

## ANNEX A

### REGULATION 28: REPORT TO PREVENT FUTURE DEATHS (1)

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

	<p><b>REGULATION 28 REPORT TO PREVENT FUTURE DEATHS</b></p> <p><b>THIS REPORT IS BEING SENT TO:</b></p> <p>1. <b>John Somerscales Ltd.</b> <b>Lancaster Approach,</b> <b>Immingham DN40 3JZ</b> <b>North Lincolnshire</b></p>
1	<p><b>CORONER</b></p> <p>I am Paul Kelly, Senior Coroner for the area of North Lincolnshire and Grimsby</p>
2	<p><b>CORONER'S LEGAL POWERS</b></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.</p>
3	<p><b>INVESTIGATION and INQUEST</b></p> <p>On 13<sup>th</sup> June 2013 I commenced an investigation into the death of Kevin Graham Pearson (d.o.b.17.3.1953). The investigation concluded at the end of the inquest on 25<sup>th</sup> February 2014. The conclusion of the inquest was that the deceased died from severe neck and chest injuries caused by being crushed between a moving tractor unit and a stationary trailer</p>
4	<p><b>CIRCUMSTANCES OF THE DEATH</b></p> <p>On 11<sup>th</sup> June 2013 the deceased was connecting a tractor to a trailer and following introduction of air pressure to the trailers brakes they released causing forward movement of the tractor and trailer, crushing the deceased between the front of the tractor and a second stationary trailer.</p>
5	<p><b><u>CORONER'S CONCERNS</u></b></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 <b>MATTERS OF CONCERN</b> are as follows. –</p> <p>That the Company may not yet have ensured full compliance with guidance for the activity undertaken by the deceased provided by the Health and Safety Executive and Institute of Road Transport Engineers and ensured all drivers are aware of and acknowledged understanding of that guidance.</p>
6	<p><b>ACTION SHOULD BE TAKEN</b></p> <p>In my opinion action should be taken to prevent future deaths and I believe you have the power to take such action.</p>

7	<p><b>YOUR RESPONSE</b></p> <p>You are under a duty to respond to this report within 56 days of the date of this report, namely by 29<sup>th</sup> April 2014. I 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><b>COPIES and PUBLICATION</b></p> <p>I have sent a copy of my report to the Chief Coroner and to the following Interested persons, namely the Health and Safety Executive, Sheffield and to the deceased's family.</p> <p>I am also under a duty to send the Chief Coroner a copy of your response.</p> <p>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.</p>
9	<p><b>3<sup>rd</sup> March 2014</b> <span style="float: right;"><b>[ CORONER ]</b></span></p>