

Miss Lorraine Harris
Area Coroner
East Riding of Yorkshire and City of Kingston Upon Hull

Chief Executive

Redgrave Court

Merseyside L20 7HS

Chief.executive@hse.gov.uk

<http://www.hse.gov.uk/>

05 November 2025

Dear Miss Harris,

REGULATION 28 PREVENTION OF FUTURE DEATHS – the death of Stuart GILCHRIST

Thank you for your Regulation 28 report of 10th September, in relation to the death of Stuart Gilchrist, following a choking incident whilst dining at a restaurant with members of staff from the care home, at which he was a resident.

I would like to express my condolences to Mr. Gilchrist's family and loved ones.

Your report raises as matters of concern, that had the restaurant had access to a Lifevac, or similar anti choking device, it might have been used to alleviate the choking in this incident. You report further concerns that restaurants may be unaware of the existence and potential uses of such devices, and about who might have responsibility to address this lack of awareness.

As a foundation for this response, I will firstly set out the health and safety legislation that covers responsibilities for workplace first aid provision, and actions employers must take to meet their responsibilities under this legislation.

[The Health and Safety \(First-Aid\) Regulations 1981](#) require employers to provide such equipment and facilities that are adequate and appropriate to enable first aid for employees who are injured or become ill at work. These regulations do not apply to non-employees such as customers in a restaurant. The regulations do not prescribe the facilities or equipment that individual employers should provide, but require each

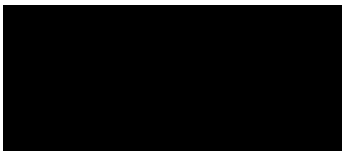
employer to undertake a [first aid needs assessment](#) to determine the appropriate provision for that business.

There is no requirement within these regulations for employers to provide specific pieces of equipment such as anti-choking devices. HSE is not the responsible body for regulation of such medical equipment and it is not within our regulatory remit to approve or promote their use.

The Medicines and Healthcare Regulatory Agency (MHRA) is an Executive Agency of the Department for Health and Social Care (DHSC), with responsibility for the regulation and licensing of medical equipment and devices in the UK. MHRA Information on the licensing and use of anti-choking devices can be found here: [Medical devices: information for patients - GOV.UK](#) The guidance includes a link to the website of the [Resuscitation Council UK](#), which has further information on the use of anti-choking devices.

Should you wish to raise your concerns with MHRA, you can make initial contact at: info@mhra.gov.uk

Yours sincerely



Chief Executive