

12<sup>th</sup> February 2024

“Mr Rogers,

Thank you for your correspondence to Assistant Chief Constable [REDACTED] British Transport Police in the Regulation 28 Report dated 19<sup>th</sup> December 2023 concerning the sad death of Chloe Elizabeth Macdermott.

May I first express my deepest condolences to Chloe’s family, friends and loved ones.

ACC [REDACTED] is the National Police Chief Council's lead for Suicide Prevention by virtue of him being the current chair of the NPCC Suicide Prevention Steering Group. Under ACC [REDACTED]'s leadership, the Steering Group aims to foster collaborative partnerships across England, Wales, and Scotland. The Steering Group's focus is on understanding, responding to, and preventing suicide, aligning with the NPCC Policing Vision 2025. The Steering Group's purpose includes developing a comprehensive understanding of suicide trends, formulating prevention strategies, providing a platform for networking and collaboration, establishing an evidence-based foundation for effective tactics, and offering guidance for a nationally consistent approach to suicide prevention. Through this work, ACC [REDACTED] has been made aware of recent concern and increase in the number of people purchasing materials on international sites on the internet, particularly Sodium Nitrate and Nitrite, for the suspected purpose of suicide. Currently intelligence is suggesting that the purchase and use is decreasing however it still remains a concern.

In collaboration with experts from the Department for Health and Social Care (DHSC), Home Office and other key stakeholders, NPCC Suicide Prevention Steering Group members have raised awareness and informed responses across the policing sector regarding the emerging trend of Sodium Nitrate and Nitrite use in suicides. We have also supported the National Crime Agency, which is conducting a criminal investigation into the supply of Sodium Nitrite by a specific foreign national and working closely with the CPS and international authorities.

In the UK Sodium Nitrate and Nitrite are reportable substances (Sodium Nitrate as an Explosive Precursor and Sodium Nitrite as a Reportable Poison) under the Poisons Act. Given recent events, ACC [REDACTED] has discussed the regulation or restriction of Sodium Nitrate and Nitrite with the Home Office's Chemical Reporting Team and the Dept of Health and Social Care have taken work forward to ensure as far as possible that both Sodium Nitrate and Nitrite is not sold to individuals. Legal suppliers have been directed to mix the substances with other products namely salt which will lead to vomiting upon ingestion. We have been advised that there are no current plans to change Sodium Nitrate or Nitrite status from 'reportable'. The Home Office, in collaboration with legitimate suppliers, is proactively challenging suspicious sales. Some suppliers are considering a mixed product formulation to induce vomiting upon ingestion, thereby reducing the viability of Sodium Nitrate or Nitrite as a suicide method.

In October 2023, legislative changes were made regarding the sale of poisons and explosive precursors by suppliers based in England, Wales and Scotland. These changes, which include substances which are classed as reportable Explosive Precursors like Sodium Nitrate or Poisons like Sodium Nitrite, aim to reduce the risk of harm by setting out obligations for suppliers related to regulated and reportable substances. As of 1<sup>st</sup> October 2023, it is now a criminal offence to sell certain substances without an Explosives Precursors and Poisons (EPP) license.

When specific intelligence indicates that an identifiable individual in the UK has purchased items like Sodium Nitrate and Nitrite, police will conduct a 'safe and well'. Often, voluntary surrender of these items can be negotiated, with recovery and appropriate support referrals made. Where this is

not possible, increased health surveillance measures are encouraged with partner agencies. In cases of death linked to chemical suicide, efforts are made to track shipments and download electronic devices to quickly identify the product's origin and prevent further victims.

Regarding police powers of entry, search, and seizure, Section 19 of PACE allows for the seizure of 'evidence' when an offence is established or suspected. However, the offence of Encouraging or Assisting Suicide, as per the Suicide Act 1961 (amended 2010) is complex. This is particularly true when the perpetrator operates from outside the UK, and/or the 'victim' is an active and willing participant. In such scenarios, the law is unclear, and there is no power of entry to a victim's premises unless an immediate threat to life is believed to exist under Section 17 of PACE. Identifying and seizing potential self-harm items in a typical household is impractical due to the ubiquity of such items.

ACC [REDACTED] is aware of and remains concerned of the number of on line suicide and self harm content sites. Sites such as Sanctioned-Suicide are incredibly concerning and as a result the NPCC have been working closely with Government colleagues to create and implement actions of which there are many to reduce and restrict access to such websites.

The Government's new five-year Suicide Prevention Strategy for England, recently launched last year, contains numerous actions that will enable all relevant and influential organisations to support and achieve Government ambition. Whilst the Government is taking the lead in Suicide Prevention across England, working and collaborating with partners including law enforcement to limit access, share research and evidence and lessons learnt including responding to and managing suppliers we will deliver on the actions outlined in the Strategy.

ACC [REDACTED] has engaged with various Law Enforcement partners in UK Law Enforcement regarding the monitoring of on line pro-suicide forums. However, this is resource-intensive and at present there is no national agency charged with this responsibility and in any event we believe there is no legal basis for a police force to pursue such an initiative. Such monitoring would involve a large number of forums, many of which do not facilitate crime, raising significant lawful data processing issues, including whether it amounts to a Bulk Personal Dataset or would require a Directed Surveillance Authority and a potential disproportionate interference under Article 8. In fact the National Crime Agency (NCA) have stated that this type of activity is not consistent with the NCA's overall mission of combatting serious and organised crime or the significant ambitions of the NCA Strategy in particular in respect of degrading the most harmful organised crime groups. There is also a lack of fit with the Strategic Priorities set for the NCA by the Home Secretary.

OFCOM is the regulator of the new Online Safety Act with responsibility to make online services safer for the people who use them. Services that fall under their remit will have to follow certain rules including protecting users from illegal content and activity online as well as protecting children from harmful content. This includes encouraging self harm and/or suicide. The Act covers over 130 'priority offences' with main duties in regards to the Act relating to illegal content for services to assess risk of harm arising from or activity on the service taking proportionate steps to manage and mitigate risk. This includes preventing users from encountering content amounting to one of the offences and search services minimising risk of users encountering content amounting to an offence. Services also have duties to swiftly take down certain types of non priority legal content. The Act places new legal requirements on providers of the following three types of internet search; services that allow 'user to user' interactions or 'user generated content', search services and providers of pornographic content. The duties in the Act apply to services with links to the UK regardless of where in the world they are based. The Act grants OFCOM a range of enforcement powers and requires them to publish guidance on how they will exercise them. In January 2024 they launched the first of four consultations with stakeholders on putting into effect illegal content duties and enforcement powers under the Act.

Recognising the importance of informed responses, the Steering Group have disseminated briefing materials to all NPCC force and regional suicide prevention leads. In June 2023, ACC [REDACTED] wrote to all Chief Constables, highlighting the need for preparedness in addressing sodium nitrite related challenges. The Steering Group actively participates in cross-government efforts to address this suicide method. Our focus is on reducing access to sodium nitrate and limiting public awareness of its use in suicides, consistent with national strategies. While the Steering Group plays a crucial role in suicide prevention strategy, it is important to note that the quality and extent of crime investigation, including the investigation of the death in question, are matters for individual Chief Constables. As

such, ACC [REDACTED]’s role does not extend to directing specific actions in investigations conducted by the Metropolitan Police or any other force. We are committed to preventing avoidable deaths and providing support to those at risk, continuously exploring innovative strategies to enhance our prevention efforts.

ACC [REDACTED] believes that where necessary, proportionate and reasonable steps within the law are being taken to identify imports of Sodium Nitrate and Nitrite and other emerging novel suicide methods and that Police forces and health professionals continue to provide an appropriate response and support to those identified at risk. The NPCC remains committed to working with the Home Office and DHSC, who lead cross-government work on Suicide Prevention, to explore all options to prevent avoidable deaths and hope that responsible and appropriate reporting is supported and adhered to at all times with supportive and appropriate links to organisations that can, are able and do support those who may find themselves in crisis at any time <https://www.samaritans.org/about-samaritans/media-guidelines/>

Regards,

Inspector [REDACTED]  
(on behalf of ACC [REDACTED])”