

**INTERIM REPORT INTO THE SHOOTING OF DAVID SYCAMORE BY
SURREY POLICE ON SUNDAY 30 NOVEMBER 2008 AT GUILDFORD
CATHEDRAL**

This is an interim report and it is written using the information which is available at the time of writing. The final report may contain additional and different information.

Summary of the Case

David Sycamore was a 39 year old man who lived with his parents, about 1.5 miles from Guildford Cathedral. He had returned home to live with his parents following the end of a relationship. David was suffering from depression, for which he received medical treatment. The death of a close friend a few months earlier had added to his depression.

On Sunday 30 November David left his home in the early afternoon. He walked towards Guildford Cathedral, buying lager from a shop on the way. During his journey David stopped a young man and told him he was going to "start shooting a lot of people" and told him to phone the police.

Officers from Surrey Police started a search for David and found him on the steps of the Cathedral. Officers describe David as putting his hand into his jacket and pulling out a pistol. They shouted at him to stay still and put the gun down but he appeared to pull back the action (rack) and raise the gun in their direction.

Two officers fired one round each from their G36s and one fired a baton gun.

Officers began to administer first aid and paramedics and doctors attended, but David died at the scene.

IPCC involvement

The IPCC were informed of the shooting shortly before 4pm on 30 November 2008. The first IPCC investigator arrived at the scene at 5.15pm. It was determined that the IPCC would head an independent investigation into the shooting. An IPCC investigator went to visit David's family late in the evening of the 30 November and investigators were also present at the scene throughout the night.

The IPCC were also present at the post incident procedure where the principal officers made their initial notes in line with the new guidelines issued by the Association of Chief Police Officers.

Terms of reference for the investigation

1. To investigate the circumstances surrounding the police contact with David Sycamore on 30 November 2008 as follows:
 - a) the circumstances leading up to the death of David Sycamore;
 - b) the actions of the officers involved in the incident;
 - c) the planning and implementation of the police response.

2. To assist in fulfilling the state's investigative obligation arising under Art. 2 of the European Convention on Human Rights by ensuring as far as possible that:
 - a) the full facts are brought to light and any lessons from the death are learned (this will include collecting and analysing forensic evidence);
 - b) the investigation is independent on a practical as well as an institutional level.
3. To consider and report on whether any criminal or disciplinary offence may have been committed by any police officer or member of police staff involved in the incident, and whether relevant local and national policies/guidelines were complied with.
4. To consider and report on whether there is any:
 - a) learning for any individual police officer or member of police staff; or
 - b) organisational learning for the police service, including:
 - 1) Whether any change in police policy or practice would help to prevent a recurrence of the event, incident or conduct investigated.
 - 2) Whether the incident highlights any good practice that should be disseminated.

The investigation

Team:

A team of 10 IPCC investigators has been assigned to this investigation, which is being led by Senior Investigator Simon Cousins and overseen by IPCC Commissioner Mike Franklin.

Witness Appeal:

The IPCC appealed for witnesses via the media on 1 December 2008 and on the seven day anniversary of the incident, the IPCC launched a second witness appeal. IPCC investigators distributed leaflets in the area around Guildford Cathedral and a further two witnesses were identified.

A small number of cathedral staff and members of the public were in the area at the time of the shooting. Although we have found witnesses who heard the shots and saw the events after the shooting we have to date found no independent witnesses to the actual shooting.

A freephone telephone number (0800 096 9071) and a dedicated email address (sycamore@ipcc.qsi.gov.uk) were set up and publicised. We remain keen to hear from anyone with any information relating to this incident.

To date over 80 people have made statements to the IPCC.

CCTV:

CCTV has been viewed from the Police helicopter, Guildford Cathedral and the area around Southway.

Findings of investigation to date:

In the summer of 2007, David used the internet to buy a replica Glock self loading pistol from a dealer in Sussex. These weapons can be converted to fire live ammunition although it is not believed this one had been. The pistol was loaded with blank ammunition. There is nothing at this stage to suggest that this gun had been fired during the incident.

On Sunday 30 November, David left his home in the early afternoon. He walked away from his house in the direction of the Cathedral. He bought a number of tins of lager from a shop in Southway.

At 2.36pm David telephoned a friend. The friend did not answer the phone so David left a voice mail message thanking the friend for his friendship and intimating that he may not see him again.

When the friend listened to the voice mail he was very concerned. He tried over a 15 - 20 minute period to ring David back, but he did not answer. The friend was so concerned that he then telephoned David's parents. They did not know where David had gone.

David then returned the friend's call stating: "You will not see me again but do not worry about it". During the conversation, the friend ascertained that David was at the cathedral and decided to make his way there.

At about 2.30pm, David stopped a young man near the pedestrian underpass which goes from Southway under the A3. David produced the replica pistol from his coat and told the man that he was "going to start killing a lot of people". He told the young man to call the police.

The young man ran home and called 999 at 2.47pm. He told police that he had been stopped by a man wearing a navy baseball cap, and a red and yellow jacket. He also described the gun and told the police what David had said.

Surrey Police has two Armed Responses Vehicles (ARV) to cover each 24 hour period. The shifts change at 3pm so, as the call came in, the crews were in the process of changing over. The crews that were just starting their shift responded to the incident.

There were two police constables in each ARV. They were armed with a variety of weapons which included G36 rifles, Sig Pistols as well as less lethal options: baton guns and Taser (electrical devices.)

As the ARVs made their way from Force Headquarters to the area where David had been seen, the Control Room Inspector contacted the on-call Firearms Tactical Advisor. It was decided that one ARV should visit the young man, who was the original informant, to obtain further information and the other ARV should start to search for David.

The Control Room Inspector gave the ARV authority to deploy, carry out an armed search and, if necessary, a pedestrian stop.

The officers who went to see the young man got a more detailed description of the weapon. They showed him their pistols and he confirmed it looked similar in size and shape.

At 3.03pm the Control Room Inspector (Silver) contacted the on call Chief Superintendent who was responsible for the strategy in any firearm incident (Gold) and briefed him on the situation. The Chief Superintendent confirmed the deployment of the ARV and set out that his strategy was to "minimise the risk to the public, to maximise the safety of armed and unarmed officers and to detain the person in possession of the weapon and to recover the weapon"

At this stage other police officers, including dog units and the Force helicopter, were being deployed to the area where David had last been seen.

The second ARV checked the area around Surrey University and Tesco on Egerton Road. The officers then decided to check the area around the cathedral.

At 3.14pm the ARV radioed the Control Room to say that they had seen a man, matching the description of David, sitting on the steps of Guildford Cathedral. They stayed about 40 yards back and waited for the other ARV to arrive. They stated that the man was sitting crossed legged on the steps and appeared to be drinking from a tin of beer. They could see no weapon.

By this time the Force helicopter was overhead and taking CCTV footage of the man.

The ARV officers identified that the man might be under the influence of drink or drugs, or may in some other way be vulnerable and so special consideration should be given to the way in which the situation should be handled. The officers decided to move forward quietly to within 15 to 20 yards of the man. They would then deploy from the vehicles in a 'covert' manner-"weapons immediately available but no armed challenge to be made unless a threat was produced".

The officers were aware that, because the man was wearing a thick jacket, the option of using a Taser may be limited. The effectiveness of Taser requires the electrodes to make direct contact with the body and may not penetrate thick clothing.

The officers started to talk to David and asked to see his hands. He replied by saying "What? Why?" They asked that he stand up and walk towards them. He declined to do so.

The officers then describe the man putting his right hand into his jacket and pulling out a pistol. They shouted at David to "stay still" and "put the gun down." David then appeared to pull back the action of the pistol, which would put a round into the chamber of the weapon, and raise it in the direction of the police officers.

By this time all four ARV officers had raised their weapons. Two officers fired one round each from G36s and one fired a baton gun. The officers told the Control Room at 3.18pm that they had shot the man.

One of the bullets passed through a window and into the cathedral. A small number of people were in the cathedral at the time but were not injured.

CCTV appears to confirm the events set out by the officers and that it is likely that all three officers fired within a split second of each other.

The officers started to administer first aid. Within a short time ambulance crews and air ambulance crews, including doctors, arrived at the scene but David was pronounced dead at 3.51pm.

Post Mortem Examination:

A full post mortem by a Home Office registered pathologist (Dr Rob Chapman) was undertaken on 1 December 2008 at Royal Surrey County Hospital. Representatives from the IPCC, Surrey Police and a pathologist on behalf of the Police Federation were all in attendance.

The post mortem showed that one bullet had entered David's chest and left via his back. It caused considerable internal injury. The other bullet went thorough David's right upper arm. At the post mortem there was no evidence of any injury being caused by the baton round.

Regulation 9 notices:

Written notices of investigation

The officers who fired the shots continue to be treated as witnesses. No police officers at this time are under investigation, therefore no Regulation 9 nor Regulation 14A notices (these are notices required under either the old or the new police misconduct regulations and are served on officers to advise that their conduct is under investigation) have been served. This decision has been made on the evidence as it presents to date and as with all lines of enquiry will remain under review.

Information:

The IPCC has appointed Family Liaison Managers to work with the Sycamore family and ensure they are updated regularly about the progress of the investigation. Surrey Police has also received regular updates. The Senior Investigator has also met with family members.

Community issues:

A single point of contact was appointed to liaise with the Dean of Guildford Cathedral to ensure that a full and efficient examination of the scene was able to take place but that on-going inquiries caused as few disruptions to the day to day working of the cathedral as possible.

The Senior Investigator continues to attend Gold meetings at Surrey Police during which community issues are discussed.

Next steps

Ongoing inquiries:

The investigation is ongoing and more detailed work is being undertaken in respect of the other tactical options which may or may not have been available. This includes the possible use of a police dog, a Taser or the baton gun. In considering other tactical options, the investigation will also seek to answer questions raised by the family about whether the use of lethal force was really necessary in the circumstances.

Crown Prosecution Service:

At this stage the investigation has not identified any evidence to suggest any criminal offence may have been committed by any police officer. A file will be submitted if the evidential position changes.

Inquest:

An Inquest has been opened by HM Coroner for Surrey and will be resumed at a date in the future.

The IPCC independent report into the circumstances surrounding the death of Mr Sycamore will be submitted to HM Coroner as part of the evidence to support the inquest into his death.

Prior to the inquest, the IPCC will continue to give regular updates to all properly interested persons including Mr Sycamore's family, the Coroner and Surrey Police.

Timescales:

Although the investigation has progressed well, it is not possible to advise at this stage when the investigation will conclude.

For more information about the work of the IPCC, go to www.ipcc.gov.uk.