

REGULATION 28: REPORT TO PREVENT FUTURE DEATHS (1)

NOTE: This form is to be used **after** an inquest.

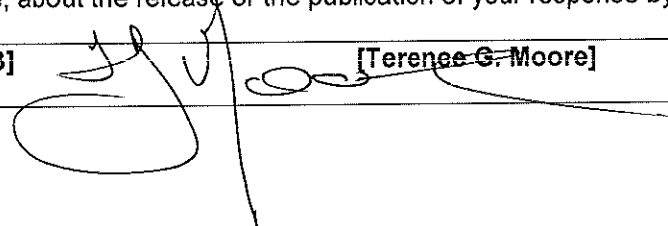
	<p>REGULATION 28 REPORT TO PREVENT FUTURE DEATHS</p> <p>THIS REPORT IS BEING SENT TO:</p> <p>1. [REDACTED] HSE's Waste and Recycling Sector Team</p>
1	<p>CORONER</p> <p>I am Terence G. Moore, Assistant Coroner, for the area of Avon</p>
2	<p>CORONER'S LEGAL POWERS</p> <p>I make this report under paragraph 7, Schedule 5, of the Coroners and Justice Act 2009 and regulations 28 and 29 of the Coroners (Investigations) Regulations 2013. [HYPERLINKS]</p>
3	<p>INVESTIGATION and INQUEST</p> <p>On 13th December 2012 = an investigation into the death of Garrett Joseph Franklin ELSEY, Aged 22, commenced. The investigation concluded at the end of the inquest on 7th November 2013. The conclusion of the inquest was Accidental death.</p>
4	<p>CIRCUMSTANCES OF THE DEATH</p> <p>Body found at New Earth Solutions refuse site in Avonmouth, Bristol amongst waste which had been dumped by a refuse lorry that had been collecting rubbish from various locations in the City</p>
5	<p><u>CORONER'S CONCERNS</u></p> <p>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.</p> <p>The MATTERS OF CONCERN are as follows. –</p> <p>A HSE document entitled "People in Commercial Waste Containers", "Waste 25", was produced at the inquest as evidence. It is of concern that this important document may not have been read by the waste industry and possibly some sort of alert system could be set up ensure that everybody in this industry is aware of this document.</p>
6	<p>ACTION SHOULD BE TAKEN</p> <p>In my opinion action should be taken to prevent future deaths and I believe you [AND/OR your organisation] have the power to take such action.</p>
7	<p>YOUR RESPONSE</p> <p>You are under a duty to respond to this report within 56 days of the date of this report, namely by 25th January 2014 I, the coroner, may extend the period.</p> <p>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.</p>
8	<p>COPIES and PUBLICATION</p> <p>I have sent a copy of my report to the Chief Coroner and to the following Interested Persons – the family and May Gurney Limited</p>

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.

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[22/11/13]


[Terence G. Moore]