

REGULATION 28: REPORT TO PREVENT FUTURE DEATHS

	<p>REGULATION 28 REPORT TO PREVENT FUTURE DEATHS</p> <p>THIS REPORT IS BEING SENT TO: The Department of Transport</p>
1	<p>CORONER</p> <p>I am Alison Mutch, Senior Coroner, for the coroner area of South Manchester</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 26TH April 2016 I commenced an investigation into the death of Philip James Clayton .The investigation concluded on the 24th July 2017 and the conclusion was one of Road Traffic Collision . The medical cause of death was 1a Ruptured right atrium;1b Fractured thoracic spine</p>
4	<p>On 24th April 2016, Philip James Clayton was a passenger in a Zcar Mini. The vehicle had been purchased earlier that day in a private sale by a member of Philip Clayton's family. The car had some defects and would not have passed an M.O.T. The vehicle went over the hatch markings and collided with another vehicle. Philip James Clayton died on 24th April 2016 at Buxton Road, High Lane, Stockport.</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>The vehicle in question was a Z car which is a type of vehicle built using a kit and to which a high powered engine is fitted. There are a number of sellers of such vehicles in the country. None of these sellers have to provide any form of driving course in the use of such vehicles before they are sold. These vehicles</p>

	<p>once built have to undergo a rigorous test to comply with Driver & Vehicle Standards Agency under the Individual Vehicle Approval (IVA). This test is more a lot more involved than a normal MOT and checks things from the conformity of switches to the actual construction of the vehicle body and everything in between. Each item fitted to the vehicle is checked to ensure it conforms to the current legislation, if the vehicle passed the IVA then it is assigned a registration number more often than not a "Q" plate. However once this designation has been given it appears that the vehicles do not undergo such rigorous testing on a regular basis.</p> <p>In addition, the driver of the vehicle was relatively inexperienced and had very limited experience of driving vehicles such as the one involved in this case. The current legislation allows a person to drive any modified or powerful vehicle once they have passed a normal driving test within the UK. This contrasts with the position where a person passes a motorcycle test. In that case then they are restricted by age to ride a reduced power machine for a period of time</p>
6	<p>ACTION SHOULD BE TAKEN</p> <p>In my opinion action should be taken to prevent future deaths and I believe you 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 the date of this report, namely by 24th September 2017. 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 [REDACTED] wife of the deceased, who may find it useful or of interest.</p> <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>Alison Mutch OBE HM Senior Coroner 31st July 2017</p> <p><i>Pp Chs M</i> <i>Alison Coroner</i></p>
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