donnelly stated that Mr Begley then began approaching him slowly, and put his hands into his pockets. He stated that he had not seen a knife at this point, and was concerned that Mr Begley might have a knife in his pocket. He stated that Mr Begley ignored his commands to stand still and show his hands, so he drew his Taser, aimed it, and told Mr Begley to remain still for a search. He stated that he warned Mr Begley that he would discharge the Taser if he made any sudden movements. He stated that Mr Begley initially obeyed but then moved forward again, and he backed away to maintain a distance between them. He stated that Mr Begley initially made “quite slow, methodical” progress around the table, culminating in one final quick step towards him. He stated that at that point, he discharged the Taser.
396. Officer 7 confirmed that Mr Begley approached PC Donnelly despite his warnings to remain where he was. However, significantly, he did not corroborate PC Donnelly’s account that Mr Begley had his hands in his pockets. In his statement, he stated that Mr Begley “assumed what I would call a fighting stance. He started to make his body larger, I could see his fists were clenching...” At the inquest, he stated that he could not recall seeing Mr Begley’s hands in his pockets and “would expect” to have remembered if this had been the case.
397. ACPO guidance on the use of Taser states,
“Where circumstances permit, officers should give a clear warning of their intent to use the Taser, giving sufficient time for the warnings to be observed, unless to do so would unduly place any person at risk, or would be clearly inappropriate or pointless in the circumstances of the incident.”
398. PC Peter Fox, PC David Graham and Officer 8 did not say that they heard PC Donnelly issue any warnings before firing the Taser.

399. However, Officer 7 confirmed that PC Donnelly issued repeated warnings. Officer 9 stated that she heard him say, “*Calm down*” and “*Stay back*”. Mrs Begley also stated that she heard PC Donnelly say, “*This is your third and final warning, step back*” (although she stated that Mr Begley was standing still with his arms by his sides at this point).
400. ACPO guidance on the use of Taser further states,
“Police officers shall give the clear verbal warning ‘Taser, Taser’ indicating to all persons in the vicinity that Taser is being discharged.”
401. Officer 7 stated that PC Donnelly moved backwards out of the room and out of his view, while Mr Begley continued to move forward, shouting aggressively. He stated that he then heard the words “*Taser, Taser, Taser*” followed by the sound of the Taser discharge.
402. Officer 9 and Officer 8 also corroborated PC Donnelly’s account that he shouted “*Taser, Taser*” at the time of the discharge. Mrs Begley stated that she did not hear this. PC Graham and PC Fox stated that they heard the discharge but did not recall hearing any warnings.
403. Mr A gave a very different account in his statement, as detailed above.
404. In some respects, Mr A’s evidence is consistent with the other witness accounts. For example, he recalled Mr Begley shouting, “*Get the fuck out of my house*” and described seeing an officer administering CPR. However, there are also a number of significant discrepancies in his evidence.
405. For example, Mr A described Mr Begley and his mother talking and laughing when the officers arrived, and stated that both seemed surprised by their appearance. Conversely, Mrs Begley stated that Mr Begley was agitated by this point, and that she was the one who called the police.
406. Mr A further stated that the officers threw Mrs Begley out of her own house when she tried to follow them inside. Conversely, Mrs Begley stated that she initially remained outside of her own accord, and later went inside twice. While she stated that the door was slammed behind her on the second occasion, she did not allege that any of the officers assaulted her.
407. Mr A stated that PC Donnelly came out of the house and fetched his Taser from the boot of his vehicle. Force policy states that Taser officers must carry their Tasers with them, in the approved holster or tactical vest. There is no other evidence from any source to suggest that PC Donnelly kept his Taser in the boot of his vehicle.
408. Mr A stated that he witnessed two separate Taser discharges, widely spaced, whereas the download data shows that there was only one discharge.
409. Finally, Mr A stated that he witnessed these events from a position outside the front gate to the house. He stated that nobody was standing in the doorway, and he had a clear view into the room. The floor plan of the address in Appendix 4 shows that the room in question was at the end of a hallway, and photographs of the scene show AFIDs in the hallway. This evidence indicates that PC Donnelly

would have been blocking the line of sight of anyone looking through the front door, and hence calls into question how much of the incident Mr A would realistically have been able to see.

410. Before the decision maker can form an opinion on whether the Taser discharge was justified, he will first need to consider how much weight can be attached to Mr A's account, as his evidence cannot be reconciled with the other eyewitness accounts.
411. Despite the conflicting eyewitness evidence, certain facts can be established from the available evidence. In particular, all witnesses³⁴ agreed that Mr Begley was initially standing by the table in the back room. Photographs of the scene indicate that PC Donnelly was standing in the hallway when he discharged the Taser, and the spacing of the Taser barbs indicates that Mr Begley was 69cm from the front of the Taser at that time. In this respect, the evidence supports PC Donnelly's and Officer 7's accounts that Mr Begley approached PC Donnelly, who backed away before discharging the Taser.
412. As outlined above, officers have a power to use reasonable force in self-defence, and the law allows for the pre-emptive use of force in circumstances where a person believes that they are about to be assaulted.
413. In law, the defendant's honestly held belief is central to the question of whether any use of force was reasonable. If it is determined that the defendant genuinely held a particular belief, then he is entitled to rely upon it in his defence, even if that belief was mistaken. The law also accepts that a person who is acting for a legitimate purpose may not be able to weigh to a nicety the exact measure of any necessary action.
414. In civil law, if the defendant made a mistake of fact, he can rely on that fact only if the mistake was a reasonable one to have made. If the decision maker concludes that the defendant's belief in a set of circumstances was genuine, mistaken, but reasonably mistaken, then the objective reasonableness of the force used will be assessed by reference to the defendant's belief.
415. It is not in dispute that Mr Begley was initially in possession of a knife. Mrs Begley stated that he dropped the knife when the police arrived, but there is no evidence from any source to suggest that any of the officers saw him do so.
416. PC Donnelly stated that Mrs Begley said she last saw the knife on the kitchen table. He stated that when he went into the house, Mr Begley was standing by a table in "*a kind of a kitcheney [sic] dining room*" which had bank notes on it, but no knife.
417. In interview and in the inquest, PC Donnelly stated that he formed a mental picture of a steak knife from speaking to Mrs Begley. While Mrs Begley later described it as a "*potato knife*," there does not appear to be any dispute that it was a knife capable of inflicting injury. Mrs Begley stated that she believed Mr Begley picked up the knife with the intention of fighting and/or defending himself.

³⁴ With the exception of Mr A, who gave a substantively different account of the incident.

418. In interview, PC Donnelly explained why he considered that other tactical options would not have been appropriate in the circumstances.
419. PC Donnelly stated that he believed he activated the Taser for two successive five-second cycles. However, the download data shows that there was only one discharge of between 8.10 and 9.09 seconds.
420. PC Donnelly's rationale for keeping his finger on the trigger was that Mr Begley had not *"gone down as if he's gonna stay still as to listen to what we're going to say."* He clarified that Mr Begley was *"still kicking"*, and he believed he was going to get back up. He stated that he still could not see exactly what Mr Begley had in his hand, and *"didn't want him getting up after the first five seconds and going in his pockets cause right at this time I didn't know whether [the other officers] had come in."* He gave a similar explanation at the inquest.
421. ACPO guidance on the use of Taser states, *"The duration of the initial discharge and any subsequent discharge must be proportionate, lawful, appropriate, necessary and non-discriminate, in all the circumstances. The decision to use the Taser is an individual one for which the officer will be accountable."*
422. The guidance states that users should avoid *"prolonged, extended, uninterrupted discharges or extensive multiple discharges whenever practicable in order to minimise the potential for over-exertion of the subject or potential impairment of full ability to breathe over a prolonged time period"*. However, it also warns that a subject may recover immediately when the device stops cycling, and *"could continue with their previous behaviour."*
423. In summary, PC Donnelly has outlined the factors that informed his decision to discharge his Taser at that moment, and his decision to continue activating the device for a further four to five seconds after Mr Begley had fallen to the ground.
424. One of these factors was that Mr Begley had his hands in his pockets. At the inquest, PC Donnelly initially stated that, if Mr Begley's hands had been visible, he would not have fired the Taser. However, when questioned further, he stated, *"If I still thought the knife was in his possession, then yes, I would have."*
425. As outlined above, Officer 7 did not corroborate PC Donnelly's account that Mr Begley had his hands in his pockets. However, he did express the view that the Taser discharge was proportionate, and the only available option in the circumstances.
426. It will fall to the decision maker to consider whether, based on the available evidence, PC Donnelly has a case to answer for excessive use of force in respect of his initial decision to discharge the Taser, and/or in respect of his subsequent decision to extend the automatic five-second cycle after Mr Begley had already fallen to the ground.

> **Whether the restraint was necessary, proportionate, and in accordance with national policy**

427. The above-mentioned law in relation to self-defence and pre-emptive strikes can also be applied to the officers' use of force during the restraint. Moreover, Section 3 of the Criminal Law Act 1967 sets out in statute what was already established by way of common law in respect of use of force as is reasonably necessary to protect oneself, another or property³⁵.
428. As outlined above, Mr A's account of the restraint differs significantly from the other eyewitness accounts. Before the decision maker can form an opinion in relation to the restraint, he will first need to consider how much weight can be attached to Mr A's account.
429. The other available eyewitness accounts also differ in some respects. PC Mills stated that Mr Begley resisted restraint by holding his right arm underneath his body, and PC Fox stated that Mr Begley was kicking his legs. However, PC Graham stated that Mr Begley offered "*minimal*" resistance when he gained control of his left arm.
430. In interview, PC Mills stated that PC Fox was trying to gain control of Mr Begley's right arm while also controlling his legs. However, PC Fox stated that he did not take hold of Mr Begley's right arm until after PC Mills had delivered the two distraction strikes.
431. PC Donnelly and Officer 7 both witnessed at least part of the restraint. Officer 7 stated that Mr Begley was resisting by tensing his body and pulling his arms underneath him, and PC Donnelly stated that he was "*kicking out arms and legs.*"
432. All officers agreed that Mr Begley was restrained very quickly following the Taser discharge. PC Graham and PC Donnelly stated that they did not see PC Mills deliver the two distraction strikes, but PC Mills did not dispute that this happened.
433. PC Mills stated in interview that he knelt on Mr Begley's right shoulder before trying to pull his arm out from underneath him. At the inquest, he stated that he had used "*some*" of his body weight, but "*wouldn't like to say how much.*" He stated that his body weight would not have prevented PC Fox from drawing Mr Begley's arm out from underneath him.
434. Mr Begley was five foot ten inches tall, and at the time of his death, he weighed approximately ten stone and one and a half pounds.
435. However, as PC Mills explained, the officers also believed he was in possession of a knife, which "*could well have been underneath him, and that was obviously part of our threat assessment.*" PC Mills acknowledged that Mr Begley was small in stature compared to the officers, but stated, "*you get little lads that are, that, that possibly on drugs or whatever, and they fight.*"

³⁵ R. v Duffy [1967] 1 Q.B. 63, 50 Cr.App.R. 68, CCA

436. As detailed above, the eyewitness accounts vary regarding the degree of resistance that Mr Begley offered, and there is no evidence that would assist in determining his upper body strength at that time.
437. In interview and at the inquest, PC Mills stated that he ordered Mr Begley to release his arm, delivered a strike, repeated the command and then delivered a second strike, which was successful.
438. At the inquest, PC Fox stated that he heard PC Mills say, "*Release your hands, release your hands*" before delivering "*two quick strikes*." When questioned as to whether there was a gap between the strikes, PC Fox stated, "*I just remember him shouting 'release your arms' and there were two strikes. Whether there was something said in between, I can't recall.*"
439. PC Andrew Wright described PC Mills giving Mr Begley one warning and then striking his lower back. He was asked if there was a second warning given prior to the second distraction strike, and replied, "*I remember it being continuous commands from PC Mills to free his arms and stop struggling.*"
440. With regard to the degree of force used during the restraint: during the post mortem, Dr D noted that Mr Begley's injuries included marks on his forehead, bruising and swelling to his right upper eyelid, an abrasion at the lateral end of his right eyebrow, "*stippled and striped*" bruising above his right eyebrow, and two deep bruises below his right shoulder blade.
441. She concluded that the marks to his back could have been caused by the distraction blows, and the injuries to the right side of his face were "*obviously 'carpet burns' caused by the carpet abrading his face when he lay on the floor during the attempted arrest.*"
442. The officers confirmed that Mr Begley moved during the restraint. They were not able to say whether he moved of his own accord, but PC Fox did comment that, given the number of officers restraining him, he thought that Mr Begley would not have been able to move on his own to any significant degree.
443. At the inquest, Dr D stated that the level of force required was "*not what I might describe as trivial. There's clearly been enough force there in order to break blood vessels and to cause the injury that we have.*" She was asked whether the facial injury could have been caused by Mr Begley having his head forced down to the floor while in the prone position, and stated, "*It could be, is the fundamental answer to that.*"
444. With regard to the duration of the restraint: police radio transmissions show that PC Donnelly reported the Taser discharge at 8.29.21pm, and PC Wright requested an ambulance one minute and twenty-seven seconds later, at 8.30.48pm. Some allowance should be made for the possibility that PC Donnelly did not report the Taser discharge immediately; however, an allowance should also be made for the time it would have taken officers to realise that Mr Begley was unwell enough to need an ambulance.

445. During the post-mortem, Dr D noted that Mr Begley did not have any injuries that were indicative of a prolonged and violent struggle, or a period of prolonged restraint.
446. In summary, it will fall to the decision maker to consider whether, based on the available evidence, PC Mills has a case to answer for excessive use of force.
447. The other officers were not served with notices of investigation, and therefore were not subjects. Accordingly, it is not open to the decision maker to consider whether they also have a case to answer. However, the decision maker may wish to consider expressing a view on whether the evidence supports a finding, on the balance of probabilities, that the restraint as a whole was disproportionate.

> Whether the care that officers provided to Mr Begley was in line with national and/or local policy, including national and local guidance on Taser aftercare

448. There is no evidence that the officers reassured Mr Begley and encouraged him to breathe normally, as recommended by the ACPO guidance. However, all officers confirmed that it quickly became apparent that Mr Begley was seriously unwell, at which point medical treatment became a priority.
449. As outlined previously, police radio transmissions show that PC Donnelly reported the Taser discharge at 8.29.21pm, and PC Wright requested an ambulance at 8.30.48pm.
450. The defibrillator download data shows that the device was switched on at 8.39.20pm. The device advised delivering a shock to Mr Begley at 8.39.42pm, and a shock was delivered at 8.40.02pm, after the device had finished charging. The device also issued prompts to perform CPR.
451. The delay between the request for the ambulance and the activation of the defibrillator may be attributable to the fact that, according to the officer accounts, Mr Begley was still conscious and breathing initially following the restraint.
452. PC Mills stated that Mr Begley appeared to lose consciousness while Officer 10 was fetching the trauma kit. He stated that he was not responding to light or pain stimuli, and he could not find a pulse. He stated that they administered medical treatment including CPR, oxygen and a defibrillator shock, and continued performing CPR until the paramedics arrived.
453. Officer 10 confirmed that, when he returned to the rear room with the oxygen from the trauma kit, he was asked to fetch the defibrillator. He stated that on his return, officers were performing CPR on Mr Begley. He stated that the defibrillator was unpacked and a shock was administered to Mr Begley as recommended by the device, and then the officers continued CPR.
454. Paramedic Mr B stated that the officers were performing CPR when he entered the room. He stated, *“The quality of CPR that they undertook was excellent and I could tell that they had trained for this regularly.”*

455. In summary, it will fall to the decision maker to consider whether, based on the available evidence, any of the officers have a case to answer in respect of this matter.

> Whether there are any notable discrepancies between the officers' evidence in interview and at the inquest

456. With the exception of the change in PC Donnelly's evidence as to whether he told Mr Begley to "*come round here*," this investigation has not identified any significant discrepancies between the evidence that the officers gave to the IOPC, and the evidence that they gave at the inquest.

457. However, it should be noted that some questions were put to the officers in the inquest that were not put to them in interview, and some aspects of the officers' accounts were challenged at the inquest, but not in interview.

458. In summary, it will fall to the decision maker to consider whether, based on the available evidence, there were any notable discrepancies between the officers' evidence in interview and at the inquest.

> The other concerns raised by Mr Begley's family

459. Mrs Begley raised concerns about Mr Begley's facial injuries, whether the officers searched the address, and whether they confused Mr Begley with another man.

460. As outlined above, Dr D identified that Mr Begley had a number of facial injuries in addition to the pre-existing bruising to his left eye. However, she was not able to say whether Mr Begley sustained the bruising and swelling around his right eye when he fell following the Taser discharge, or during the subsequent restraint.

461. Dr D stated that, "*because of the very close proximity of those injuries, clearly there has been trauma in that region and it may well be that the bruise is part and parcel of whatever it was or the abrading traumatic injury of force that has caused that graze as well to the outer ridge of the right eyebrow.*"

462. She stated that the level of force required was "*not what I might describe as trivial. There's clearly been enough force there in order to break blood vessels and to cause the injury that we have.*"

463. She stated that the injuries were consistent with a fall to the ground, whether from a standing or kneeling position. At the inquest, she stated that they "*could*" also have been caused by Mr Begley having his face forced back down to the floor while in the prone position.

464. The officers denied searching the address. No officers were seen on the upper floor of the property, and PC Donnelly's fingerprints were not found on the two bottles in Mr Begley's room.

465. Officer 7 confirmed in his statement that the morning briefing mentioned [REDACTED], who was wanted, and included a photograph. He stated that when he saw Mr Begley, he knew that it was not the same person featured in the briefing.
466. None of the other officers gave evidence that they recalled being briefed on [REDACTED], and none stated that they had confused the two men.
467. The officers were not informed via radio that Mr Begley was already wanted by police. As Officer 7 observed, *“the police communication room would normally indicate a wanted male. There was no such indication.”*

> PC Lee Moore’s comment at the inquest

468. At the inquest, PC Lee Moore stated that, after Mr Begley had been handcuffed, *“We take a sort of, we used to call it a Hamlet moment where you just, right, you take in the situation, what’s the next moment, right, let’s get on and deal with this...”*
469. In his written account to the IOPC, he explained that he first heard the term *“Hamlet moment”* during his time in the military. He stated that the training instructors frequently used this term to describe a brief period of reflection and assessment during intense scenarios and training. He stated that it was never used in a derogatory sense, and he had never perceived it in that way. He stated that he had used this phrase during the inquest to describe the situation with Mr Begley, *“whilst under the pressure of a court room, in my own words.”*
470. It will fall to the decision maker to consider whether PC Lee Moore has a case to answer for misconduct in respect of this matter.

> Next steps

471. The decision maker must now set out his views on the investigation outcomes in a separate opinion document.
472. The decision maker will also decide whether any organisational learning has been identified that should be shared with the organisation in question.

> Criminal offences

473. On receipt of my report, the decision maker must decide if there is an indication that a criminal offence may have been committed by any person to whose conduct the investigation related.
474. If he decides that there is such an indication, he must decide whether it is appropriate to refer the matter to the CPS.

475. While the inquest jury concluded that the Taser discharge and subsequent restraint were a contributory factor in Mr Begley’s death, the physical injuries that can be directly linked to these events are comparatively superficial. As such, the only charge that the CPS would be able to consider in respect of either officer would be one of common assault.
476. The decision maker will need to consider whether the evidence in relation to PC Donnelly and PC Mills is sufficient to justify a referral to the CPS for advice on a charge of common assault, given that the statutory six-month time limit for a prosecution has now passed.

> Summary for publication

477. The following summaries are of the incident and our investigation. If the decision is made to publish the case on the IOPC website, this text will be used for that purpose. This text is included in the investigation report so the AA can provide their representations regarding redactions.

Section of summary	Text
Summary of incident	<p>At 8.16pm on 10 July 2013, a woman called 999 to request police assistance at her address. She stated that neighbours had accused her son of stealing, and that he wanted “<i>to go out fighting.</i>” She stated that he was in possession of a knife.</p> <p>A number of officers attended in response to the call, and some accompanied the man inside the house. According to the officers, the man became angry and shouted at the officers to leave, and then approached an officer, who discharged his Taser. The man was taken to the ground and restrained. Another officer delivered two distraction strikes before officers handcuffed the man to the rear.</p> <p>The officers stated that the man very quickly became unwell, and appeared to be struggling to breathe. They requested an ambulance, and the man was taken to Manchester Royal Infirmary. He was pronounced dead at 10pm on 10 July 2013.</p> <p>This matter first came to the attention of the IOPC on 11 July 2013. At that time, the IOPC decided to carry out an independent investigation.</p> <p>On 23 April 2014, the IOPC concluded that none of the attending officers had a case to answer for misconduct or gross misconduct.</p> <p>In July 2015, an inquest was held into the man’s death. The jury at the inquest criticised the use of force by the attending officers, and concluded that the Taser discharge</p>

	<p>and subsequent restraint had contributed to the man's death.</p> <p>In light of the inquest findings, the IOPC applied to the High Court to quash its own decision. The application was approved on 25 November 2016, and the IOPC then carried out a reinvestigation.</p>
<p>Summary of investigation</p>	<p>IOPC investigators reviewed all of the evidence obtained during the original investigation, and the evidence that the officers provided during the inquest. They invited the officers to provide a further account of the incident, either in interview or in writing, but all declined.</p>

Jordan Begley*

Investigation into the death of a man on 10 July 2013, after he was Tasered and restrained by Greater Manchester Police officers

* This report refers to the deceased as Jordan Begley, his registered name. He was also known as 'Jordon'.

- > Independent investigation report
- > Appendices

> Appendix 1: The role of the IOPC

The IOPC carries out its own independent investigations into complaints and incidents involving the police, HM Revenue and Customs (HMRC), the National Crime Agency (NCA) and Home Office immigration and enforcement staff.

We are completely independent of the police and the government. All cases are overseen by the Director General (DG), who has the power to delegate their decisions to other members of staff in the organisation. These individuals are referred to as DG delegates, or decision makers, and they provide strategic direction and scrutinise the investigation.

> The investigation

At the outset of an investigation, a lead investigator will be appointed, who will be responsible for the day-to-day running of the investigation on behalf of the DG. This may involve taking witness statements, interviewing subjects to the investigation, analysing CCTV footage, reviewing documents, obtaining forensic and other expert evidence, as well as liaison with the coroner, the CPS and other agencies.

They are supported by a team, including other investigators, lawyers, press officers and other specialist staff.

Throughout the investigation, meaningful updates are provided to interested persons and may be provided to other stakeholders at regular intervals. Each investigation also passes through a series of reviews and quality checks.

The IOPC investigator often makes early contact with the CPS and is sometimes provided with investigative advice during the course of the investigation. However, any such advice will usually be considered to be confidential.

> Investigation reports

Once the investigator has gathered the evidence, they must prepare a report. The report must summarise and analyse the evidence, and refer to or attach any relevant documents.

The report must then be given to the decision maker, who will decide if a criminal offence may have been committed by any person to whose conduct the investigation related, and whether it is appropriate to refer the case to the CPS for a charging decision.

The decision maker will also reach an opinion about whether any person to whose conduct the investigation related has a case to answer for misconduct or gross misconduct, or no case to answer, or whether any such person's performance was

unsatisfactory. The decision maker will also decide whether to make individual or wider learning recommendations for the police.

> **Misconduct proceedings**

The report and decision maker's opinion must be given to the appropriate authority (normally the police force) responsible for the individuals to whose conduct the investigation related. The appropriate authority must then inform the decision maker whether any person to whose conduct the investigation related has a case to answer for misconduct or gross misconduct, or no case to answer, or whether any such person's performance was unsatisfactory, and what action they propose to take, if any. The decision maker must consider whether the appropriate authority's response is appropriate, and has powers to recommend or ultimately direct it to bring misconduct proceedings or unsatisfactory performance procedures (UPP).

Unsatisfactory performance will be dealt with through the police force's UPP. UPP is generally handled by the person's line manager and is intended to improve the performance of both the individual and police force.

> **Criminal proceedings**

If there is an indication that a criminal offence may have been committed by any person to whose conduct the investigation related, the IOPC may refer that person to the CPS. The CPS will then decide whether to bring a prosecution against any person. If they decide to prosecute, and there is a not guilty plea, there may be a trial. Relevant witnesses identified during our investigation may be asked to attend the court. The criminal proceedings will determine whether the defendant is guilty beyond reasonable doubt.

> **Inquests**

Following investigations into deaths, the IOPC's investigation report and supporting documents are usually provided to the coroner. The coroner may then hold an inquest, either alone or with a jury. This hearing is unlike a trial. It is a fact-finding forum and will not determine criminal or civil liability. A coroner might ask a selection of witnesses to give evidence at the inquest. At the end of the inquest, the coroner and/or jury will decide how they think the death occurred based on the evidence they have heard and seen.

The inquest into the death of Mr Jordan Begley has already concluded.

> Publishing the report

After all criminal proceedings relating to the investigation have concluded, and at a time when the IOPC is satisfied that any other misconduct or inquest proceedings will not be prejudiced by publication, the IOPC may publish its investigation report, or a summary of this.

Redactions might be made to the report at this stage to ensure, for example, that individuals' personal data is sufficiently protected.

Appendix 2: National Decision Model



Application

The National Decision Model (NDM) is suitable for all decisions and should be used by everyone in policing. It can be applied:

- to spontaneous incidents or planned operations
- by an individual or team of people
- to both operational and non-operational situations.

Decision makers can use the NDM to structure a rationale of what they did during an incident and why.

Managers and others can use it to review decisions and actions, and promote learning.

In a fast-moving incident, the police service recognises that it may not always be possible to segregate thinking or response according to each phase of the model. In such cases, the main priority of decision makers is to keep in mind their overarching mission to act with integrity to protect and serve the public.

The model

The NDM has six key elements. Each component provides the user with an area for focus and consideration. The element that binds the model together is the Code of Ethics at the centre.

Code of Ethics

The NDM puts the Code of Ethics at the heart of all police decision making. This distinguishes the NDM from other decision-making models and recognises the need for all police decisions to be consistent with the principles and standards of behaviour set out in the Code.

Policing principles

The policing principles originate from the Principles of Public Life developed by the Committee on Standards in Public Life in 1995. The Code of Ethics includes the principles of 'fairness' and 'respect' as research has shown these to be crucial to maintaining and enhancing public confidence in policing.

Accountability – You are answerable for your decisions, actions and omissions

Fairness – You treat people fairly

Honesty – You are truthful and trustworthy

Integrity – You always do the right thing

Leadership – You lead by good example

Objectivity – You make choices on evidence and your best professional judgement

Openness – You are open and transparent in your actions and decisions

Respect – You treat everyone with respect

Selflessness – You act in the public interest

Standards of professional behaviour

These standards originate from the Police (Conduct) Regulations 2012 (for police officers) and the Police Staff Council Joint Circular 54 (for police staff). They reflect the expectations that the College of Policing and the public have of the behaviour of those working in policing.

1. **Honesty and integrity** — I will be honest and act with integrity at all times, and will not compromise or abuse my position.
2. **Authority, respect and courtesy** — I will act with self-control and tolerance, treating members of the public and colleagues with respect and courtesy. I will use my powers and authority lawfully and proportionately, and will respect the rights of all individuals.
3. **Equality and diversity** — I will act with fairness and impartiality. I will not discriminate unlawfully or unfairly.
4. **Use of force** — I will only use force as part of my role and responsibilities, and only to the extent that it is necessary, proportionate and reasonable in all the circumstances.
5. **Orders and instructions** — I will, as a police officer, give and carry out lawful orders only, and will abide by police regulations. I will give reasonable instructions only, and will follow all reasonable instructions.
6. **Duties and responsibilities** — I will be diligent in the exercise of my duties and responsibilities.
7. **Confidentiality** — I will treat information with respect, and access or disclose it only in the proper course of my duties.

8. **Fitness for work** — I will ensure, when on duty or at work, that I am fit to carry out my responsibilities.
9. **Conduct** — I will behave in a manner, whether on or off duty, which does not bring discredit on the police service or undermine public confidence in policing.
10. **Challenging and reporting improper behaviour** — I will report, challenge or take action against the conduct of colleagues which has fallen below the standards of professional behaviour.

Six key elements (CIAPOAR)

The mnemonic CIAPOAR can help users to remember the six key elements of the NDM. It also acts as an aide-memoire in aspects of decision making.

Code of Ethics – Principles and standards of professional behaviour

Information – Gather information and intelligence

Assessment – Assess threat and risk and develop a working strategy

Powers and policy – Consider powers and policy

Options – Identify options and contingencies

Action and review – Take action and review what happened

Code of Ethics

The Code of Ethics sets out the policing principles that members of the police service are expected to uphold and the standards of behaviour they are expected to meet. Many forces have their own values statements which are complementary to the Code of Ethics.

Throughout a situation, decision makers should ask themselves:

- Is what I am considering consistent with the Code of Ethics?
- What would the victim or community affected expect of me in this situation?
- What does the police service expect of me in this situation?
- Is this action or decision likely to reflect positively on my professionalism and policing generally?
- Could I explain my action or decision in public?

Information – gather information and intelligence

During this stage the decision maker defines the situation (ie, defines what is happening or has happened) and clarifies matters relating to any initial information and intelligence.

Decision makers (ie, potentially everyone in policing) could ask themselves:

- What is happening?
- What do I know so far?
- What do I not know?
- What further information (or intelligence) do I want/need at this moment?

Assessment – assess threat and risk and develop a working strategy

This analytical stage involves assessing the situation, including any specific threat, the risk of harm and the potential for benefits. Among other things decision makers should consider the objectives of preventing discrimination, promoting good relations and fostering equal opportunities.

Develop a working strategy to guide subsequent stages by asking:

- Do I need to take action immediately?
- Do I need to seek more information?
- What could go wrong (and what could go well)?
- What is causing the situation?
- How probable is the risk of harm?
- How serious would it be?
- Is that level of risk acceptable?
- Is this a situation for the police alone to deal with?
- Am I the appropriate person to deal with this?
- What am I trying to achieve?
- Will my action resolve the situation?

Powers and policy – consider powers and policy

This stage involves considering the powers, policies and legislation that could apply in this particular situation.

Decision makers could ask themselves:

- What police powers might be required?
- Is there any national guidance covering this type of situation?
- Do any local organisational policies or guidelines apply?
- What legislation might apply?
- Is there any research evidence?

It may be reasonable to act outside policy as long as there is a good rationale for doing so.

Options – identify options and contingencies

This stage involves considering the different ways to make a particular decision (or resolve a situation) with the least risk of harm.

Decision makers should consider:

- the options that are open
- the immediacy of any threat
- the limits of information to hand
- the amount of time available
- the available resources and support
- their own knowledge, experience and skills
- the impact of potential action on the situation and the public
- what action to take if things do not happen as anticipated.

If decision makers have to account for their decisions, will they be able to say they were:

- proportionate, legitimate, necessary and ethical?
- reasonable in the circumstances facing them at the time?

Action and review – take action and review what happened

This stage has two distinct steps. At the action step, decision makers are required to make and implement appropriate decisions. The review step requires decision makers to review and reflect on what happened once an incident is over.

Action

Respond:

- Implement the option you have selected.
- Does anyone else need to know what you have decided?

Record:

- If you think it is appropriate, record what you did and why.

Monitor:

- What happened as a result of your decision?
- Was it what you wanted or expected to happen?

If the incident is continuing, go through the NDM again as necessary.

Review

If the incident is over, review your decisions, using the NDM. What lessons can you take from how things turned out and what might you do differently next time? If appropriate, evaluate the impact of the decision on outcomes.

Recording decision making

Decision makers are accountable for their decisions and must be prepared to provide a rationale for what they did and why. In some circumstances the need to document decisions is prescribed by statute, required by organisational strategies, policies or local practices, or left to the decision maker's discretion.

Whatever the circumstances, the police service recognises that it is impossible to record every single decision and that not all decisions need to be recorded. In most instances professional judgment should guide officers on whether or not to record the rationale, as well as the nature and extent of any explanation.

The record should be proportionate to the seriousness of the situation or incident, particularly if this involves a risk of harm to a person.

Decision makers may find the mnemonic CIAPOAR provides a useful structure for recording the rationale behind their decisions (eg, brief notes in notebooks against individual letters). Any notes should be proportionate to the situation.

C – the principles and standards of the Code of Ethics considered during decision making

I – information and intelligence known about the situation

A – how it was assessed and what the working strategy was

P – any powers, policies, legislation that applied

O – the main options considered

A – the decision made or action taken

R – the resulting outcome

CIAPOAR may also be useful when describing or reviewing a decision.

Reviewing decision making

The NDM can be useful for examining decisions made and action taken, whether by a supervisor or during an informal investigation or a formal inquiry.

Code of Ethics

- How were the principles and standards of professional behaviour demonstrated during the situation?

Information

- What information or intelligence was available?

Assessment

- What factors (potential benefits and harms) were assessed?
- What threat and risk assessment methods were used (if any)?
- Was a working strategy developed and was it appropriate?

Powers and policy

- Were there any powers, policies and legislation that should have been considered?
- If policy was not followed, was this reasonable and proportionate in the circumstances?

Options

- How were feasible options identified and assessed?

Action and review

- Were decisions proportionate, legitimate, necessary and ethical?
- Were decisions reasonable in the circumstances facing the decision maker?
- Were decisions communicated effectively?
- Were decisions and the rationale for them recorded as appropriate?
- Were decisions monitored and reassessed where necessary?
- What lessons can be learnt from the outcomes and how the decisions were made?

Appendix 3: Timeline of events

8:16pm – Initial 999 call

8:17pm – First officers dispatched to the scene

8:23:52pm – Officer 7 confirms the man is “quite calm” and states “slow patrols down”

8:24:12pm – Airwaves operator confirms that patrols can slow down

8:25:26pm – An unknown male voice can be heard on the radio to conform that firearms officers have authority to attend as Taser officers.

08:29:21pm – PC Donnelly confirms over the radio that “Taser deployed”

8:30:48pm – PC Wright makes a request for an ambulance to attend the location

8:32pm – the request for an ambulance is noted on the incident log

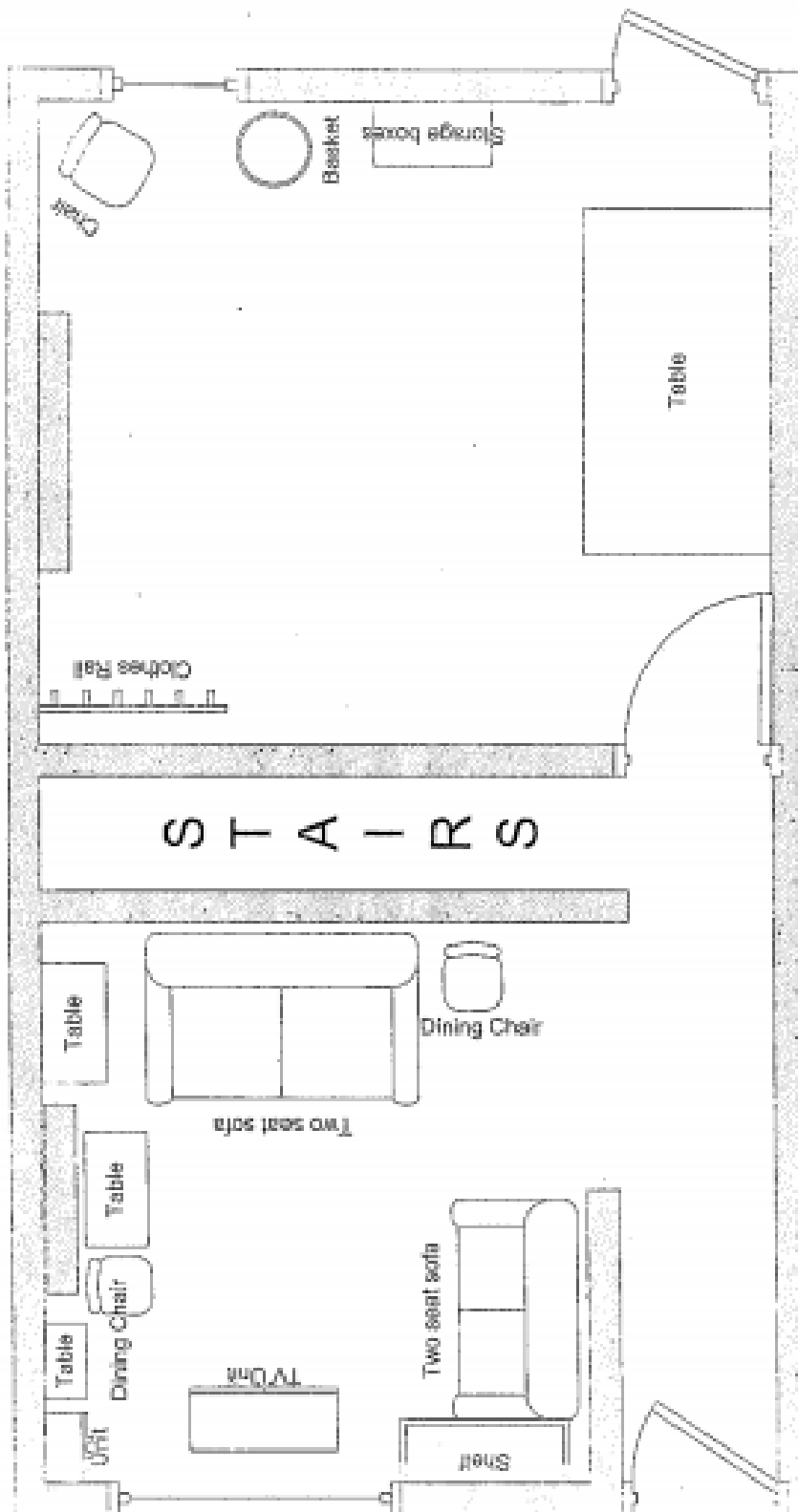
8:34:55pm – Officer 7 requests via radio that the ambulance be “put on hurry up”

8:40:52pm – PC Donnelly confirms paramedics are on scene

9:14pm – Paramedics transport Mr Begley to Manchester Royal Infirmary.

10.00pm – Mr Begley is pronounced dead.

Appendix 4: Floor plan of 5 Beard Road



Appendix 4: Terms of reference

1. To investigate the circumstances and events leading up to the death of Mr Jordan Lee Begley including :
 - The initial Greater Manchester Police (GMP) response to a call to 5 Beard Road on the evening of Wednesday 10 July 2013.
 - The subsequent interaction between Mr Begley and police officers attending 5 Beard Road and the decision to deploy Taser against him.
 - The use of Taser in these circumstances and whether it was necessary and, proportionate and whether all national and local policies in respect of Taser deployment and use were complied with (including the aftercare of Mr Begley).
 - The use of restraint in these circumstances and whether it was proportionate and in line with national policies.
 - To ascertain whether the care provided to Mr Begley by police after he became unwell was in line with national and/or local policy.
2. To consider whether there are any notable discrepancies (as alleged by Mr Begley's family) in the evidence provided by police officers to the previous IPCC investigation and/or the coroner's inquest into the death of Mr Begley.
3. To assist in fulfilling the state's investigative obligation arising under the European Convention of Human Rights (ECHR) by ensuring as far as possible that the investigation is independent, effective, open and prompt, and that the full facts are brought to light and any lessons are learned.
4. To identify whether any subject of the investigation may have committed a criminal offence and, if appropriate, make early contact with the Director of Public Prosecutions (DPP). On receipt of the final report, the Commissioner shall determine whether the report should be sent to the DPP.
5. To identify whether any subject of the investigation, in the investigator's opinion, has a case to answer for misconduct or gross misconduct, or no case to answer.
6. To consider and report on whether there is organisational learning, including:
 - whether any change in policy or practice would help to prevent a recurrence of the event, incident or conduct investigated;
 - whether the incident highlights any good practice that should be shared

These terms of reference were approved by Commission Delegate Ian Todd on 02 March 2017.