



Kally Cheema LLB | Senior Coroner | Cumbria

Fairfield, Station Road, Cockermouth, Cumbria CA13 9PT



8 February 2024

REGULATION 28 REPORT TO PREVENT FUTURE DEATHS

THIS REPORT IS BEING SENT TO: Recovery Steps Cumbria

CORONER

1

I am Robert Cohen HM Assistant Coroner for Cumbria

CORONER'S LEGAL POWERS

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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.

<http://www.legislation.gov.uk/ukpga/2009/25/schedule/5/paragraph/7>

<http://www.legislation.gov.uk/uksi/2013/1629/part/7/made>

INVESTIGATION and INQUEST

On 8 September 2023 I commenced an investigation into the death of Dayle BATES. The investigation concluded at the end of the inquest . The conclusion of the inquest was

Drug related death.

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1a Drug Intoxication

1b

1c

II

CIRCUMSTANCES OF THE DEATH

4 Dayle Bates was 39 years old. He lived in Workington, Cumbria. Mr Bates had a past medical history of drug misuse. On 31st August 2023 Mr Bates' body was discovered at his home. Ambulance staff were unable to revive Mr Bates and his death was confirmed at 11:50. A post mortem examination has confirmed that his death was caused by the combined effect of heroin, bromazepam, protonitazene, xylazine and alcohol.

CORONER'S CONCERNS

During the course of the inquest the evidence revealed matters giving rise to concern. In my opinion there is a risk that future deaths will occur unless action is taken. In the circumstances it is my statutory duty to report to you.

The **MATTERS OF CONCERN** are as follows. –

5 (1) Mr Bates had a prescription for methadone issued by Recovery Steps. He was required to collect a dose each day from a named pharmacy. On 14th July 2023 Mr Bates stopped collecting methadone. The pharmacy explained that they sought to inform Recovery Steps of this development shortly after 14th but did not have any contact details other than a general number which is not always answered and a direct line for one key worker. They attempted to raise their concerns with that key worker, but the message appears not to have been relayed. Recovery Steps did not become aware that Mr Bates was not collecting methadone until 30th August 2023.

In answer to question from the Court, the pharmacy have also indicated that although it is their practice to inform Recovery Steps of any other concerns they might have about a person prescribed with methadone, this is a voluntary decision on their part and not a matter that arises from any obligation.

I am concerned that this situation gives rise to a risk of future death. It appears that there is no direct means by which a pharmacy can report to Recovery Steps that a service user has stopped collecting methadone. There is also no apparent obligation on pharmacies to report wider concerns for service users' welfare to Recovery Steps. In each case this may mean that Recovery Steps are unaware that vulnerable service users require additional support.

ACTION SHOULD BE TAKEN

6 In my opinion action should be taken to prevent future deaths and I believe you Recovery Steps Cumbria have the power to take such action.

YOUR RESPONSE

7 You are under a duty to respond to this report within 56 days of the date of this report, namely by 5th April 2024. I, the coroner, may extend the period.

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.

COPIES and PUBLICATION

8 I have sent a copy of my report to the Chief Coroner and to the following Interested Persons: the family of Mr Bates.

I have also sent it to [REDACTED] of J H Sandham Chemists, who may find it useful

or of interest.

I am also under a duty to send the Chief Coroner a copy of your response.

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. 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.

8 February 2024

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A handwritten signature in black ink, appearing to read 'Robert Cohen', with a long horizontal flourish extending to the right.

Signature

Robert Cohen HM Assistant Coroner for