



Regulation 28: REPORT TO PREVENT FUTURE DEATHS

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

	<p>REGULATION 28 REPORT TO PREVENT DEATHS</p> <p>THIS REPORT IS BEING SENT TO:</p> <p>1 The Rt Hon Mark Harper MP Secretary of State for Transport Great Minster House Horseferry Road London SW1P 4DR</p> <p>2 [REDACTED] Chief Executive Driver and Vehicle Licensing Agency Longview Road Morrison Swansea SA67JL</p>
1	<p>CORONER</p> <p>I, Penelope Schofield, Senior Coroner, for the coroner area of West Sussex.</p>
2	<p>CORONER'S LEGAL POWERS</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>INVESTIGATION and INQUEST</p> <p>On 22 September 2021 I commenced an investigation into the death of Kathleen Grace FANCOURT aged 89. The investigation concluded at the end of the inquest on 01 March 2023. The conclusion of the inquest was that Mrs Fancourt died an Accidental Death.</p>
4	<p>CIRCUMSTANCES OF THE DEATH</p> <p>On Thursday 16th September 2021 on Broyle Road in Chichester, West Sussex, Kathleen Fancourt was on her mobility scooter waiting at a pedestrian crossing. The crossing light was green for pedestrians and red for traffic. As Mrs Fancourt commenced to cross the road she was hit by a Peugeot car driving over the crossing. The driver of the car was 95 years old and has since this incident pleaded guilty to an offence of dangerous driving.</p>
5	<p>CORONER'S CONCERNS</p> <p>During the course of 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: (brief summary of matters of concern)</p> <p>This accident was caused by a driver who was 95 years old. At present there is no upper</p>



	<p>legal limit for drivers. Whilst drivers over 70 are required to apply for a new licence every 3 years there is no requirement for there to be any form of medical check to confirm their fitness to drive. It is left to a self declaration of any medical condition by the driver. There is a concern that if no checks are carried out a driver may be oblivious to their enduring medical condition and this may pose a serious risk to other road users.</p> <p>In 2020 (the last figures publicly available) there were 174 fatal accidents cause by drivers over the age of 70 years old. The Government's own statistics confirm that "driver illness or disability (mental or physical)" was the 4th most common contributory factor to these deaths.</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 April 27, 2023. 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> <p>The family of Kathleen Fancourt</p> <p>I have also sent it to</p> <p>Chief Constable of Sussex Police – Forensic Collison Department. West Sussex County Council – Highways department Gillian Keegan, MP for Chichester</p> <p>who may find it useful or of interest.</p> <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: 02/03/2023</p>



Penelope Schofield

Penelope SCHOFIELD
Senior Coroner for
West Sussex Coroners Service