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Challenging Coroner complacency

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A judicial review today considers whether a coroner failed to conduct an effective inquiry into the death of Eilidh Cairns, killed whilst cycling in a collision with a lorry on 5 February 2009.

Judicial reviews are rare and costly and not undertaken lightly. However the Cairns family were incensed at the failure by HM Deputy Coroner for Inner West London to treat Eilidh's death as a serious event and one in which she had a duty of care to act to prevent repeat occurrences.

The judicial review request was approved based on the coroner's refusal, at the family's request, to postpone the inquest to allow them more time to review the evidence; they had only received it three days before the inquest was due to begin. The coroner also failed to allow adequate time for the inquest and did not make any report¹ (e.g. the equivalent of a recommendation) to prevent further deaths.

Instead she stated that Eilidh's death was "*a terrible tragedy that is not uncommon in London*". She went on to say "*How do we prevent it from happening? This is a huge problem that the government and cycle safety groups will have to grapple with*".

Since Eilidh's death, a further 19 cyclists have been killed by lorries in the capital, accounting for almost half of all cyclists killed in London.

'Road deaths are not 'accidents' – unforeseeable, inevitable, unpreventable sequences of events. They have causes and they are all avoidable. This is not about finding someone to blame, it is about acknowledging that the road user who poses the most risk is the one best placed to manage that risk. The Coroner should have requested further investigation of safety technology and other preventive measures.'

Cynthia Barlow, RoadPeace Chair, and mother of Alex McVitty, killed whilst cycling in London by a left turning lorry in June 2000.

¹ In our response to the MOJ consultation on coroner reports in 2008, we dedicated our response to two other women cyclists killed in London by lorries. Both had coroner reports issued in their cases.

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Notes for journalists:

RoadPeace

RoadPeace, the national charity for road crash victims, is an independent national charity, providing practical information, emotional support and advocacy to those affected by road crashes; as well as campaigning for justice for road crash victims and for road danger reduction, with a focus on reducing the volume, speed and dominance of motorised traffic and promoting cycling and walking.

RoadPeace was a winner of the Guardian Charity Award in 2008:

<http://www.guardian.co.uk/society/video/2008/dec/04/guardian-charity-awards-roadpeace>

Road Danger Reduction

RoadPeace was founded in 1992 on the principle of road danger reduction (RDR) which places a greater duty of care on those that pose the greater threat, and argues for danger to be controlled at source through reducing the speed, volume and dominance of motorised traffic. RDR differs from traditional road safety by adopting a wider approach that considers not only the quantity of death and injury by crashes but also the other negative consequences of inappropriate and excessive motor vehicle use such as fear and intimidation, environmental impact and public health issues.

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