



16 OCT 2019

## The Road Haulage Association Ltd

Dear [REDACTED]

### **Inquest touching the death of Jonathan Edward Ball**

Further to your letter of the 17<sup>th</sup> September enclosing the regulation 28 report in the above case, I have been asked to reply on behalf of the Road Haulage Association (RHA).

We, at the RHA, are a trade association who have strong links with the industry and do represent a significant proportion of goods vehicle operators (we have some 7,000 members). However, as a trade association, we do not have a specific mandate or authority by which we can force operators to take action in an attempt to prevent similar shortcomings such as those that led to the tragic death of Dr Ball. Within the haulage industry, the organisations and individuals that may have such power include the industry regulator (the traffic commissioners), the primary enforcement authority (the Driver and Vehicle Standards Agency – DVSA) as well as those responsible for legislation (the Department for Transport).

We would respectfully suggest that each of the above organisations are also sent copies of the report and asked to respond. It may well be that legislation can, at some point, be introduced to make it mandatory to carry and deploy a warning triangle and additional warning lights or, following the UK's exit from the EU, making 'breakdown management' a compulsory element of driver training via the Driver Certificate of Professional Competence (DCPC). At the present time such mandatory training is not possible given that EU regulations cover DCPC training and do not prescribe mandatory course content. Furthermore, the traffic commissioners could potentially look to raise an expectation of training and issuing equipment as part of what they consider 'best practice' for operators.

Having set out the above, I can say that we, at the RHA, are keen to assist in any way we can and to this end we are proposing taking the following steps to raise awareness of the issues surrounding a lack of equipment (including warning triangles and additional emergency lighting) as well as driver training:

1. Raising the issues within our weekly members email and in our members 'app';
2. Producing an article in our members magazine looking at the shortcomings the coroner has identified and;
3. Raising the subject at our forthcoming member events including at member briefings and future compliance conferences.

It may also be of assistance if the report is also sent to the other main trade association representing commercial goods vehicle operators, namely the Freight Transport Association (the FTA). No doubt they too will be able to take similar steps, in relation to their members, to those that we are proposing. The traffic commissioners and the DVSA also produce regular email newsletters and bulletins that go to all operators and they too may be able to include similar content to help raise awareness.

Should the coroner require any further assistance or more details on the above, please do not hesitate to contact me.

Yours sincerely,

[REDACTED]  
RHA Managing Director