

	<p><b>REGULATION 28 REPORT TO PREVENT FUTURE DEATHS</b></p> <p><b>THIS REPORT IS BEING SENT TO:</b></p> <p><b>1. The Rt Hon Kit Malthouse MP, Minister for Crime &amp; Policing</b></p>
1	<p><b>CORONER</b></p> <p>I am Andrew Cox, HM Senior Coroner for the coroner area of Cornwall and the 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 and INQUEST</b></p> <p>On 7.4.22, I concluded an inquest into the death of Laura Amy Smallwood, a 34-year-old paediatric nurse, who died in University Hospital Plymouth on 4.5.19.</p> <p>The medical cause of death was recorded as:</p> <p>1a) Brainstem infarction; 1b) Bilateral vertebral artery dissection 1c) II)</p> <p>I recorded a Conclusion of an Accidental death.</p>
4	<p><b>CIRCUMSTANCES OF THE DEATH</b></p> <p>May Day is celebrated annually in Padstow with what is called the Obby Oss festival. An Oss is a hooped structure resembling a hobby horse that weighs about 50lbs and is processed through the streets over the course of the day. There are two separate 'Osses.' The day is extremely popular and can attract up to 20,000 visitors to the town.</p> <p>On 1 May 2019, Laura was unintentionally struck to the back of her neck by an Oss when the carrier lost his balance and fell over. She deteriorated acutely at the scene and suffered a respiratory arrest. She was taken by air ambulance to hospital but died from her injuries.</p>
5	<p><b><u>CORONER'S CONCERNS</u></b></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 <b>MATTERS OF CONCERN</b> are as follows. –</p> <p>Until recently, there had been a lack of involvement by the Oss committees with the Local Safety Advisory Group (LSAG.) This had compromised planning and risk management for the event. That situation has improved significantly with the appointment of an external liaison officer by the Oss committees.</p> <p>Those who attend May Day from the Oss organisations, however, represent only a small fraction of the total number of attendees. At inquest, I heard that there is still no one willing to act as an 'Event Organiser' for the May Day event as a whole despite repeated requests from the police for this to happen. As a consequence, there is no single point of contact for the police or others and no one who is engaged with the LSAG to look at public safety.</p> <p>I heard in evidence that the current legislative framework does not provide the police or</p>

	<p>any other agency with powers in law to insist on the appointment of an Event Organiser. Further, neither the police nor any other agency have powers in law to grant or refuse permission to hold an event where there are significant concerns around public safety. I enclose statements from:</p> <ul style="list-style-type: none"> <li>- Inspector [REDACTED];</li> <li>- PS [REDACTED];</li> <li>- [REDACTED] with counsel's advice.</li> </ul> <p>If these submissions are correct, this gap in legislative oversight is relevant not simply for the May Day festival in Padstow but for events nationally. What is the expectation of government, in terms of the management of public safety, where there is no Event Organiser to engage with a LSAG and other agencies like the police?</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 have the power to take such action. The matters I bring to your attention are:</p> <ul style="list-style-type: none"> <li>- Whether there is adequate legislative authority currently to ensure public safety at gatherings where there is no Event Organiser to liaise with an LSAG or other external agencies?</li> <li>- Whether additional powers need to be given to the police or others to grant or refuse permission for a particular event to take place in the absence of the appointment of an Event Organiser with meaningful engagement with an LSAG so that public safety considerations are properly addressed?</li> </ul>
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 June. 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: the family of Laura Smallwood, the representative of the Blue and Red Oss committees and Devon &amp; Cornwall police.</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>[DATE] 7.4.22 [SIGNED BY CORONER]</p> 