

**REGULATION 28:
REPORT TO PREVENT FUTURE DEATHS**

	<p>REGULATION 28 REPORT TO PREVENT FUTURE DEATHS</p> <p>THIS REPORT IS BEING SENT TO:</p> <ol style="list-style-type: none"> 1. Ministry of Justice 2. Defra 3. Leicester City Council 4. Leicestershire Local Safeguarding Board
1	<p>CORONER</p> <p>I am T H Kirkman, Senior Coroner for the coroner area of Rutland & North Leicestershire</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.</p>
3	<p>INVESTIGATION and INQUEST</p> <p>On 6th November 2013, I commenced an investigation into the death of Lexi Lavana Branson born on 21st January 2009 . The investigation concluded at the end of the inquest on 9th September 2014. The conclusion of the inquest was that the medical cause of death was facial injuries and external airway obstruction and a narrative conclusion was reached that Lexi died as a result of injuries received in an attack upon her by a dog within her home.</p>
4	<p>CIRCUMSTANCES OF THE DEATH</p> <p>Lexi Branson aged 4¾ years at the date of her death was in the living room in the flat where she lived with her mother. The dog, described as a type of bulldog breed, named Mulan, suddenly attacked Lexi and by the physical presence of the dog's mouth over the face of the child caused extensive injuries to the neck and face and prevented breathing.</p>
5	<p><u>CORONER'S CONCERNS</u></p> <p>During the course of the inquest the evidence, whilst showing that the dog in question was not a type which is prohibited under the Dangerous Dogs Act, 1991, nevertheless, revealed matters giving rise to concern. In</p>

	<p>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>I heard evidence that Leicester City Council had a statutory responsibility for collecting stray dogs within its area. A dog named Mulan had been so collected and taken to Willow Tree Kennels in Barrow upon Soar, Leicestershire. The dog had not been reclaimed during the following week and therefore became the property of the Kennels which thereafter was able to sell the dog. The mother of Lexi Branson was looking to acquire a dog. She saw the dog in question advertised by the Kennels upon social media. She visited the Kennels along with Lexi and in the company of an employee of the Kennels was with the dog for some 10 to 15 minutes. She was told that the decision whether to have the dog was left to her. She went away but made contact a couple of days later on 8th October 2013 to say that she would like to have the dog. The Applicant for the dog had said she lived, with her 4-year old daughter, in a flat which had a shared garden. No detailed assessment was carried out as to the suitability of the applicant for the dog in question when taking into account her home and family circumstances nor was any home visit made by the Kennels to assess the home environment.</p> <p>The following concerns became clear as a result of the evidence which I heard:</p> <p>(1) There are no national or local standards by which any policy for the re-homing of stray dogs is to be judged;</p> <p>(2) There are no national or local standards for the assessment of the suitability of stray dogs for re-homing and, at present, no requirement for any objectively-assessed qualifications which are required to be obtained by those making any assessments;</p> <p>(3) There are no national or local standards for assessing the suitability and home circumstances of potential applicants applying to re-home a dog.</p> <p>(4) There is no independent verification of the policies which kennels may have for the re-homing of dogs nor of their implementation.</p>
6	<p>ACTION SHOULD BE TAKEN</p> <p>In my opinion action should be taken to prevent future deaths and I believe 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 26th November 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 namely Lexi's immediate next of kin and to the Leicester Safeguarding Children Board because the deceased was under 18 years of age.</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>2nd October 2014 T H Kirkman</p>