



**Chief Constable**

11 November 2024

Dear Mr Travers,

In response to the Regulation 28 notice following the inquest of Ms Helen Kerr, I write to you to provide updates to each matter of concern.

The matters of concern, relevant to Surrey Police, are as follows. –

*2) Ms Kerr was seen at the police station and hospital in an extremely psychotic and paranoid state. Police records showed that she had been arrested and charged with carrying a bladed article. It was also recorded that she had subsequently carried a nail file, for her own protection. The officer who saw Ms Kerr on the 31st March 2023 was unable to read the records because Ms Kerr's condition meant that the officer could not leave the interview room before Ms Kerr decided to leave the station. The risk this posed to the public was therefore not considered. No action was subsequently taken in relation to the risk.*

As a point of learning, all officers are being reminded to ensure that research is undertaken as soon as practicable when dealing with members of the public, including asking the Force Control Room to do so on their behalf when it is impracticable to do so themselves. In this instance, by asking the Force Control Room, this would have enabled an alternative Surrey Police employee to assess previous information held on Surrey Police systems whilst they were engaging with Ms Kerr. This message will be conveyed by force emails and a reminder on the daily briefing to response officers. We fully accept that this research should have been conducted in order to inform the officer's decision making.

This incident was reviewed as part of the inquest and the officer who saw Ms Kerr explained her rationale as to why she did not use her section 136 powers under the Mental Health Act. The officer did undertake research following Ms Kerr's departure from the police station and submitted a SCARF (see point 3 below). This decision, which was also based on the research, was supported by a supervisor at the time of the incident and reviewed by the force mental health lead as part of the inquest proceedings.

Although Ms Kerr did previously carry a nail file for her own protection, the officer would have required grounds to search Ms Kerr. Although some forces are operating a pilot allowing them to search a person with a previous conviction of a weapons offence, who has a court order made against them upon conviction, Surrey is not a pilot force, and Ms Kerr was in any case highly unlikely to have met the required threshold for such an order. Therefore, an officer would rely on the powers conveyed in Section 1 of the Police and Criminal Evidence Act to conduct a search, but in order to do so, they would need to have reasonable grounds to suspect that they will find something prohibited (i.e. a weapon). At the relevant time, the officer did not have this suspicion. There was no information at the time to suggest Ms Kerr was a risk to either herself or the public at large.

*(3) The SCARF process does not enable information sharing between the Police, Mental Health Agencies and Surrey Adult Safeguarding out of hours. It is under review. It remains unclear how information sharing out of hours is to be achieved in a timely fashion to safeguard individuals and the public.*

The SCARF is not intended as a crisis management tool, nor is it intended to convey imminent unmitigated risk, which is laid out in the SCARF policy which all officers and staff can access. The SCARF is intended to pass safeguarding information where it has been deemed that there is no requirement for imminent action. In simple terms, Police have left the person safe in the immediate time frame and it is normal and appropriate for the SCARF to be assessed in a timely manner, (but not immediately), and to be screened and assessed by professionals.

Although police submit SCARFs 24/7 to the PSPA (Police Single Point of Access), a review and sharing information out of hours by the PSPA is not completed. The PSPA offers coverage 0900- 1700hours Monday to Friday. If we share SCARF outside of these hours, they would only wait in our partners (adult's or children's services) mailboxes until business hours. Surrey Police PSPA used to work weekends until recently, but this was removed because referrals processed were not seen by other agencies.

There are numerous things that officers can do in terms of informing our partners about more imminent risk. The primary one is the Emergency Duty Team (EDT) – this process is long established for response officers. This is person-to-person communication between agencies, where agreements can be made and issues escalated. Likewise, there are other methods, such as the professionals / crisis line / Accident and Emergency departments etc. All of these are 24/7 where 'real time' concerns can be discussed and safety plans formulated.

However, although information can be shared via these methods, practically they are designed mainly for organising immediate out of hours response. In these circumstances, those involving Ms Kerr, officers decided that there was nothing that required this level of immediate response, nor the use of section 136 powers which was heard at the inquest. As a result, the SCARF would normally be the correct method of information sharing as was the evidence submitted by [REDACTED] during the inquest.

*(4) The refuge was not made aware of Ms Kerr's presentation on the 31st March 2023 by Surrey Police. Her delusions about the actions of refuge workers could have put them in danger.*

Information sharing protocols are in place with statutory partners. The refuge is not a statutory partner, so with regard to the sharing of SCARF, there would be no existing process that would include them in Surrey Police's safeguarding information sharing protocols. Adult Social Care would be responsible and facilitate any onward information sharing if appropriate, based on a multi-agency assessment.

I hope that this response is sufficient. Please advise me if I can be of further assistance.

Yours sincerely,

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Chief Constable