



IN THE SURREY CORONER'S COURT

IN THE MATTER OF:

**The Inquests Touching the Death of Joshua Steven BROWN
A Regulation 28 Report – Action to Prevent Future Deaths**

	<p>THIS REPORT IS BEING SENT TO:</p> <ul style="list-style-type: none">• Professor Dame Shirley Pearce – Independent Chair of the College of Policing.• Chief Constable Suzette Davenport – ACPO National Road Policing Lead.
1	<p>CORONER Richard Travers HM Coroner for Surrey</p>
2	<p>CORONER'S LEGAL POWERS I make this report under paragraph 7(1) of Schedule 5 to The Coroners and Justice Act 2009.</p>
3	<p>INVESTIGATION and INQUEST The inquest into the death of Mr Joshua Brown was opened on the 6th December 2012 and was resumed on the 19th January 2015 with a jury. It was concluded on 17th April 2015. The jury found that the cause of death was: 1a – Head and neck injury. The jury concluded with a narrative and a short form conclusion of 'Road Traffic Collision'. Within their narrative conclusion the jury determined that the driving of the police officer was appropriate prior to joining the A31 and on the A31, in accordance with his driver training, he took the outside lane. However, in the brief time between his initial contact with the patchy fog and the collision, his dynamic risk assessment and hence his speed was inappropriate. They also found that, at the point of collision, Mr Brown was walking in lane 2 with his back to any potential traffic. The jury concluded that both these elements had contributed to the road traffic collision.</p>

4	<p>CIRCUMSTANCES OF THE DEATH</p> <p>At shortly after 03.30 hours on the 1st December 2012, a police vehicle driven by a Surrey police officer, left Guildford town centre in order to respond to a grade 1 call in Farnham. The route taken by the vehicle left Guildford on the A3 and went onto the A31 Hog's Back, West bound. The Hog's Back is situated on top of the downs and is an isolated road. At the point where the collision occurred it is an unlit dual carriageway where the two sets of lanes are divided by an area of mature trees and bushes. The weather in Guildford was reasonably clear, but as the vehicle climbed the hill onto the downs it became increasingly foggy. On the Hog's Back itself there was patchy dense fog. At the time of his death Joshua Brown was serving in the REME and was based at an army camp in the Farnham area. He had been in Guildford the previous evening and had become separated from his friends. At the point of the collision he was about one metre into the outside lane of the dual carriageway from its offside edge. His arm was outstretched with his thumb uppermost, as if he was 'thumbing a lift'.</p> <p>At the point of impact the speed of the vehicle was 81 mph and visibility was reduced, by reason of the fog, to 30 metres. In the circumstances it would not have been possible to have avoided a collision.</p>
5	<p>CORONER'S CONCERNS</p> <p>During the course of the inquest the evidence revealed that some police forces in England and Wales include as part of their night-time driver training for police officers, practical training in a motor car at night. However, that is not a national requirement and other police forces, in line with the national requirement, provide night-time driver training as a discussion based classroom training with no practical element to it</p> <p>The MATTER OF CONCERN is:</p> <p><u>Night-time driver training</u></p> <p>Consideration should be given to amending the national requirement for police driver training so as to include a compulsory element of practical in-car training for driving at night-time.</p>
6	<p>ACTION SHOULD BE TAKEN</p> <p>In my opinion action should be taken to prevent future deaths and I believe that the people listed in paragraph one above have the power to take such action.</p>

7	<p>YOUR RESPONSE</p> <p>You are under a duty to respond to this report within 56 days of its date; I may extend that period on request.</p> <p>Your response must contain details of action taken or proposed to be taken, setting out the timetable for such action. Otherwise you must explain why no action is proposed.</p>
8	<p>COPIES</p> <p>I have sent a copy of this report to the following:</p> <ol style="list-style-type: none">1. Professor Dame Shirley Pearce – Independent Chair of the College of Policing.2. Chief Constable Suzette Davenport – ACPO National Road Policing Lead.3. The Interested Persons in the Inquest:<ol style="list-style-type: none">a. b. c. The Chief Constable of Surrey Policed. Reynolds Dawson Solicitors on behalf of the driver of the police vehicle.4. The Chief Coroner
	<p>Signed:</p> <p><i>Richard Travers</i></p> <p>DATED this 27th April 2015</p>