


## 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>Mr. Paul Orders, The Chief Executive Cardiff Council;</p>
1	<p><b>CORONER</b></p> <p>I am Dr. Sarah-Jane Richards, HM Assistant Coroner, for the coroner area of South Wales Central.</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 30 May 2019 an inquest was opened into the death of Mr. Mark Anthony Anderson aged 22 who had died at Trelai Park, Cardiff on 28 May 2019. The circumstances were that Mark Andersen together with other motorcycling friends had met at Trelai Park to ride their motorcycles 'off-road'. This was a common venue for such activities although the area was not designated for motorcycling but as an area for parents to be with their children, dog walkers and joggers.</p> <p>The deceased was not wearing any motorcycling clothing and witnesses state that the deceased was not wearing a helmet. Detective Inspector ██████ advised that the area was "well known for off-road biking" and what might have been a "bumper from a scrambling-type motorcycle" had been found at the scene.</p> <p>Persons present at the scene were reluctant to furnish the police with any details of what had occurred and the motorcycle used by the deceased was 'spirited away' from the scene. It has neither been traced nor examined by the police forensics team.</p> <p>██████████, a member of the public who lived locally, was teaching her 8 year old son how to ride his peddle cycle in Trelai Park on the afternoon of the accident. She told the inquest that her attention had been drawn to two motorcyclists one of whom was doing 'wheelies' around the park. The two motorcycles then began racing each other around the park very fast. Since they were in the vicinity of her son she called him to her for fear he could be injured and they then left the park. She was not surprised to hear that there had been a fatal accident involving the motorcyclists.</p> <p>She stated that there was considerable public concern about the safety of the public especially children who use Trelai Park for exercise and recreational purposes due to the presence of motorcyclists who use the park for 'off road' activities. She thought complaints had been made to the Council about the danger posed to the public by such activities but that they had gone unheeded. ██████ stated that as far as she was aware, the motorcycling his not regulated or confined to specific areas of the park and it was on the whole, young guys wanting to let of steam. Finally, while she accepted that that 'off road' motorcycling was an activity young males enjoyed and for which there should be some accommodation by the Council, her immediate concern was for the</p>

	safety of children and pedestrians.
4	<p><b>CIRCUMSTANCES OF THE DEATH</b></p> <p>The tragedy occurred when motorcycles on the same narrow path traversing the park, travelling in opposite directions approached each other. Each swerved to avoid the other but in doing so swerved into each other's path. Mark Anderson suffered fatal head injuries. Life was declared extinct at the scene. The CoD provided at post mortem was:-</p> <p>1a. <i>Anterior basal skull fracture with laceration of intracranial internal carotid arteries.</i></p> <p>Toxicology analyses of post-mortem blood and urine confirmed neither drugs nor alcohol had been consumed in the hours proximal to death.</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>The safety of the general public, in particular children and the elderly, is at risk while motorcyclists continue to use Trelai Park as an unfettered area for racing their motorcycles.</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 and your organisation have the power to take such action.</p> <ol style="list-style-type: none"> <li>1. The prevention of Trelai Park being used as a venue for off-road motorcycling.</li> <li>2. The provision of a designated area of ground in the vicinity where motorcyclists can ride their motorcycles and generally let of steam with minimal risks to themselves and avoiding any risk to the general public.</li> <li>3. In the event that an alternative area of ground cannot be identified for recreational use by young motorcyclists, for a portion of Trelai Park to be designated exclusively for the use of young motorcyclists with boundaries clearly defined.</li> </ol>
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 13 March 2020 allowing for the Michaelmas holiday. I, the Coroner, may extend the period upon request.</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 family who may find it useful or of interest.</p> <p>Secretary of State for Wales; First Minister of Wales; Minister for Health and Social Services; The Chief Constable, South Wales Police; the Mother of the deceased; the member of the public who provided evidence at the Inquest.</p> <p>I am also under a duty to send the Chief Coroner [REDACTED] copy of your response.</p> <p>The Chief Coroner may publish either or both in a complete or redacted or summary</p>

	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.
9	17 December 2019  <b>SIGNED:</b>   Dr. Sarah - Jane Richards, HM Assistant Coroner for <b>South Wales Central</b>