

James Bennett Area Coroner, Birmingham and Solihull

18/07/2023

Dear Mr Bennett,

Thank you for your Regulation 28 Report of July 11, and for your hearing of Mustafa's case.

It was a tragic accident, and one we absolutely must learn from to ensure it cannot be repeated.

As you have identified in your report, Transport for West Midlands (TfWM, which I ultimately Chair) does not have all the levers at its disposal given the e-scooter pilot scheme is ultimately run by the Department for Transport. And as such my response will focus on what we can control locally as the implementors of the pilot.

Unlocking e-scooters and 'selfies'

Under Voi's West Midlands e-scooter scheme at the time of the incident, users wishing to access a rental e-scooter in the West Midlands had to register to do so and be 18 or over. Registration required a user to submit their name, contact details and upload a photograph of their driving license (minimum requirement to hold a provisional driving license). Voi also required an individual to upload a 'selfie' to verify their identity at registration. They used a third-party license checker to verify the license was valid (against DVLA databases) and used AI technology to ensure the selfie matched the image on the license. A selfie check isn't currently a mandated Department for Transport requirement for registration, but we are steadfast in our belief that this is a necessary additional feature for our regional scheme which is why we implemented it.

As a sign-up process we believed this to be safe, and a robust way to stop under-age riders opening accounts and accessing our e-scooters. It is why we are not dropping our demands for a 'selfie' check as part of our pilot, and why our new operator Beryl will be using the same security process for registering an account when their scheme goes live.

However, in the tragic case of Mustafa, a valid (18+) account was transferred onto another device operated by a 14-year-old. This would have required the 14-year-old to have access to information from both devices to validate the transfer, completed using a verification code sent via text message. A further 'selfie' check would not have been requested at the time of transfer.



Clearly therefore there is a need to strengthen security once an account has been opened and passed the original security checks. That is why TfWM and Beryl will be introducing both randomised and targeted identity checks, meaning 'selfies' will be required far more frequently to ensure e-scooters are being accessed by valid account holders only. Specifically, we will be undertaking a 'selfie' check every time an account transfer takes place, with random checks taking place on ride starts and app openings.

We believe this step, which serves as both an active prevention and as deterrent, represents a robust mitigation against a repeat of the circumstances which led to Mustafa's death.

<u>Parking</u>

Under our previous pilot scheme, e-scooters could be parked anywhere outside of Birmingham city centre (provided they abided by certain rules, e.g. not left as an obstruction). However, having learnt the lessons of this scheme, our new pilot will be introducing new parking regulations for e-scooters.

Beryl's parking model will only allow riders to park in marked or racked bays. Anyone parking outside these designated areas will be fined immediately, with repeated incursions facing a service suspension or a ban. Clearly we have the power to determine which areas we mark for parking and where we put our racked bays, meaning we will ensure none of these are in the immediate proximity of schools – further disincentivising and deterring underage use.

GPS and education

As you might be aware, all of Beryl's e-scooters will be fitted with accurate GPS technology as part of our new pilot scheme. This means the operator will know where vehicles are at any one time, where they have ridden from, and how they were ridden. This information will allow Beryl, alongside TfWM, to target specific areas and specific riders.

For example, if frequent activity was seen around a school during peak times Beryl could deploy staff to the school to monitor activities and intervene if required. Equally, Beryl could use monitored activity through GPS to target outreach and education programmes at certain schools or clubs.

We remain extremely keen on better education of e-scooters, which is why Beryl is already discussing how - alongside West Midlands Fire Service and West Midlands Police - education programmes will run with institutions where underage riding has previously been identified. These specific interventions are planned to run alongside Beryl's existing programme of rider training schools.

However, we need the education to work both ways, meaning institutions must notify Beryl if they believe they are having problems with e-scooters and underage riding – as your inquest identified was the case at both Saltley and Washwood Heath



academies. Any reports of this nature can be cross-checked with GPS and acted on, and so Beryl will be able to discuss this reporting with institutions as part of their outreach work.

Bank accounts

It is known that in this instance the 14-year-old account user, after transferring the account onto his phone, changed the payment method to an under-16 account. It was not possible for Voi to identify this account type owing to restrictions on published account information. TfWM aren't able to directly change this procedure (which is tied up with national regulations), but as Mayor I am committed to work with the Secretary of State as part of the Department for Transport's efforts to address this concern.

Conclusion

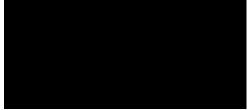
I believe our previous e-scooter pilot scheme, operated by Voi, demonstrated how escooters play a valuable role in providing a sustainable transport option for hundreds of thousands of citizens across the West Midlands, helping to cut car use, congestion, and carbon emissions.

However, ensuring these journeys are taken in the safest and most accessible way remains a key priority both for TfWM and our new operator Beryl. That is why we believe the changes outlined above will significantly enhance the safety and security of e-scooters, and ultimately show how we believe we have used the power at our disposal to take action to prevent future deaths.

Naturally, I would be very happy to update you again in three months' time on how effective the steps outlined in this letter have been in the new scheme.

Thank you again for writing to me, and I hope my response addresses the concerns your inquest raised.

Yours sincerely,



Mayor of the West Midlands