

## ANNEX A

## REGULATION 28: REPORT TO PREVENT FUTURE DEATHS (1)

Jan KLEMPAR, deceased

	<p><b>REGULATION 28 REPORT TO PREVENT FUTURE DEATHS</b></p> <p><b>THIS REPORT IS BEING SENT TO:</b></p> <p>1. Mr ██████, Chief Executive, Royal National Lifeboat Institution 2. Mr ██████, Chief Executive, Maritime Coastguard Agency</p>
1	<p><b>CORONER</b></p> <p>I am Andrew Cox, Acting Senior Coroner, for the coroner area of Cornwall &amp; Isles of Scilly.</p>
2	<p><b>CORONER'S LEGAL POWERS</b></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><b>INVESTIGATION</b></p> <p>On 30 June, I commenced an investigation into the death of Jan Klempar, age 30. The investigation has not yet concluded, and the inquest has not yet been heard. The cause of death is provisionally given following post-mortem as 1a) Drowning.</p>
4	<p><b>CIRCUMSTANCES OF THE DEATH</b></p> <p>On the day in question, Mr Klempar was swimming in the sea at Porthcurno in west Cornwall a beach that, ordinarily, has lifeguard cover. I understand no lifeguards were on duty.</p>
5	<p><b><u>CORONER'S CONCERNS</u></b></p> <p>During the course of the investigation, my inquiries have 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 <b>MATTERS OF CONCERN</b> are as follows.</p> <p>1) I have previously written drawing to your attention my concerns about a reduced level of lifeguard cover on Cornish beaches (Pender deceased.) I understand that from a position of no lifeguard cover (Whitsun Bank Holiday) there is now some service at a number of the main beaches. It is not clear to me whether the level of service will be further increased to 2019 levels or whether there will be a reduced service for the rest of the summer season? Is there a published plan available to the public that sets out where lifeguard cover will be provided and</p>

	<p>specifies the beaches, if any, that will either have a reduced service or no service this year in comparison to 2019? Given the difficulties with international travel currently, and the consequent likelihood of high numbers of tourists in Cornwall, it seems to me this information needs to be made readily available so the public can inform themselves of the risks of bathing at a given beach.</p> <p>2) Where there may be a reduced or no lifeguard cover at particular beaches, is there a published plan specifying how any shortfalls may be mitigated through the provision of additional resource from the coastguard or other emergency provider?</p>
6	<p><b>ACTION SHOULD BE TAKEN</b></p> <p>In my opinion action should be taken to prevent future deaths and I believe you [AND/OR your organisation] have the power to take such action.</p>
7	<p><b>YOUR RESPONSE</b></p> <p>You are under a duty to respond to this report within 56 days of the date of this report, namely by 5 October. 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><b>COPIES and PUBLICATION</b></p> <p>I have sent a copy of my report to the Chief Coroner and to the following Interested Persons [family of Mr Klempar.]</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><b>[DATE]</b></p> <p><b>[SIGNED BY CORONER]</b></p> <p>07/08/2020</p> 