



HM Coroner Alison Mutch OBE  
Coroner's Court  
1 Mount Tabor Street  
Stockport SK1 3AG

11 May 2026

Dear Ms Mutch,

Thank you for the Regulation 28 report of 26 March 2026 sent to the Secretary of State for Health and Social Care about the death of Master Madison James Bruce Smith.

Firstly, I would like to say how saddened I was to read of the circumstances of Master Smith's death, and I offer my sincere condolences to his family and loved ones. The circumstances your report describes are very concerning and I am grateful to you for bringing these matters to my attention.

The report raises concerns over the lack of statutory regulation of individuals or agencies purporting to offer training and expertise in maternity services; that anyone can attach the term 'nurse' to a word such as 'night', 'maternity' or 'post-natal'; and the risk posed to a young baby by the promotion of prone sleeping.

In preparing this response, Departmental officials have made enquiries with NHS England to ensure we adequately address your concerns.

Regarding statutory regulation and the protection of the title 'nurse', I understand your concern that none of the roles mentioned in your report ('maternity nurse', 'sleep nurse' or 'post-natal nurse') are regulated professions, and that anyone can set up an agency that implies training and expertise in maternity services without any formal training or any medical qualification. As you are aware, the Nursing and Midwifery Council (NMC) is the independent regulator of nurses and midwives in the UK, and nursing associates in England. It is a criminal offence for a person to claim, with intent to deceive (whether expressly or by implication), that they are on the NMC Register when they are not, to use a protected title to which they are not entitled, or to falsely claim that they have qualifications in nursing or midwifery. As you point out, currently, the title 'registered nurse' is protected in law. This is obviously not enough to safeguard the public, and we are taking action to address the misuse of the trusted title 'nurse' by unregulated professionals.

As part of reforms to the NMC's legislative framework, we will create a new protection of title offence, making it a criminal offence for anyone who is not a registered nurse with the NMC to call themselves a nurse (with some limited, specified exceptions).

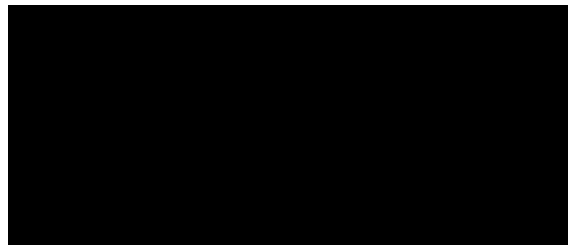
The term 'nurse' is used across multiple professions – for example, 'dental nurse' and 'veterinary nurse' – and it is not our intention to prevent the legitimate use of the title 'nurse' in these instances. The legislation will therefore include exemptions to allow other professionals to use the title legitimately, and later this year we will be seeking views on which roles should be exempted. The Government will continue to work with key stakeholders, including the NMC, the devolved governments, the Royal College of Nursing, trade unions, other professional representatives and the social care sector, on developing the protection of title offence.

Regarding safe sleeping guidance, I understand the risk posed to young babies by the inappropriate promotion of prone sleeping by unqualified individuals. Guidance published by the National Institute for Health and Care Excellence states that all maternity services should provide advice to parents postnatally on safe sleeping, including that babies sleep on a firm, flat mattress, lying on their back. NHS England also provides advice online at [NHS.UK](https://www.nhs.uk). This includes how to reduce the risk of [Sudden Infant Death Syndrome \(SIDS\)](#) and includes links to guidance from [The Lullaby Trust](#).

NHS England further emphasises the importance of consistent, evidence-based messaging from maternity and neonatal professionals. All parents should receive information about established guidance on safer sleeping at antenatal, postnatal and health visiting contacts.

I hope this response is helpful. Thank you for bringing these concerns to my attention.

Yours sincerely,



**MINISTER OF STATE FOR HEALTH**