



Ian Potter
HM Assistant Coroner,
Inner North London
St Pancras Coroner's Court
Camley Street
London, N1C 4PP

29 February 2024

Dear Ian Potter,

Regulation 28: Prevention of Future Deaths Report
Bobby LEE

Thank you for your Regulation 28 Report to Prevent Future Deaths, dated 4 January 2024, following your investigation and inquest into the death of Bobby Lee who died on 6 July 2023, as a result of smoke inhalation and severe burn injuries following a fire caused by a charging lithium-ion battery for a converted e-bike.

I was very sorry to hear of Mr Lee's death. If you have the opportunity, please do pass on my deepest sympathies to his family and friends.

In your report, you refer to previous Reports to Prevent Future Deaths, and I have outlined below further work that has been undertaken subsequently. I would like to reassure you that the Government is taking the safety risks associated with e-bikes, e-scooters, their batteries and chargers very seriously. Key Departments across Government, including the Office for Product Safety and Standards (OPSS) within the Department for Business and Trade, the Home Office, and the Department for Transport have joined forces as part of a taskforce to establish the root causes of fires, so we can determine the most effective actions to tackle the issue.

The UK's product safety laws already require that only safe consumer products be placed on the market. Manufacturers or importers are required to ensure their products, including e-bikes, e-scooters, their batteries or conversion kits, are safe and there are criminal penalties for those that don't comply. In addition, distributors, including online marketplaces, must not supply products they know, or should know, are unsafe.

These requirements are enforced by both Local Authority Trading Standards and OPSS. Action is being taken to remove unsafe or non-compliant products from the market. Ten separate product recalls and nine other enforcement actions for unsafe or non-compliant e-bikes or e-scooters have been published by OPSS since March last year. Last month, OPSS took enforcement action to remove from the market two dangerous models of e-bike batteries manufactured by Unit Power Pack (UPP), which posed a serious risk to users, including potential fatalities. OPSS has issued Withdrawal Notices to 20 distributors and one manufacturer, including major online marketplaces, requiring them to stop the immediate

supply of these products. OPSS has also published public safety information on gov.uk, advising consumers not to use the affected UPP batteries and how to dispose of them safely.

OPSS is also assessing the compliance of 60 UK-based businesses involved in the supply chain of e-bikes, e-scooters or conversion kits.

The product safety issues around these products remain complex: products may be safe and compliant with the law when sold, but not when they are modified, or when used in a combination which is not compatible, as appears to have been the case in this tragic fatality.

Steps are being taken across Government to raise awareness among consumers of the risks from lithium-ion batteries, particularly for counterfeit, damaged or poorly modified e-bikes and batteries, or when an incorrect charger is used. In December, OPSS published a safety message highlighting the steps people should take when owning or thinking of buying an e-bike or e-scooter. This includes always following the manufacturer's instructions for charging and using the products; checking and only using the manufacturer's recommended battery and charger; never attempting to tamper with or alter the battery or charger; and unplugging the battery when charging has finished. The Department for Transport released new guidance on how to "safely purchase, charge, and use e-bikes and e-scooters" earlier this month which includes fire safety advice for users, owners, and transport operators.

I am able to provide an update on a new fast-track standard for conversion kits. I can confirm we have held initial discussions with the British Standards Institution (BSI), the UK's national standards-setting body responsible for introducing new standards, on the preparation of a publicly available specification (PAS) to cover technical and safety standards for conversion kits. This new standard will not change the existing legal requirements, and, like the vast majority of standards, it will be voluntary. However, it will function to create and communicate expectations in this important market area and assist businesses in meeting the existing legal safety requirements for conversion kits. All British Standards are drawn up by committees and made by consensus which necessarily takes time. But we are using a fast-track route and would hope that the standard could be in place for businesses to use within the next 12-18 months.

In your report you refer to the research commissioned by OPSS from Warwick Manufacturing Group (WMG) into batteries used in e-bikes and e-scooters. This is a wide-ranging and comprehensive project and includes examination of compatibility issues. We are working with WMG to bring forward and share insights from this research as quickly as possible, while ensuring the evidence base is robust and rigorous. We expect WMG to deliver their final report later this year, but in the interim OPSS intends to share early insights from this work across government and through our stakeholder network so it can feed into our understanding of risk and our enforcement and policy priorities. We can write to you again and share this report once it has been published.

The Government recently consulted on proposals, as part of a Product Safety Review, to modernise the product safety framework in the UK. One of the key aims is to address concerns regarding the ease with which unsafe products can be sold online, creating a fairer playing field so that shopping online is as safe as on the high street. We are currently analysing responses to that consultation and would expect the Government's response to be published later this year.

I hope that this demonstrates how high a priority the safety of e-bikes and lithium-ion batteries is for government, and the breadth of work taking place to address the issues you have raised. We can, and will, take further enforcement action where there is appropriate and proportionate evidence to do so. I would be grateful if you could share a copy of this letter with colleagues who may find it useful.

Yours sincerely,

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Chief Executive

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