

= Death of Ian Tomlinson =

Ian Tomlinson (7 February 1962 ? 1 April 2009) was a newspaper vendor who collapsed and died in the City of London after being struck by a police officer during the 2009 G @-@ 20 summit protests . After an inquest jury returned a verdict of unlawful killing , the officer , Simon Harwood , was prosecuted for manslaughter . He was found not guilty but was dismissed from the police service for gross misconduct .

The first autopsy concluded that Tomlinson had suffered a heart attack , but a week later The Guardian published video of Harwood , a constable with London 's Metropolitan Police Service , striking Tomlinson on the leg with a baton , then pushing him to the ground . Tomlinson was not a protester , and at the time he was struck was trying to make his way home through the police cordons . He walked away after the incident , but collapsed and died minutes later .

After the Independent Police Complaints Commission (IPCC) began a criminal inquiry , further autopsies indicated that Tomlinson had died from internal bleeding caused by blunt force trauma to the abdomen , in association with cirrhosis of the liver . The Crown Prosecution Service (CPS) decided not to charge Harwood , because the disagreement between the first and later pathologists meant they could not show a causal link between the death and alleged assault . That position changed in 2011 ; after the verdict of unlawful killing , the CPS charged Harwood with manslaughter . He was acquitted in 2012 and dismissed from the service a few months later .

Tomlinson 's death sparked a debate in the UK about the relationship between the police , media and public , and the independence of the IPCC . In response to the concerns , the Chief Inspector of Constabulary , Denis O 'Connor , published a 150 @-@ page report in November 2009 that aimed to restore Britain 's consent @-@ based model of policing .

= = Background = =

= = = Ian Tomlinson = = =

Tomlinson was born to Jim and Ann Tomlinson in Matlock , Derbyshire . He moved to London when he was 17 to work as a scaffolder . At the time of his death , at the age of 47 , he was working casually as a vendor for the Evening Standard , London 's evening newspaper . Married twice with nine children , including stepchildren , Tomlinson had a history of alcoholism , as a result of which he had been living apart from his second wife , Julia , for 13 years , and had experienced long periods of homelessness . He had been staying since 2008 in the Lindsey Hotel , a shelter for the homeless on Lindsey Street , Smithfield , EC1 . At the time of his death , he was walking across London 's financial district in an effort to reach the Lindsey Hotel , his way hampered at several points by police lines . The route he took was his usual way home from a newspaper stand on Fish Street Hill outside Monument tube station , where he worked with a friend , Barry Smith .

= = = London police , IPCC = = =

With over 33 @,@ 000 officers , the Metropolitan Police Service (the Met) is the largest police force in the United Kingdom , responsible for policing Greater London , except for the financial district , the City of London . The latter has its own force , the City of London Police . The Met 's commissioner at the time was Sir Paul Stephenson ; the City of London Police commissioner was Mike Bowron . Responsibility for supervising the Met falls to the Metropolitan Police Authority , chaired by the Mayor of London , at the time Boris Johnson .

The officer seen pushing Tomlinson was a constable with the Met 's Territorial Support Group (TSG) , identified by the " U " on their shoulder numbers . The TSG specializes in public @-@ order policing , wearing military @-@ style helmets , flame @-@ retardant overalls , stab vests and balaclavas . Their operational commander at the time was Chief Superintendent Mick Johnson .

The Independent Police Complaints Commission (IPCC) began to operate in 2004 ; its chair when

Tomlinson died was Nick Hardwick . Created by the Police Reform Act 2002 , the commission replaced the Police Complaints Authority (PCA) following public dissatisfaction with the latter 's relationship with the police . Unlike the PCA , the IPCC operates independently of the Home Office , which regulates the police .

= = = Operation Glencoe = = =

The G20 security operation , codenamed " Operation Glencoe , " was a " Benbow operation , " which meant the Met , City of London Police and British Transport Police worked under one Gold commander , in this case Bob Broadhurst of the Met .

There were six protests on 1 April 2009 : a security operation at ExCeL London , a Stop the War march , a Free Tibet protest outside the Chinese Embassy , a People & Planet protest , a Climate Camp protest , and a protest outside the Bank of England . Over 4 @, @ 000 protesters were at the Climate Camp and the same number at the Bank of England . On 1 April over 5 @, @ 500 police officers were deployed and the following day 2 @, @ 800 , at a cost of £ 7 @. @ 2 million . Officers worked 14 @- @ hour shifts . They ended at midnight , slept on the floor of police stations , were not given a chance to eat , and were back on duty at 7 am . This was viewed as having contributed to the difficulties they faced .

The Bank of England protesters were held in place from 12 @. @ 30 pm until 7 @. @ 00 pm using a process police called " containment " and the media called " kettling " ? corralling protesters into small spaces until the police dispersed them . At 7 pm senior officers decided that " reasonable force " could be used to disperse the protesters around the bank . Between 7 : 10 and 7 : 40 pm the crowd surged toward the police , missiles were thrown , and the police pushed back with their shields . Scuffles broke out and arrests were made . This was the situation Tomlinson wandered into as he tried to make his way home .

= = Incident = =

= = = Earlier encounter with police = = =

Several newspapers published images of Tomlinson 's first encounter with police that evening . Barry Smith says Tomlinson left the newspaper stand outside Monument Tube Station at around 7 pm . The Daily Mail published an image showing Tomlinson smoking a cigarette in front of a police van in Lombard Street . The Mail writes that an eyewitness , IT worker Ross Hardy , said Tomlinson was drunk and refusing to move ; a police van tried to nudge him out of the way , and when that didn 't work he was moved by four riot officers . The newspaper published a second image of him apparently being pushed by the police . On 16 April The Guardian published three images of Tomlinson taken at the same time as the Daily Mail images .

Tomlinson stayed on Lombard Street for another half hour , then made his way to King William Street , toward two lines of police cordons , where police had " kettled " thousands of protesters near the Bank of England . At 7 : 10 pm he doubled back on himself , walking up and down Change Alley where he encountered more cordons , and five minutes later was on Lombard Street again , crossed it , walked down Birchin Lane , and reached Cornhill at 7 : 10 ? 7 : 15 pm .

A few minutes later he was at the northern end of a pedestrian precinct , Royal Exchange Passage (formally called Royal Exchange Buildings) , near the junction with Threadneedle Street , where a further police cordon stopped him from proceeding . He turned to walk south along Royal Exchange Passage instead , where , minutes before he arrived , officers had clashed with up to 25 protesters . Riot police from the Met 's TSG , accompanied by City of London police dog handlers , had arrived there from the cordon in Threadneedle Street to help their colleagues .

= = = Encounter with officer = = =

Police officers followed Tomlinson as he walked 50 yards (50 m) along the street . He headed towards Threadneedle Street , but again ran into police cordons and doubled back on himself towards Cornhill . According to a CPS report , he was bitten on the leg by a police dog at 7 : 15 pm , when a dog handler tried to move him out of the way , but he appeared not to react to it .

The same group of officers approached Tomlinson outside a Montblanc store at the southern end of Royal Exchange Passage , near the junction with Cornhill . He was walking slowly with his hands in his pockets ; according to an eyewitness , he was saying that he was trying to get home .

The first Guardian video shows one officer lunge at Tomlinson from behind , strike him across the legs with a baton and push his back , causing him to fall . On 8 April Channel 4 News released their own footage , which showed the officer 's arm swing back to head height before bringing it down to hit Tomlinson on the legs with the baton . Another video obtained by The Guardian on 21 April shows Tomlinson standing by a bicycle rack , hands in his pockets , when the police approach him . After he is hit , he can be seen scraping along the ground on the right side of his forehead ; eyewitnesses spoke of hearing a noise as his head hit the ground .

= = = Collapse = = =

Tomlinson can be seen briefly remonstrating with police as he sits on the ground . None of the officers offered assistance . After being helped to his feet by a protester , Tomlinson walked 200 feet (60 m) along Cornhill , where he collapsed at around 7 : 25 pm outside 77 Cornhill . Witnesses say he appeared dazed , eyes rolling , skin grey . They also said he smelled of alcohol . An ITV News photographer tried to give medical aid , but was forced away by police , as was a medical student . Police medics attended to Tomlinson , who was pronounced dead on arrival at hospital .

= = Simon Harwood = =

= = = Background = = =

Simon Harwood , the officer who struck Tomlinson , was a police constable with the Territorial Support Group (TSG) at Larkhall Lane police station in Lambeth , South London . Harwood had faced 10 complaints in 12 years , nine of which had been dismissed or unproven . The complaint that was upheld involved unlawful access to the Police National Computer . The complaints included a road @-@ rage incident in or around 1998 while he was on sick leave , during which he reportedly tried to arrest the other driver , who alleged that Harwood had used unnecessary force . On Friday , 14 September 2001 , before the case was heard by a discipline board , Harwood retired on medical grounds . Three days later , on Monday , 17 September , he rejoined the Met as a civilian computer worker .

In May 2003 Harwood joined the Surrey Police as a constable . Surrey Police said he was frank about his history . In January 2004 he was alleged to have assaulted a man during a raid on a home . In November 2004 , on his request , Harwood was transferred back to the Met . There were three more complaints after that , before the incident with Tomlinson .

= = = On the day = = =

Harwood was involved in several confrontations on the day of Tomlinson 's death . He had been on duty since 5 am , assigned as a driver , and had spent most of the day in his vehicle . While parked on Cornhill in the evening , he saw a man write " all cops are bastards " on the side of another police van , and left his vehicle to arrest him . The suspect 's head struck a van door , triggering a response from the crowd that made Harwood believe it was unsafe to return to his vehicle . He told the inquest that he had been hit on the head , had fallen over , lost his baton , had been attacked by the crowd and feared for his life , but later acknowledged this had not happened .

Shortly after his attempted arrest of the graffiti man , Harwood swung a coat at a protester , pulled a

BBC cameraman to the ground , used a palm strike against one man , and at 7 : 19 pm pushed another man to the ground for allegedly threatening a police dog handler . It was seconds after this that he saw Tomlinson standing with his hands in his pockets beside a bicycle rack , being told by police to move away . Harwood told the inquest he made a " split @-@ second decision " that there was justification for engagement , then struck Tomlinson on the thigh with his baton and pushed him to the ground . He said it was a " very poor push " and he had been shocked when Tomlinson fell . Harwood made no mention of the incident in his notebook ; he told the inquest he had forgotten about it .

= = = Identification = = =

Newspapers did not release Harwood 's name until July 2010 . On the day of the incident , he appeared to have removed his shoulder number and covered the bottom of his face with his balaclava . The Daily Mail published an image showing his shoulder ID missing . Simon Israel of Channel 4 News reported a detailed description of the officer on 22 April 2009 ; the IPCC sought but failed to obtain an injunction to prevent Channel 4 broadcasting the description , alleging that it might prejudice their inquiry . Fifteen months later , when announcing in July 2010 that no charges would be brought against Harwood , the Crown Prosecution Service still referred to him as " PC A. " It was only on that day that newspapers decided to name him .

Harwood said he first realized on 8 April , when he saw the Guardian video , that Tomlinson had died . He reportedly collapsed at home and had to be taken to hospital by ambulance . Harwood and three colleagues made themselves known to the IPCC that day .

= = Early accounts = =

= = = First police statement = = =

The Met issued its first statement on 1 April at 11 : 36 pm , four hours after Tomlinson died , a statement approved by the IPCC 's regional director for London . The statement said that police had been alerted that a man had collapsed and were attacked by " a number of missiles " as they tried to save his life , an allegation that was inaccurate , according to later media reports .

According to Nick Davies in The Guardian , the statement was the result of an intense argument in the Met 's press office , after an earlier draft had been rejected . He wrote that both the Met and IPCC said the statement represented the truth as they understood it at the time , and that there had been no allegation at that point that Tomlinson had come into contact with police . Davies asked why the IPCC were involved if they had not realized there had been police contact . He alleged that senior sources within the Met said privately that the assault on Tomlinson had been spotted by the police control room at Cobalt Street in south London , and that a chief inspector on the ground had also reported it . The Met issued a statement saying they had checked with every chief inspector who had been part of Operation Glencoe , and that none of them had called in such a report .

= = = First eyewitness accounts = = =

On 2 April the Met handed responsibility for the investigation to the City of London police ; the officer in charge was Detective Superintendent Anthony Crampton . After police briefings , the Evening Standard reported on 2 April that " police were bombarded with bricks , bottles and planks of wood " as they tried to save Tomlinson , forced by a barrage of missiles to carry him to a safe location to give him mouth @-@ to @-@ mouth resuscitation .

Eyewitnesses said the story was inaccurate . They said protesters had provided first aid and telephoned for medical help . Others said that one or two plastic bottles had been thrown by people unaware of Tomlinson 's situation , but other protesters had told them to stop . According to The Times , an analysis of television footage and photographs showed just one bottle , probably plastic ,

being thrown . Video taken by eyewitness Nabeela Zahir , published by The Guardian on 9 April , shows one protester shouting , " There is someone hurt here . Back the fuck up . " Another voice says , " There 's someone hurt . Don 't throw anything . "

= = = Officers report the incident = = =

Three police constables from the Hammersmith and Fulham police station ? Nicholas Jackson , Andrew Moore , and Kerry Smith ? told their supervisor , Inspector Wynne Jones , on 3 April that they had witnessed the incident . They can be seen in The Guardian video standing next to Tomlinson . Jackson was the first to tell the inspector ; officers then contacted Moore and Smith , who had been standing next to Jackson at the time .

Jackson , Moore and Smith did not recognize Simon Harwood , the officer who struck Tomlinson , and according to the newspaper assumed he was with the City of London police . This was four days before The Guardian published the video . The inspector passed this information at 4 : 15 pm on 3 April to Detective Inspector Eddie Hall , the Met 's point of contact for Tomlinson 's death . Hall said he passed it to the City of London police before the first autopsy was conducted that day by Freddy Patel , which according to The Guardian began at 5 pm .

= = Autopsies = =

= = = Overview = = =

An inquest was opened on 9 April 2009 by Paul Matthews , the City of London coroner . Three autopsies were conducted : on 3 April by Mohamed Saeed Sulema " Freddy " Patel for Paul Matthews ; on 9 April by Nathaniel Cary for the IPCC and Tomlinson 's family ; and on 22 April jointly by Kenneth Shorrock for the Metropolitan police and Ben Swift for Simon Harwood . The coroner was criticized for reportedly having failed to allow IPCC investigators to attend the first , and for failing to tell Tomlinson 's family that they had a legal right to attend or send a representative . The family also said he had not told them where and when it was taking place .

= = = First autopsy = = =

According to Detective Sergeant Chandler of the City of London police , he was not told until the first autopsy was over , or at an advanced stage , that three police officers had seen another officer hit and push Tomlinson . Apparently neither Patel nor the IPCC were told about the three witnesses . Patel said he was told only that the case was a " suspicious death " ; the police had asked that he " rule out any assault or crush injuries associated with public order . "

Patel concluded that Tomlinson had died of coronary artery disease . His report noted " intraabdominal fluid blood about 3l with small blood clot , " which was interpreted by medical experts to mean that he had found three litres of blood in Tomlinson 's abdomen . This would have been around 60 percent of Tomlinson 's total blood volume , a " highly significant indicator of the cause of death , " according to the Crown Prosecution Service (CPS) . In a report for the CPS a year later , on 5 April 2010 , Patel wrote that he had meant " intraabdominal fluid with blood . " He did not retain samples of the fluid for testing . This issue became pivotal regarding the decision not to prosecute Harwood . The City of London police issued a statement on 4 April : " A post @-@ mortem examination found he died of natural causes . [He] suffered a sudden heart attack while on his way home from work . "

The IPCC told reporters that the autopsy showed no bruising or scratches on Tomlinson 's head and shoulders . When the family asked the City of London police , after the autopsy , whether there had been marks on Tomlinson 's body , they were told no ; according to The Guardian , Detective Superintendent Anthony Crampton , who was leading the investigation , wrote in his log that he did not tell the family about a bruise and puncture marks on Tomlinson 's leg to avoid causing "

unnecessary stress or alarm . " On 5 April The Observer published the first photograph of Tomlinson lying on the ground next to riot police . After it was published , Freddy Patel was asked to return to the mortuary , where he made a note of bruising on Tomlinson 's head that he had not noticed when he first examined him . On 24 April Sky News obtained an image of Tomlinson after he collapsed , which showed bruising on the right side of his forehead .

= = = Second and third autopsies = = =

The IPCC removed the Tomlinson inquiry from the City of London police on 8 April . A second autopsy , ordered jointly by the IPCC and Tomlinson 's family , was carried out that day by Dr. Nathaniel Cary , known for his work on high @-@ profile cases . Cary found that Tomlinson had died because of internal bleeding from blunt force trauma to the abdomen , in association with cirrhosis of the liver . He concluded that Tomlinson had fallen on his elbow , which he said " impacted in the area of his liver causing an internal bleed which led to his death a few minutes later . "

Because of the conflicting conclusions of the first two , a third autopsy was conducted on 22 April by Dr. Kenneth Shorrock on behalf of the Metropolitan police , and Dr. Ben Swift on behalf of Simon Harwood . Shorrock and Swift agreed with the results of the second autopsy . The Met 's point of contact for Tomlinson 's death , Detective Inspector Eddie Hall , told the pathologists before the final autopsy that Tomlinson had fallen to the ground in front of a police van earlier in the evening , although there was no evidence that this had happened . The IPCC ruled in May 2011 that Hall had been reckless in making this claim , but had not intended to mislead .

= = = Freddy Patel = = =

At the time of Tomlinson 's death , Patel was on the Home Office 's register of accredited forensic pathologists . He qualified as a doctor at the University of Zambia in 1974 , and registered to practise in the UK in 1988 . The Metropolitan Police had written to the Home Office in 2005 raising concerns about his work . At the time of Tomlinson 's death he did not have had a contract with the police to conduct autopsies in cases of suspicious death .

In 1999 Patel was reprimanded by the General Medical Council (GMC) for having released medical details about Roger Sylvester , a man who had died in police custody . In 2002 the police dropped a criminal inquiry because Patel said the victim , Sally White , had died of a heart attack with no signs of violence , although she was reportedly found naked with bruising to her body , an injury to her head and a bite mark on her thigh . Anthony Hardy , a mentally ill alcoholic who lived in the flat in which her body was found locked in a bedroom , later murdered two women and placed their body parts in bin bags . The police investigated Patel in relation to that autopsy , but the investigation was dropped . In response to the criticism , Patel said the GMC reprimand was a long time ago , and that his findings in the Sally White case had not been contested .

Patel was suspended from the government 's register of pathologists in July 2009 , pending a GMC inquiry . The inquiry concerned 26 charges related to autopsies in four other cases . In one case Patel was accused of having failed to spot signs of abuse on the body of a five @-@ year @-@ old girl who had died after a fall at home , and of having failed to check with the hospital about its investigation into her injuries . The child 's body was exhumed for a second postmortem , and her mother was convicted . The hearings concluded in August 2010 ; Patel was suspended for three months for " deficient professional performance . " In May 2011 the GMC opened an investigation into his handling of the Tomlinson autopsy . He was struck off the medical register in August 2012 .

= = Images = =

= = = Observer photograph = = =

On 5 April The Observer (the Guardian 's sister paper) published the first photograph of Tomlinson lying on the ground next to riot police . Over the next few days the IPCC told reporters that Tomlinson 's family were not surprised that he had had a heart attack . When journalists asked whether he had been in contact with police officers before his death , they were told the speculation would upset the family .

= = = Guardian video = = =

The first Guardian video was shot on a digital camera by an investment fund manager from New York who was in London on business , and who attended the protests out of curiosity . On his way to Heathrow airport , he realized that the man he had filmed being assaulted was the man who had reportedly died of a heart attack . At that point , 2 am on 7 April , he passed his footage to The Guardian , which published it on its website that afternoon . The newspaper passed a copy to the IPCC , which opened a criminal inquiry .

= = = Channel 4 video = = =

A video by Ken McCallum , a cameraman for Channel 4 News , was broadcast on 8 April . Shot from a different angle , the footage shows Harwood draw his arm back to head height before bringing the baton down on Tomlinson 's legs . McCallum was filming another incident at the time ; the Tomlinson incident was unfolding in the background , unseen by the journalists but recorded by the camera . Half an hour later Alex Thomson , chief correspondent of Channel 4 News , was doing a live broadcast when the camera was damaged . It took engineers days to recover the tape , which is when they saw that Tomlinson 's assault was on it .

= = = Nabeela Zahir video = = =

On 9 April The Guardian published footage from Nabeela Zahir , a freelance journalist , showing Tomlinson after his collapse . The police can be seen moving away at least one woman who tried to help him , and a man , Daniel McPhee , who was on the phone to the ambulance services . The footage shows that the Met 's initial claim that there had been a barrage of missiles from protesters while police tried to save Tomlinson was inaccurate . Protesters can be heard calling for calm ; one shouts " Don 't throw anything . " According to The Guardian , 56 seconds into the video , three officers can be seen with their face masks pulled halfway up their faces .

= = = Cornhill video = = =

The Guardian obtained a four @-@ minute video on 21 April from an anonymous bystander who had been filming on Cornhill between 7 : 10 and 7 : 30 pm . The footage shows Tomlinson standing behind a bicycle rack in Royal Exchange Passage with his hands in his pockets , and a group of advancing police officers . When a police dog approaches him , he turns his back . At that point , he is hit on the legs and pushed by the TSG constable , and can be seen scraping along the ground on the right side of his forehead . Eyewitnesses said they heard a noise as his head hit the ground . The IPCC sought an injunction against the broadcast of the video by Channel 4 News , but a judge rejected the application . An image obtained by Sky News on 24 April appears to show bruising on the right side of Tomlinson 's forehead . A head injury was recorded by the second and third pathologists .

= = = CCTV cameras = = =

Nick Hardwick , chair of the IPCC , said on 9 April that there were no CCTV cameras in the area . On 14 April the Evening Standard wrote that it had found at least six CCTV cameras in the area around the assault . After photographs of the cameras were published , the IPCC reversed its

position and said its investigators were looking at footage from cameras in Threadneedle Street near the corner of Royal Exchange Passage .

= = Early reaction and analysis = =

= = = British policing = = =

Tomlinson 's death sparked a discussion about the nature of Britain 's policing and the relationship between the police , public , media and IPCC . The mayor of London , Boris Johnson , dismissed the criticism of the police as " an orgy of cop bashing . " The death was compared to others that had acted as a watershed in the public 's perception of policing , including that of Blair Peach (1979) , Stephen Lawrence (1993) and Jean Charles de Menezes (2005) . The IPCC was criticized for having taken seven days from Tomlinson 's death , and five days after hearing evidence that police may have been involved , to remove the City of London police from the investigation .

David Gilbertson , a former assistant inspector who had worked for the Home Office formulating policing policy , told The New York Times that the British police used to act with the sanction of the public , but that tactics had changed after a series of violent assaults on officers in the 1990s . Now dressing in military @-@ style uniforms and equipped with anti @-@ stab vests , extendable metal batons and clubs that turn into handcuffs , an entire generation of officers has come to regard the public as the enemy , the newspaper said .

= = = The Guardian , police and IPCC = = =

Tomlinson 's death was confirmed in a statement that accused protesters of having hampered police efforts to save his life . His family were not told he had died until nine hours after his death . The police and IPCC told journalists that his family were not surprised to hear he had had a heart attack . Journalists who asked whether police had had any contact with Tomlinson were asked not to speculate in case it upset the family . Direct contact with the family was refused . The police issued a statement on behalf of the family instead , which said the police were keeping them informed .

The Observer (The Guardian 's sister paper) published an image of Tomlinson on the ground on Sunday , 5 April . That morning Tomlinson 's family attended the scene of his death , where they met Paul Lewis , a Guardian reporter who had worked on The Observer story . Tomlinson 's wife said this meeting was the first the family had heard of police contact with Tomlinson before his death . The family 's police liaison officer later approached the newspaper to say he was " extremely unhappy " that Lewis had spoken to the family , and that the newspaper had to stay away from them for 48 hours . The IPCC accused the newspaper of " doorstepping the family at a time of grief . " On the same day , the IPCC briefed other journalists that there was nothing in the story that Tomlinson might have been assaulted by police . During this period , according to Tomlinson 's family , they were prevented from seeing his body ; they were first allowed to see him six days after his death .

On 7 April The Guardian published the American banker 's video , and later that evening handed it to an IPCC investigator and a City of London police officer who arrived at the newspaper 's offices . The officers asked that the video be removed from the website , arguing that it jeopardized their inquiry and was not helpful to the family . Nick Hardwick , chair of the IPCC , said the IPCC had asked The Guardian to remove the video only because it would have been better had witnesses not seen it before being questioned .

= = = Metropolitan police response = = =

The Chief Inspector of Constabulary , Denis O 'Connor , published a 150 @-@ page report in November 2009 that aimed to restore Britain 's consent @-@ based model of policing .

O 'Connor wrote that there had been a hardening of police attitudes , with officers believing that

proportionality meant reciprocity . The deployment of officers in riot gear had become a routine response to lawful protest , largely the result of an ignorance of the law and a lack of leadership from the Home Office and police chiefs . Officers were being trained to use their riot shields as weapons . Police forces across the country differed in their training , the equipment they had access to , and their understanding of the law . The failure to understand the relevant legislation was in part due to its complexity , the report said , with 90 amendments to the Public Order Act passed since 1986 .

The report made several recommendations , including the creation of a set of national principles emphasizing the minimum use of force at all times , and making the display of police ID a legal requirement . In February 2010 the Met announced that 8 @, @ 000 of its officers had been issued with embroidered epaulettes , as several had complained that the numbers were falling off , rather than being removed deliberately .

= = Legal aftermath = =

= = = Decision not to prosecute = = =

In April 2010 The Guardian published an open letter from several public figures asking the Crown Prosecution Service (CPS) to proceed with a prosecution or explain its position . In July that year Keir Starmer , director of the CPS , announced that there would be no prosecution because of the medical disagreement between the three pathologists . Starmer said there was enough evidence for an assault charge , but the six @-@ month deadline for that had expired .

The area of conflict concerned Patel 's finding during the first autopsy of " intraabdominal fluid blood about 3l with small blood clot . " This was interpreted by other medical experts to mean that Patel had found three litres of blood in Tomlinson 's abdomen . Starmer said this would have been around 60 percent of Tomlinson 's blood volume , a " highly significant indicator of the cause of death . "

In April 2010 Patel introduced an ambiguity in a second report for the CPS , saying he had found " intraabdominal fluid with blood about 3l with small blood clot " (emphasis added) . The ambiguity had to be clarified , because the second and third pathologists had relied in part on Patel 's original notes to form their views . Patel was interviewed twice by the CPS . According to Starmer , Patel " maintained that the total fluid was somewhat in excess of three litres but that it was mainly ascites (a substance which forms in a damaged liver) , which had been stained with blood . He had not retained the fluid nor had he sampled it in order to ascertain the proportion of blood because , he said , he had handled blood all his professional life and he knew that this was not blood but blood @-@ stained ascites . " Patel also said he had found no internal rupture that would have led to this degree of blood loss .

Several conclusions were drawn from discussions between Patel and the CPS , Starmer said : (a) because Patel had not retained or sampled the three litres of fluid , no firm conclusions could be drawn about the nature of it ; (b) for Tomlinson 's death to have resulted so quickly from blood loss , there would have to have been a significant internal rupture ; (c) Patel found no such rupture ; (d) the later postmortems also found no visible rupture ; and (e) because Patel was the only person to have examined Tomlinson 's intact body , he was in the best position to judge the nature of the fluid , and whether there was a rupture that could have caused it . This meant that Patel 's evidence would significantly undermine the evidence of the second and third pathologists .

Nathaniel Cary , the second pathologist , objected to the CPS 's decision . Cary told The Guardian that the push had caused a haemorrhage to Tomlinson 's abdomen , and the haemorrhage caused him to collapse . Cary said Tomlinson was vulnerable to this because he had liver disease . The CPS had erred in dismissing a charge of actual bodily harm (ABH) , in his view . In a letter to Tomlinson 's family , the CPS described Tomlinson 's injuries as " relatively minor " and therefore insufficient to support such a charge . But Cary told The Guardian : " The injuries were not relatively minor . He sustained quite a large area of bruising . Such injuries are consistent with a baton strike , which could amount to ABH . It 's extraordinary . If that 's not ABH I would like to know what is . "

= = = Inquest = = =

The inquest was opened and adjourned in April 2009 . The City of London coroner , Paul Matthews , expressed concern about whether he had appropriate expertise , and Peter Thornton QC , who specializes in protest law , took over . The inquest opened on 28 March 2011 before a jury . The court heard from Kevin Channer , a cardiologist at Royal Hallamshire Hospital , who analysed electrocardiogram (ECG) data from the defibrillator paramedics had used on Tomlinson . He said the readings were inconsistent with an arrhythmic heart attack , but consistent with death from internal bleeding . Pathologist Nat Carey concurred regarding the cause of death . Graeme Alexander , a hepatologist , said that in his opinion Tomlinson had died of internal bleeding as a result of trauma to the liver after the fall . He told the court that Tomlinson had been suffering from serious liver disease , which would have made him susceptible to collapse from internal bleeding .

Giving evidence over three days , Harwood said that Tomlinson " just looked as if he was going to stay where he was forever and was almost inviting physical confrontation in terms of being moved on . " He said he had not warned Tomlinson and had acted because Tomlinson was encroaching a police line , which amounted to a breach of the peace . The court heard that Tomlinson 's last words after collapsing were , " they got me , the fuckers got me " ; he died moments later . On 3 May 2011 the jury returned a verdict of unlawful killing , ruling that the officer ? Harwood was not named for legal reasons ? had used excessive and unreasonable force in hitting Tomlinson , and had acted " illegally , recklessly and dangerously . "

= = = IPCC reports = = =

In May 2011 the IPCC released three reports into Tomlinson 's death , written between April 2010 and May 2011 . The main report contained material revealed during the inquest . The third report detailed an allegation from Tomlinson 's family that the police had offered misleading information to the pathologists before the third autopsy on 22 April 2009 . The Met 's point of contact for Tomlinson 's death , Detective Inspector Eddie Hall , had told the pathologists that Tomlinson had fallen to the ground in front of a police van earlier in the evening , although there was no evidence to support this . The IPCC ruled that Hall had been reckless in making this claim , but had not intended to mislead the pathologists .

= = = Trial of Simon Harwood = = =

Keir Starmer , director of the CPS , announced on 24 May 2011 that a summons for manslaughter had been issued against Harwood . He said the CPS had reviewed its decision not to prosecute because new medical evidence had emerged during the inquest , and because the various medical accounts , including that of the first pathologist , had been tested during questioning . The trial opened on 18 June 2012 . Harwood entered a plea of not guilty , and was acquitted on 19 July .

The court was shown extensive video footage of Tomlinson and Harwood on the day . Harwood was seen trying to arrest a man who had daubed graffiti on a police van , then joining a line of officers who were clearing Royal Exchange Passage . Harwood pushed a man who blew a vuvuzela at him , then appeared to push a BBC cameraman who was filming the arrest of another man . The footage showed Harwood push a third man out of the way , and shortly after this (the passageway now almost empty) the officers reached Tomlinson .

Mark Dennis QC , for the prosecution , argued that Harwood 's use of force against Tomlinson had been unnecessary and unreasonable , and had caused Tomlinson 's death . He argued that a " clear temporal link " between the incident and Tomlinson 's collapse had been provided by the Guardian video , that Tomlinson had posed no threat , and that the use of force had been a " gratuitous act of aggression . " The defence argued that Tomlinson 's health was relevant . The court heard that he had liver and brain disease caused by alcohol abuse , numbness in his legs and balance problems , and that he had been treated at least 20 times between 2007 and 2009 , mostly at A & E

departments , related to falling while drunk . On the day he died , The Times reported , he had drunk a bottle of red wine , a small bottle of vodka and several cans of 9 @-@ per @-@ cent super @-@ strength lager .

Harwood told the court that Tomlinson had ignored orders to move along . He acknowledged that he had pushed Tomlinson firmly , but said he had not expected him to fall . He also acknowledged that he had " got it wrong , " and said he had not realized Tomlinson was in such poor health . The jury found him not guilty after deliberating for four days .

= = = Dismissal , civil suit = = =

Harwood was dismissed from the Metropolitan Police Service in September 2012 after a disciplinary hearing found that he had acted with " gross misconduct " in his actions towards Tomlinson . Tomlinson 's family filed a lawsuit against the Metropolitan Police , which paid the family an undisclosed sum in August 2013 . Deputy Assistant Commissioner Maxine de Brunner issued a formal apology for " Simon Harwood 's use of excessive and unlawful force , which caused Mr Tomlinson 's death , and for the suffering and distress caused to his family as a result . "