



Department  
for Transport

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*Alan R Haze*

Thank you for your letters of 24 July to me and the Maritime and Coastguard Agency, enclosing your Regulation 28 report to prevent further deaths. I am replying on behalf of the Maritime and Coastguard Agency, and Executive Agency of this Department, following discussions with them.

Following the inquest held on 30 June 2017 and your investigations into the deaths of seven men at Camber Sands in the summer of 2016, you recommended that action should be taken to prevent the risk of future deaths of this nature and raised a number of matters of concern. I agree that lessons can be learned from this tragic incident and in this response, I set out some background and address each of your key points in turn.

### Background

The MCA has a number of UK-wide functions, including search and rescue (SAR) and the surveying and inspection of ships. The MCA is a member of the National Water Safety Forum (NWSF) - which promotes accident prevention through education - and voluntarily contributes financially to the NWSF's running costs. In February 2016, the Minister of State for Transport at that time, [REDACTED], launched the NWSF's National Drowning Prevention Strategy; a copy is enclosed. This Strategy promotes a collaborative approach to accident prevention for stakeholders with an interest in water safety, both inland and on the coast. Turning to the key points raised in your letter, I would offer the following responses.

## **No formal governance or control of risk management**

There are more than 11,500 miles of coast around the United Kingdom, and the Government is opening coastal paths to support public health, fitness and wellbeing, whilst encouraging people to enjoy this country's coast and beaches. It is the responsibility of landowners (in many cases the local authority) who have a duty of care to assess the safety risks associated with their coastlines and beaches and to determine whether they need to put in place safety interventions. This may include safety signage and/or, where appropriate, professional lifeguarding services provided by the Royal National Lifeboat Institution (RNLI), the Royal Life Saving Society (RLSS) and other organisations.

A current gap in risk management has been identified as a national issue and has been recognised through MCA's work with the NWSF. Target 2 of the Strategy states that: 'Every community with water safety risks should have a risk assessment and water safety plan in place'. Presently the risk management of water safety risks is conducted on an ad hoc basis and takes many different forms. To gain an understanding of the national situation, the MCA will fund an independent review of the current system of risk management pertaining to beach safety and the prevention of drowning. This will include research into how the UK compares to other leading nations such as Australia, New Zealand, Canada, Netherlands and Germany. The review will also compare other similar risk themes such as road traffic or fire harm, for the prevention of injury and will report by end of July 2018.

## **MCA has enforcement powers akin to the Police and should be given resources to take a bigger role**

As you suggest in your findings, the MCA does have enforcement powers akin to the Police, but these only extend to matters contained within the Merchant Shipping Act and similar primary legislation and associated regulations. The MCA also has powers as the Receiver of Wreck for managing access to beaches to guard against looting and to protect wreck, salvage, stranded whales and similar wildlife. However, the MCA's officials have no powers to restrict access to beaches generally nor to prevent swimming.

## **What is the MCA doing?**

As part of its response to the National Drowning Prevention Strategy, which aims to halve the number of accidental drownings by 2026, the MCA has developed its own Drowning Prevention Strategy with an implementation plan; again, a copy is enclosed.

In addition, we will review what resources we need to contribute effectively to accident prevention. Any additional identified resources will be built into the Agency's annual Business Plan, published each April.

The Agency is already actively involved in some prevention work, regularly advocating safety messages and campaigns at targeted audiences. For example, in response to recent research indicating a growing public appetite for online guidance, the MCA launched this summer a Coastal Safety mini-website<sup>1</sup> which distils simple safety information in one place, for the benefit of families and casual beach visitors.

Since 2007, the MCA has contributed coastguard incident data and provided staff resource to maintain and develop the NWSF Water Incident database (WAID) which records in detail, fatal water-related accidents. This data is used to analyse national drowning incident trends and to inform each member organisation's prevention strategies. The Forum is committed to continuing to expand, develop and draw on the database, which provides the evidence needed to monitor progress towards the National Drowning Prevention Strategy's vision and targets.

The MCA has recently started working closely with the RNLI on coastal risk management, including a programme of visits to landowners to discuss and advise on local risks and the potential for raising public awareness through targeted safety interventions.

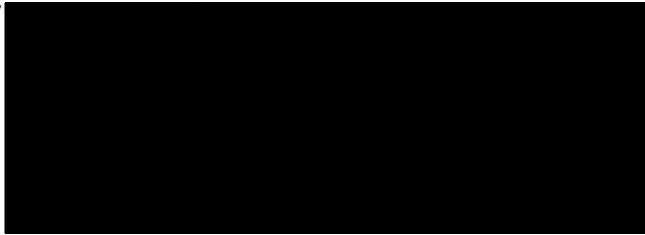
In addition, Her Majesty's Coastguard can call on its 3,500 volunteer Coastguard Rescue Officers based in local communities on the coast to provide engaging safety talks and demonstrations, and this is something MCA will be looking to do more of. The MCA and I are also keen to extend those opportunities to communities in our bigger cities so that people from urban backgrounds are better prepared for the risks they may encounter when they venture to the seaside. The Agency has recently nominated a number of coastguard officers to act as National Drowning Prevention Officers to target particular high - risk activities such as diving, motorboating and swimming.

In summary, Her Majesty's Coastguard and the MCA are already engaged in work to support accident prevention messages. Working alongside the other organisations in the NWSF, the MCA is also actively exploring the scope for committing more of its existing resources to implementing its own and the national Drowning Prevention Strategy.

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<sup>1</sup> <https://coastguardsafety.campaign.gov.uk/>

The Agency will also conduct an independent review of its accident prevention activity and benchmark what it does against similar maritime countries in the world.



**Rt Hon Chris Grayling MP**

**SECRETARY OF STATE FOR TRANSPORT**