



Maritime & Coastguard Agency

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Your ref: AJC/LJB
Our ref: CE 10/2020

5 June 2020

By email only: cornwallcoroner@cornwall.gov.uk

Dear Mr Cox

Thank you for your letter of 29 May, enclosing your Regulation 28 Prevention of Future Deaths report following the recent deaths in Cornwall of Gillian Davey and Michael Pender. I note that your investigations have not yet concluded and the inquests into the deaths have not been heard. On a point of fact related to Section 4 of your report, it was the RNLI lifeboat that was on scene for the incident involving Miss Davey rather than the Coastguard – our role was to coordinate the tasking of the lifeboat.

In your report, under Section 6, you say that the Department for Transport, the RNLI and the Maritime and Coastguard Agency (MCA) have the powers to take action in respect to providing a lifeguard service on beaches in Cornwall, to help prevent the future loss of life. The MCA, which includes Her Majesty's Coastguard, is an executive Agency of the Department for Transport. I am therefore replying on my own behalf, and also on behalf of the Secretary of State for Transport, the Right Honourable Grant Shapps MP. The MCA has a responsibility to respond to calls for assistance as the emergency responder with the remit for search and rescue at the coast and at sea. Our role is to coordinate the emergency response drawing from the matrix of search and rescue resources that are available and appropriate. However, we have no remit for beach safety or the provision of lifeguarding. I should also make it clear that the RNLI has no legal obligation or duty to provide either lifeguards or lifeboats.

Alongside the RNLI and other sea safety charities, we promote safety messages including specific campaigns aimed at the general public for when they go to the beach. Those messages are designed to help save lives and to reduce the call on resources. The relevant beach owner, which can be a local authority, sometimes the National Trust and many private owners have the responsibility to carry out risk assessments covering public use of beaches and then to mitigate the risks they identify. To help landowners



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with responsibilities for beach safety with those risk assessments we produced guidance on Managing Beach Safety¹.

One way to manage risks is to arrange for a lifeguarding service, which may well be organised under contract with the RNLI. As a result of the lockdown across the United Kingdom from late March 2020, the RNLI was unable to recruit and train their prospective community of lifeguards for the 2020 season in a way that was consistent with social distancing rules, and neither could they enter into arrangements with local authorities and landowners as they would in a normal year.

I can tell you that the RNLI is working with local authorities and others to steadily ramp-up their capability to provide a beach lifeguarding service. Already at least 18 beaches have RNLI lifeguards. Plans are in place to have lifeguarding services at as many beaches as is feasible in the current circumstances, including many in the South West. The RNLI will make a public announcement with more detail over the coming weeks.

Others such as Surf Life Saving Great Britain are also doing their best to provide services ranging from beach wardens to fully trained lifeguards. The nature of that provision, whether it uses purely volunteers or paid-for staff, and the hours of availability, will vary from location to location.

For our part, given that the RNLI and similar organisations may not have lifeguards on beaches, we are sending more HM Coastguard vehicle patrols to known safety hotspots for surveillance purposes, keeping a look out for any incidents at the coast enabling a swift response for search and rescue, should that be needed.

I am copying this response to the Chief Executive of the RNLI, Mark Dowie.

Yours sincerely

[Redacted signature]

[Redacted name]

Chief Executive

¹ <https://www.gov.uk/government/publications/managing-beach-safety>