

**REGULATION 29 RESPONSE TO A REPORT ON ACTION TO PREVENT FUTURE DEATHS**

THIS RESPONSE IS BEING SENT TO:

**NICOLA JANE MUNDY, Senior Coroner for the coroner area of South Yorkshire (East District) of Coroner's Court and Office, Crown Court, College Road, Doncaster DN1 3HS** in response to a 'Regulation 28 Report to Prevent Future Deaths' following an inquest hearing into the death of **NARGIS BEGUM** that concluded on 9<sup>th</sup> September 2022.

1.

**NATIONAL HIGHWAYS**

I am [REDACTED] Chief Executive of National Highways Limited, Bridge House, 1 Walnut Tree Close, Guildford, Surrey, GU1 4LZ.

2.

**CORONER'S MATTERS OF CONCERN**

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

1. The lack of public understanding regarding the need for them to call National Highways should they identify a problem on the motorway network such as a stationary vehicle
2. Despite television, radio and social media campaigns regarding smart motorways, the lack of emphasis on the importance of road users' responsibility to alert the authorities to any such problems
3. Despite public information referred to during the course of the evidence, the above message does not appear to have been a priority and does not appear to have effectively reached the public

3.

**DETAILS OF ACTION TAKEN**

Mrs Begum's death was a tragedy, and our sympathies remain with her family and friends.

National Highways is the Government-owned company, sponsored by the Department for Transport (DfT), charged with operating, maintaining and improving England's motorways and major A-roads. Responsibility for local roads rests with local highway authorities and the road network in other parts of the UK rests with the devolved administrations.

In March 2020 the Government published a comprehensive [Smart Motorway Safety Evidence Stocktake and Action Plan](#) which sought to further raise the bar on smart motorway safety. National Highways has published two progress reports, [one in 2021](#) and a [second in 2022](#), setting out the progress we have made towards achieving the commitments set out in the 2020 Stocktake.



This response sets out the actions we have taken, and plan to take, which relate to the three matters of concern stated in the Regulation 28 report. It recognises, as did the Coroner during the hearing, that to fully address her concerns, wider consultation is required with other parties. This response therefore also sets out how we plan to approach that wider engagement.

We have an ongoing programme of road safety campaign activity, intended to provide important guidance to drivers to make journeys safer, easier and more reliable. This ongoing campaign work includes a specific section on [breakdown advice](#).

	<p>We worked with stakeholders to launch England's first major campaign, in 2021, to raise awareness of the eCall or 'SOS' button function, which increasing numbers of newer cars come with and which can be used to call for help, by the driver or someone else needing help, if a situation requires emergency services. This was on digital channels, including a dedicated <a href="#">campaign page</a> on our external website. <a href="#">The Highway Code</a>, which was updated in September 2021, also now advises the use of eCall to contact police and communicate a location directly to a 999 operator under The Highway Code current rules 277, 279 and 283.</p> <p>In November 2021, we delivered the second wave of the eCall awareness campaign. The eCall explainer highlighted the safety messages to raise awareness of how and when to use eCall in newer vehicles. This is available on <a href="#">YouTube</a>.</p> <p>Overall, the campaign has seen an increase in the correct use of the eCall system of connected emergency services calls from 22% in 2020 to 59% in 2022. This statistic was verified by the British Association of Public Safety Communications Officials.</p> <p>We worked with DfT and the Driver and Vehicle Standards Agency (DVSA) to enable The Highway Code to be updated on 14 September 2021. This will help improve driver understanding and confidence when driving on a motorway.</p> <p>We launched a '<a href="#">Driving on motorways</a>' hub on our website in January 2022, which provides a central point for all our information and advice on motorway driving. The hub was launched alongside a multimedia campaign and radio day, with content featured on over 450 stations reaching over 6 million listeners.</p> <p>These activities were designed to reach drivers up and down the country to help provide a better understanding, and help increase their confidence, when travelling on all types of roads.</p> <p>We are committed to providing even more information that is highly accessible to drivers. Our aim is to help them feel safe and be safer on all our roads, including smart motorways. We have listened to the concerns raised by the Coroner at the inquest and subsequently via this Regulation 28 report.</p> <p>Following the inquest, on 21 September 2022, I wrote to DfT on two matters.</p> <ul style="list-style-type: none"> <li>- Firstly, as DfT has responsibility for The Highway Code, I shared the Coroner's view that a further update to The Highway Code may be beneficial to help the public know what actions to take should they identify a problem when driving, such as a stationary vehicle. We understand DfT are currently giving this consideration.</li> <li>- Secondly, the letter also confirmed a commitment to conduct a study to explore additional actions that could be taken to further increase awareness among the public of what they can do if they spot someone in difficulty on any road. This study, on which work started in September 2022, will, amongst the other actions stated in this response, cover the three areas of concern raised by the Coroner.</li> </ul>
4.	<p><b>DETAILS OF FURTHER ACTION PROPOSED</b></p> <p>National Highways remains committed to helping drivers and their passengers be even safer and feel safe on all our roads, including smart motorways.</p> <p>As stated above, we have an ongoing programme of road safety campaign activity, intended to provide important guidance to drivers to make journeys even safer, easier and more reliable.</p>

	<p>We will include an update on the eCall campaign and include that the function can be used to help both the driver of the vehicle which has the function, and to help others in difficulty. We will do this via a further campaign, '<a href="#">Driving for Better Business</a>' programme<sup>1</sup> and through our own staff.</p> <p>As the Coroner recognised, to fully address her concerns, wider consultation is required with other parties. The study we have initiated envisages input from a wide range of organisations including, at the outset, DfT, DVSA, and the police. It could also involve bodies including devolved administrations, local highway authorities, and safety organisations.</p> <p>In line with our smart motorway stocktake annual progress reports, we will also continue to analyse the safety performance of smart motorways (including all lane running and dynamic hard shoulder smart motorways) as part of our ongoing assessment of risks. Based on the findings we will consider whether we need to take additional action to further improve the safety of smart motorways.</p>												
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6.	<b>SAFETY OF ROAD USERS</b>												

<sup>1</sup> Driving for Better Business is a government-backed National Highways programme to help employers in both the private and public sectors reduce work-related road risk, control the associated costs and improve compliance with current legislation and guidance

	<p>Every road death is a tragic loss of life. We are determined to reduce the number of fatal incidents, and injuries, on our roads and we want everyone who travels or works on any of our roads to feel confident and safe.</p> <p>Although roads, especially high-speed roads, can never be risk-free environments, our absolute priority is the reduction of road deaths and injuries on our network.</p> <p>This is why we invest in road safety initiatives and public awareness campaigns, to help prevent death and injury and to help give drivers the information they need, to have safe journeys. This is in addition to information provided in other areas, for example The Highway Code.</p> <p>The <a href="#">Smart Motorway Safety Evidence Stocktake and Action Plan</a> published by the Government in March 2020 set out 18 measures to improve safety and build greater public confidence in smart motorways. We welcomed the stocktake and action plan as an opportunity to further improve the safety of smart motorways. We are constantly listening to motorists, continually assessing how we can make motorways safer for those who use them. Since 2020 we have published two reports<sup>2</sup> setting out our progress in delivering commitments from the Stocktake.</p> <p>We urge road users to act safely and sensibly, including by informing themselves about what to do in an emergency<sup>3</sup>, who to contact, and how to avoid dangerous situations where possible, thereby minimising the risks to themselves and other road users. In 2021 we launched our biggest ever, high profile multi-media road safety campaign to help drivers know what to do if they break down on any motorway, including one without a hard shoulder.</p> <p>The death of Mrs Begum was tragic, and our deepest sympathies remain with her loved ones. We remain committed to improving communication with road users and to taking steps to further improve the safety of smart motorways.</p>
8	<p><b>8th November 2022</b>      <b>Signed:</b></p> <div style="text-align: center;">     <b>Chief Executive</b> </div>

<sup>2</sup> [Smart Motorways stocktake first year progress report](#)  
[Smart Motorways stocktake second year progress report](#)

<sup>3</sup> The National Highways website provides guidance on what to do in case of a breakdown on any motorway: <https://nationalhighways.co.uk/road-safety/breakdowns/>