

Sudden Impact

19
Feature

Met officer Neil Sharman reveals how he felt he was treated more like a suspect than a witness following a fatal shooting.
Syreeta Lund reports

Under a dark cloud.

For six and a half years this is how Ch Insp Neil Sharman felt. On the evening of September 1999, Neil, a firearms officer and team leader in the Met's SO19 made a split second decision that would have a sudden and prolonged impact on many people; he shot the bullet that killed Harry Stanley.

Life would change; his family would suffer a great deal of stress and pressure on their lives; his children would be bullied; he would feel incredibly isolated in the service even though he still feels he did his job to the best of his abilities; his career and life were put on hold.

"I will never be the same person I was before the shooting. Despite all the appearance and the macho front, when you shoot, well, no one is really prepared to take another life. A police officer's role is to protect life; not to kill," Neil says calmly, but with a real sense that this is something he has had over six years to mull over and pick apart.

Police officers dread the day they may have to deal with a death of a member of the public. The Independent Police Complaints Commission reported that in 2003 to 2004 there were 106 deaths following police officer contact. Forty four people died in road traffic incidents involving police, three men died in fatal shootings and 36 people died after being in custody.

Every death is a tragedy and has a knock-on affect on families, friends and colleagues. This is also the case for police officers who will be subject to immediate investigation, possibly suspended from their work. Neil speaks to *Police* about his experiences and how those investigated, even though they feel they have followed guidelines to protect the public, feel like they are treated like a suspect and not a witness and the loneliness and isolation that can come with that.

At 7.44pm on September 22, 1999, Neil, then an inspector, and his colleague, PC Kevin Fagan were called out to a north London pub after a member of the public called 999 to report that a man was carrying what looked like a sawn-off shotgun wrapped in a blue carrier bag.

The two officers turned up at the scene in Hackney, with the knowledge that this is an area with one of the highest rates of firearms incidents in the country. During



Illustration: Lisa Ryszkowska

that year, SO19 was deployed on average, around 120 times over the course of just one month.

The two officers eventually managed to locate the suspect walking away from them, still with the blue carrier bag at his side. They followed cautiously on foot at around ten feet behind Mr Stanley.

When the two officers shouted a warning that they were armed police; Harry Stanley turned, holding the bag at his side, the way a sawn-off shot gun would be triggered.

Kevin and Neil, both fearing he was about to shoot, fired a single shot each. Kevin's bullet hit Mr Stanley's hand and Neil's hit him fatally in the back of the head. The suspected sawn-off shotgun in the bag was revealed to be a table leg.

Following the initial incident, it has taken six and half years for the officers to clear their names and during that time, their lives were turned upside down.

"Those few moments turned everything on its head. I was no longer able to concentrate on the things that were important before. My attention was divided between what happened and the ramifications.

"I became very aloof and isolated from my family. I would put on a front and trivialise it, but all the time it was gnawing away at the back of my mind, that I could go to



prison for life and would have to leave my wife and children. It has had a devastating affect on my family,” says Neil.

During the initial stages after the shooting, he remembers going to see someone in occupational health at the Met, but says they really did not know how to deal with him. “I was the team leader in SO19 but I couldn’t hold a firearm. I had to do the same job but without a gun, it was all a bit bizarre. There were a few raised eyebrows when I turned up to incidents without a gun. I was an oddity because I was the first inspector to have shot someone.”

In December 2000 the Crown Prosecution Service made the decision not to charge the officers, Mr Stanley’s family then applied for a judicial review so the case went back to the CPS.

“I went through a stage when it was the first thing I thought about in the morning and the last thing I thought about at night. In a quiet moment I would see the scene again, re-play what happened, in front of me,” says Neil.

In December 2001, the CPS again made the decision not to press charges, then in June the following year the first inquest was held into Harry Stanley’s death and returned an ‘open verdict’.

“I came face-to-face with Harry Stanley’s family at the inquest. One of the things the Independent Police Complaints Commission recommended was restorative justice, some kind of managed meeting with them as a way forward from this.

“I do accept that Mr Stanley is dead, that he was killed and I do feel sorry for what his family is going through,” says Neil, who is married with two children.

Following the first inquest, Mr Stanley’s family applied for another judicial review and a second inquest was held which recorded a verdict of ‘unlawful killing’. The officers applied for a judicial review against the verdict and the case continued.

During this time the Stanley family made a complaint to Surrey Police, who were carrying out the investigation into the circumstances around the shooting, that Neil was still involved in firearms work. He was moved to the Epping Forest firearms unit as a trainer instead.

He tells *Police* magazine: ‘I ended up training people to do what I had been doing. There was no thought as to the effect that might have on me; teaching people in firearms when I was being investigated for using a firearm.

“It felt like a pain, a dark cloud that never goes away. I used count how many times I was asked about the shooting incident, I think the most I got to was about 30 times in one day.”

He could not carry on working in a firearms environment and asked to go back to working on a borough.

‘It became like the drip effect; three years was as long as I could do. I needed space at times and colleagues who knew what had happened understood why,’ says the 42-year-old officer.

But this changed when he moved to Enfield borough and colleagues said he was being a bit too hard on

officers. He realised something was wrong and took the difficult decision to see a psychotherapist.

“There was a real change after that. I unpicked a lot of things after I started to talk about it; I started to see what the problems were and not just the symptoms.”

It began to feel as if life was moving forward again and he stayed on borough in Enfield until 2004.

He worked for a successful promotion. “I was then told I could not be promoted because of the allegations against me. I was told it was not in the public interest to promote me but no one ever explained what they meant by that.”

Then, in April 2004, the High Court quashed the unlawful killing verdict.

‘I was finally promoted in May 2005 - four years after I applied,’ says Neil.

But just a month later both officers were arrested by Surrey Police on suspicion of murder, manslaughter and perverting the course of justice due to new evidence of a bullet hole in Mr Stanley’s jacket.

During the years that both Neil and Kevin were under suspicion they were supported by a network of federation representatives, particularly PC Mark Williams and Sgt Jack Webb.

The Met Federation’s constables’ branch board also funded a trip to the US to speak with Dr Bill Lewinski, an expert on how people react and recall events during a shooting. Essentially, due to his evidence, the CPS decided the officers would not be charged and in March this year the two officers found out they would not face disciplinary action.

“The Federation has made the difference between surviving and going under. Officers in these situations are a very needy bunch of individuals. A lot of officers need reassurance about things. I would call them at all times, I have been very lucky to have the support I have had.”

Ch Insp Neil Sharman currently works on the Barnet borough and speaks at the Federation’s Post-Incident Procedures Seminar.

The Federation representative - PC Mark Williams

I took over as the full time federation representative for SO19 in January 2001. Initially it was a steep learning curve as, prior to this, I had been a workplace fed rep whilst being operational on the Met’s armed response vehicles. I had taken an interest in what happens to officers involved in a shooting, and fortunately I had shadowed my predecessor on a couple of shootings prior to his retirement.

However, nothing could prepare me for what was to happen over the next five years.

Initially my new role was one of attending meetings, listening to workplace concerns and updating the officers on federation issues. But, during 2001 there was to be two significant events involving SO19 officers which would, in effect, be my baptism into the world of post incident procedures. First was an incident involving one of our specialist teams in East London, the other being

the fatal shooting of PC Derek Bennett in Brixton. There were many concerns within SO19 about the way officers were being treated following a shooting.

It seemed to us that investigators and indeed the Police Complaints Authority, now the Independent Police Complaints Commission (IPCC), had no concept about how firearms officers operate, and there was little or no acknowledgment of the dangers they faced.

Following a police involved shooting there is a huge amount of pressure on officers and their families. This is where fed reps really earn their crust. We need to remain calm, think objectively, and reassure the officers. We need to understand the law, the operational procedures followed by firearms officers, and if we don’t know we need to get advice ourselves; never be afraid to ask for help.

The most emotive aspect of my work over the past seven years has to be the shooting involving Neil and Kevin in September 1999. When I first spoke with them as their fed rep I had no idea that the journey about to unfold would have so many highs and lows, and effectively change their lives and their families. It was six years of hell. I know it affected my health and home life, god only knows how Kevin and Neil and their families must have really felt.

It was taking its toll on me, although I did not want to admit it. I was angry, frustrated and disgusted at the way Kevin and Neil were being treated. Not least when they were arrested in May 2005. Seeing two friends stand before a custody sergeant and be told they were being arrested on suspicion of murder, manslaughter, and perverting the course of justice for doing their job was gut wrenching.

I had a lot of support from the Met’s constables’ branch board, Paul Roberts, general secretary, who would often call me and offer help, others would also call with offers of help and support.

On October 20, 2005, on the day of my wedding anniversary, I was with Kevin and Neil when the decision was announced that for the third time they were not to be prosecuted. It was a very sombre occasion, an anticlimax. The nightmare had effectively ended; it was a very emotional time. I think my wife was relieved to get her husband back; I was guilty of forgetting those at home who put up with the long hours, listened to my frustrations and supported me throughout. I am particularly proud to have played a part in organising the Police Federation’s Post Incident Procedures Seminars. It is reassuring to know that the Federation takes these issues seriously, and has done something about it.

I am hoping to move on soon, content that I did my bit for Kevin and Neil, lucky that I have made so many good friends over the years and proud to have been a fed rep for a very special group of people who I have nothing but admiration for.