

*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. Rt Hon Chris Philp MP Minister of State for Crime, Policing and Fire</p>
1	<p>CORONER</p> <p>I am Andrew Cox, the Senior Coroner for the coroner area of Cornwall and the Isles of Scilly.</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.</p>
3	<p>INVESTIGATION and INQUEST</p> <p>On 24 February, I concluded an inquest into the death of Sharon Elaine Harman, 49, who was stabbed to death by her husband at their home address in Polperro, Cornwall on 6 August 2021. Mr Harman then cut his own throat. Tragically, both these events took place in front of the couple's teenage daughters.</p> <p>Elaine's medical cause of death was recorded as: 1a) Stab wounds to the neck and chest</p> <p>I recorded a Conclusion of Unlawful Killing.</p>
4	<p>CIRCUMSTANCES OF THE DEATH</p> <p>On 31 July and 4 August 2021, Elaine was assaulted by her husband. He was arrested by police on suspicion of assaulting her and occasioning actual bodily harm. In interview on 5 August, he denied the charge. He was released from custody later that day on police bail subject to two conditions (i) not to contact Elaine or their two children and (ii) not to attend the property.</p> <p>On 6 August, it had been arranged for Mr Harman's son to collect personal items from Elaine at the home address. Mr Harman rang his son to delay the appointment. In breach of the bail conditions, he then attended the home address, forced entry and stabbed Elaine to death.</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>I attach for your ease of reference a copy of the College of Policing Approved Professional Practice entitled Post arrest management of suspect and casefile and draw your attention to the following extract taken from page 17.</p>

	<p>Checklist: Pre-release considerations</p> <p>Before a suspect is released from a police station officers should: inform the victim of the suspect's impending release, regardless of whether the suspect has been bailed or not, and record this notification</p> <p><u>check if the suspect is in possession of keys to the victim's house or car and remove them if so</u></p> <p>if the suspect offers a bail address with a previous or current partner, check not only that the person is happy for the suspect to be bailed there, but also that there is no history of domestic abuse – a curfew should never be imposed at an address where there is or has been domestic abuse</p> <p>update the risk assessment and safety plan</p> <p>The guidance appears to anticipate a situation where a suspect and victim live at separate addresses but may have shared keys. The situation here was that Mr & Mrs Harman lived together at their home address in which they had shared ownership.</p> <p>After police had interviewed Mr Harman for an offence of assaulting Elaine and causing her actual bodily harm – a charge Mr Harman denied – consideration was given to whether police could retain his house key given that a bail condition was imposed requiring him not to attend the address. It was felt that police did not have this power in law under s19 PACE or otherwise. Mr Harman's key was returned to him. It was found snapped off in the lock of the house door (along with a destroyed bolt) after Mr Harman forced entry.</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> <p>There appears an obvious disconnect in the guidance issued by the College of Policing and the laws provided to police under s19 PACE or otherwise. This appears of particular concern in cases of domestic violence where, previously, the parties have lived together.</p> <p>The police officers who gave evidence at inquest were of one voice that an additional power to retain a house key – for the duration of imposed bail conditions only – would be an additional and helpful power to have.</p> <p>It was recognised there may be difficulties in applying any such power from a practical perspective. Of note, there was no easy way, other than an Officer returning to a property, to check whether a key being retained was actually a house key. Further, it was foreseeable that there may be issues about what could be done where there were multiple copies of a house key perhaps held by a variety of different persons.</p> <p>Nevertheless, it was felt appropriate to make this report to you so that you could reflect on the position generally.</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 21 April 2023. I, the coroner, may extend the period.</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.	
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> <ul style="list-style-type: none"> - Family of Elaine Harman; - Chief Constable of Devon & Cornwall Police <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	[DATE] 24.2.23	[SIGNED BY CORONER] 