

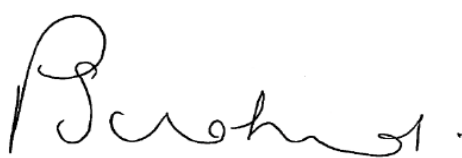


Regulation 28: REPORT TO PREVENT FUTURE DEATHS

NOTE: This form is to be used **after** an inquest.

	<p>REGULATION 28 REPORT TO PREVENT DEATHS THIS REPORT IS BEING SENT TO:</p> <p>The Rt Hon Grant Shapps The Secretary of State for Transport Great Minister House 33 Horseferry Road London SW1P 4DR</p>
1	<p>CORONER I am Penelope Schofield, Acting Senior Coroner, for the coroner area of Brighton and Hove.</p>
2	<p>CORONER'S LEGAL POWERS 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 On 26th May 2020, the then Senior Coroner Veronica HAMILTON-DEELEY commenced an investigation into the death of Jennifer Lilian Davies aged sixty-nine. The investigation was concluded by me Penelope SCHOFIELD at the end of the Inquest on 21st June 2021. The overall conclusion of the inquest was a short form conclusion of ROAD TRAFFIC COLLISION.</p>
4	<p>CIRCUMSTANCES OF THE DEATH On 21st May 2020 Mrs Davies was struck by a parcel delivery service vehicle when crossing the road in front of the junction with Dyke Road at the Seven Dials Roundabout in Brighton. She was knocked to the ground and sustained a serious head injury. She was taken to Hospital but despite treatment she did not recover from her injuries, and she sadly died on 23rd May 2020. The driver of the vehicle has since admitted to causing her death by driving without due care and attention. He received a sentence of 3 years and 6 months imprisonment.</p>
5	<p>CORONER'S CONCERNS</p> <p>During the investigation, my inquiries revealed matters giving rise to concern. In my opinion there is a risk that future deaths could 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>Delivery van drivers (of vehicles under 3.5 Tonnes) are not subject to the current Working Time Regulations. However, as in this case, a driver could be required to work up to 11 hours a day. Whilst employers can stipulate that their drivers should take a 30-minute break there is no legal requirement upon them to do so.</p>



	<p>With the growth in home parcel delivery this is putting lives at risk. Delivery van drivers, by the very nature of the work that they do, are being driven in hugely populated areas where pedestrians are particularly at risk.</p>
6	<p>ACTION SHOULD BE TAKEN</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>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 30th October 2022 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: -</p> <ul style="list-style-type: none">a) The family of Jennifer Daviesb) DPD Group UKc) Precise Couriers Ltdd) [REDACTED] <p>I am also under a duty to send a copy of your response to the Chief Coroner and all interested persons who in my opinion should receive it.</p> <p>I may also send a copy of your response to any person who I believe may find it useful or of interest.</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.</p> <p>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>Dated 30th August 2022</p> <p></p> <p>Penelope Schofield Acting Senior Coroner, Brighton and Hove</p>