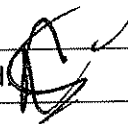




REPORT TO PREVENT FUTURE DEATHS (1)

	<p>REGULATION 28 REPORT TO PREVENT FUTURE DEATHS</p> <p>THIS REPORT IS BEING SENT TO:</p> <ol style="list-style-type: none">1. Department of Transport2. Fentons3. Backhouse Jones4. [REDACTED] VOSA
1	<p>CORONER</p> <p>I am Senior Coroner for the coroner area of Manchester North</p>
2	<p>CORONER'S LEGAL POWERS</p> <p>I make this report under paragraph 7, Schedule 5, of the Coroner's and Justice Act 2009 and regulations 28 and 29 of the Coroners (Investigations) Regulations 2013</p>
3	<p>INVESTIGATION and INQUEST</p> <p>On the 6th December 2011 I commenced an investigation into the death of Muriel Naylor for whom the cause of death had been given as being that of 1a) Fracture and Dislocation of first and second cervical vertebrae and at an Inquest hearing at the Oldham Magistrates Court on the 17th June 2014, with a Jury, the following conclusion was made 'on the 19th November 2011, the bus on which Mrs Naylor was travelling on had to action an emergency stop to avoid a collision with another vehicle. This sudden braking caused Mrs Naylor to be projected forward from a designated priority seat into the wheelchair / tip-up bay. The traumatic injury she sustained as a result of the impact caused her death which could have possibly been prevented if some other safety measure had been fitted which may have restricted Mrs Naylor's movement. Mrs Naylor's death was confirmed at The Royal Oldham Hospital on the 19th November 2011 at 5-45pm.</p>
4	<p>CIRCUMSTANCES OF DEATH</p> <p>As above</p>
5	<p>CORONER'S CONCERNS</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> <ol style="list-style-type: none">I. The vehicle in question is double deck Alexander Dennis Enviro 400 owned by Stagecoach of which at least 900 are still in use within the UK.II. The vehicle is required to have a minimum of 4 priority seats to allow access for disabled people and that can be accessed from the flat floor area of the vehicle, thus avoiding the passenger having to negotiate unnecessary steps. A priority seat has to be as close as practical to the priority entrance and such seats must have a clear area in front of the seat to allow passengers feet to be placed at least 230mm before the start of a minimum clear space of 1300mm to facilitate the carriage of

	<p>wheelchair users (Public Service Vehicles Accessibility Regulations 2000).</p> <p>III. Regulations make no mandate for a screen / barrier to be present in front of such a priority seat.</p> <p>IV. As standing passengers are carried on this vehicle, seat belts are not mandatory although this would not preclude the fitment of a seat belt as an option. However, a seat belt could only be fitted if there was sufficient anchorage and the seat itself would have to undergo a 'pull' test. The priority seat in question would not, it is believed, comply with the 'pull' test.</p> <p>V. Notwithstanding the fact that Mrs Naylor was a very fit and active 79 year old. She was propelled across a void of a 184cm before sustaining injuries which crushed her upper spinal cord causing immediate unconsciousness and paralysis.</p> <p>VI. Given that priority seating is intended to protect the most vulnerable users of the service, it is of significant concern that the risk is accentuated by the lack of any restraint.</p>
6	<p>ACTION SHOULD BE TAKEN</p> <p>Action should be taken to consider legislation that would prevent fatalities occurring in similar circumstances.</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 1st September 2014. I, the coroner, may extend the period.</p> <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.</p>
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 namely -</p> <ol style="list-style-type: none"> 1. Department of Transport 2. Fentons 3. Backhouse Jones 4. [REDACTED] VOSA 5. Chief Coroner <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	<p>Date: 08/07/2014 Signed </p>