


ANNEX A

REGULATION 28: REPORT TO PREVENT FUTURE DEATHS (1)

*NOTE: This form is to be used **after** an inquest.*

	<p>REGULATION 28 REPORT TO PREVENT FUTURE DEATHS</p> <p>THIS REPORT IS BEING SENT TO:</p> <p>1. Mark Gilmore, Chief Constable for West Yorkshire Police Force</p>
1	<p>CORONER</p> <p>I am Miss Melanie J Williamson, Assistant Coroner, for the coroner area of West Yorkshire (Eastern)</p>
2	<p>CORONER'S LEGAL POWERS</p> <p>I make this report under paragraph 7, Schedule 5, of the Coroners and Justice Act 2009 and regulations 28 and 29 of the Coroners (Investigations) Regulations 2013. [HYPERLINKS]</p>
3	<p>INVESTIGATION and INQUEST</p> <p>On the 19th October 2012 an investigation was commenced into the death of David Robert Oldfield, aged 38 years. The investigation concluded at the end of the inquest on 12th March 2014. The medical cause of the Deceased's death was:-</p> <p>1(a) Shock and haemorrhage (b) Stab wounds to neck penetrating jugular vessels.</p> <p>The Jury returned a unanimous Open Conclusion.</p>
4	<p>CIRCUMSTANCES OF THE DEATH</p> <p>During the early hours of the 5th October 2012 an incident took place at the Deceased's home address involving the Deceased and his partner. In the course of the said incident both the Deceased and his partner sustained significant injuries. Emergency services were alerted and attended at the scene shortly after 4am on the 5th October 2012, including firearms officers with West Yorkshire Police Force who had been granted taser authority. Between 4.08am and 4.10am the Deceased was tasered after he had suffered fatal stab wounds to his internal and external jugular vessels on both sides of his neck, and extensive blood loss. The Deceased's condition deteriorated and he passed away at 4.24am on the 5th October 2012 at 6 Poplar Square, Farsley, near Leeds.</p>
5	<p><u>CORONER'S CONCERNS</u></p> <p>During the course of the inquest the evidence revealed matters giving rise to concern. In my opinion there is a risk that future deaths will occur unless action is taken. In the circumstances it is my statutory duty to report to you.</p> <p>The MATTERS OF CONCERN are as follows. –</p> <p>(1) There is no evidence that the act of tasing the Deceased caused or contributed to his death; however, there is evidence that tasing can, in certain circumstances, cause serious injury and/or death to a person;</p> <p>(2) The tasing of a person by firearms officers should only take place in appropriate and justifiable circumstances, and a failure to do so unnecessarily increases the risk of a</p>

	<p>loss of life;</p> <p>(3) On the basis of evidence adduced in the course of the Inquest it is unlikely that the events immediately preceding the tasering of the Deceased occurred in the manner stated by one or more of the attending firearms officers;</p> <p>(4) Therefore, it is of concern as to precisely what were the circumstances which preceded the act of tasering the Deceased, whether such was appropriate and justifiable in all the circumstances and, if not, whether similar circumstances could arise in the future.</p>
6	<p>ACTION SHOULD BE TAKEN</p> <p>In my opinion action should be taken to prevent future deaths and I believe you and/or your organisation have the power to take such action.</p>
7	<p>YOUR RESPONSE</p> <p>You are under a duty to respond to this report within 56 days of the date of this report, namely by 9th May 2014. I, the coroner, may extend the period.</p> <p>Your response must contain details of action taken or proposed to be taken, setting out the timetable for action. Otherwise you must explain why no action is proposed.</p>
8	<p>COPIES and PUBLICATION</p> <p>I have sent a copy of my report to the Chief Coroner and to the following Interested Persons:-</p> <p>(1) [REDACTED] the Deceased's next of kin, c/o Messrs Wilsons, 2-4 Fair Road, Wibsey, Bradford, BD1 1QN</p> <p>(2) Mark Gilmore, the Chief Constable for West Yorkshire Police Force of West Yorkshire Police Headquarters, Laburnum Road, PO Box 9, Wakefield, WF1 3QP/</p> <p>(3) [REDACTED] Legal Services Manager of Springhill, Brindley Way, Wakefield 41 Business Park, Wakefield, WF2 0XQ.</p> <p>I am also under a duty to send the Chief Coroner a copy of your response.</p> <p>The Chief Coroner may publish either or both in a complete or redacted or summary form. He may send a copy of this report to any person who he believes may find it useful or of interest. You may make representations to me, the coroner, at the time of your response, about the release or the publication of your response by the Chief Coroner.</p>
9	<p>DATE 14th March 2014</p> <p> Melanie J Williamson Assistant Coroner</p>