



Office for Product
Safety & Standards

**Office for Product Safety and
Standards**

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M. E. Voisin
HM Senior Coroner for Avon
The Coroner's Court
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Flax Bourton
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12 September 2024

Dear Mrs Voisin,

Thank you for your Regulation 28 Report to Prevent Future Deaths, dated 25 June 2024, following your investigation and inquest into the death of Abdul Jabar Oryakhel, who died on 25 September 2022 whilst escaping a fire caused by an overheating lithium-ion e-bike battery pack.

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

The Office for Product Safety and Standards (OPSS), within the Department for Business and Trade, is the UK's national product regulator, and the safety of e-bikes, e-scooters, their batteries and associated products is a top priority for us. In early 2023, OPSS began a dedicated programme of work to better understand and tackle the causes of product safety issues in these products in response to the growing number of incidents being reported.

This programme is aimed at protecting consumers through better understanding of risks from lithium-ion batteries and how product components interact; increasing business compliance through regulatory advice and action; and issuing clear safety messages to consumers to raise awareness of risks. In addition, OPSS has a programme of work addressing the sale of non-compliant products made available through online marketplaces, often by third parties based overseas.

Lithium-ion batteries and chargers are subject to UK product safety laws. Lithium-ion batteries must comply with the requirements of the General Product Safety Regulations 2005, while battery chargers are subject to the requirements of the Electrical Equipment (Safety) Regulations 2016. These regulations place obligations on manufacturers and importers to only place safe products on the UK market. In addition, distributors, including online marketplaces when they undertake the activities of distributors, must not make available products they know, or should know, are unsafe. OPSS and Local Authority Trading Standards have powers to take action where these requirements are not met.

Over the last two years we have undertaken regulatory interventions in this area, such as serving withdrawal notices to require the removal of dangerous models of UPP-manufactured e-bike batteries from the market. We are using data and intelligence to

The Office for Product Safety and Standards (OPSS) delivers consumer protection and supports business confidence, productivity and growth. It is part of the Department for Business and Trade.

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target unsafe and non-compliant goods, including coordinating product removals with Local Authority Trading Standards teams working at the border. Since 2022, OPSS has published information regarding 18 product recalls, and 20 other regulatory actions, relating to e-bikes, e-scooters and associated products. We have carried out inspections of technical product documentation and quality assurance processes for more than 90 UK-based businesses involved in the manufacture or supply of these products, to check their compliance.

Working with local authorities, we launched a new programme this year to reach small UK businesses that repair or modify e-bikes, e-scooters or their batteries, to ensure these businesses are aware of and comply with the regulations that apply to them. We also work closely with fire and rescue services and have established a system for them to report any fire incidents that involve products in real time, so we can gather intelligence and when necessary, take appropriate action in relation to the products involved.

In your report, you have raised a concern over a lack of understanding of risks in this area and the lack of a specific British Standard for e-bike batteries and chargers. Our research and evidence points to complexity with the products and associated components, which may be safe when placed on the market but may become unsafe if modified or if non-compatible replacement batteries or chargers are used. As part of our e-bike programme, OPSS commissioned a research study from Warwick Manufacturing Group (WMG) into potential hazards and risks from e-bikes and e-scooters, including their batteries. This includes compatibility issues as well as an assessment of all relevant standards, to identify any areas where changes to voluntary standards could assist businesses to comply with the law. We expect the research to be published soon, once it has completed independent peer reviews.

While the creation of new voluntary standards is a matter for the British Standards Institution (BSI), we will carefully consider any relevant recommendations made by WMG. OPSS has already commissioned BSI to develop a Publicly Available Specification for e-bikes, e-scooters, their batteries, conversion kits and related products, which we hope to be in place in the next 18 months. OPSS has previously designated, with restrictions, the standard BS EN 15194 for e-bikes, which gives products that meet the standard a presumption of conformity with the law (except in regard to the clauses restricted under the designation). However, whether businesses choose to follow a standard remains voluntary, and they must still meet all their obligations in law.

OPSS has also been actively raising awareness of the risks that these products can pose. In December 2023, OPSS published a Government safety message on e-bikes and e-scooters with recommendations on the steps consumers can take to reduce fire risks if they purchase, use or charge an e-bike or e-scooter. The steps include 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. We are planning a new safety campaign with consumer messaging on purchasing e-bikes and e-scooters, which we expect to be launched in the autumn.

OPSS has also joined up with other Government Departments to support consumer safety messaging for e-bikes, including Department for Transport guidance, published in February this year: www.gov.uk/government/news/new-guidance-to-enhance-e-bike-and-e-scooter-safety and 'Fire England' guidance published by the Home Office last year: www.fireengland.uk/news/how-keep-your-home-safe-when-charging-your-e-bike-or-e-scooter.

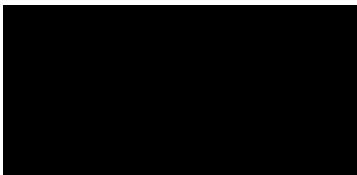
OPSS is engaging with major gig economy delivery firms, such as Uber Eats and Deliveroo, to encourage wider dissemination of safety information about e-bikes and batteries to delivery riders and couriers, who are key users of these products.

Regulating new and emerging markets, as well as new models of supply, does present challenges. The Government has recently introduced the Product Regulation and Metrology Bill into Parliament with a view to allowing the UK to better respond to new product risks. The Bill is designed to give Government access to new regulation-making powers to regulate new or innovative products, to regulate products being made available via new and emerging business models including online marketplaces, and to ensure that online marketplaces have clear responsibilities for supplying safe products.

The safety of e-bikes and lithium-ion batteries remains a high priority for OPSS and we believe the actions outlined above will make a material difference to consumer safety in this area.

Thank you again for raising these important issues. I would be grateful if you could share a copy of this letter with colleagues who may find it useful.

Kind regards,



Chief Executive

OPSS

