




**Sheriff Stanhope Payne,  
Senior Coroner for The County of Dorset**

**REGULATION 28: REPORT TO PREVENT FUTURE DEATHS (2)**

	<p><b>REGULATION 28 REPORT TO PREVENT FUTURE DEATHS</b></p> <p><b>THIS REPORT IS BEING SENT TO:</b></p> <ol style="list-style-type: none"><li><b>1. Chief Executive – British Airways</b></li><li><b>2. Chief Operating Officer – Civil Aviation Authority</b></li></ol>
1	<p><b>CORONER</b></p> <p>I am Sheriff Stanhope Payne, senior coroner, for the coroner area of Dorset</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</b></p> <p>On 27<sup>th</sup> December 2012 I commenced an investigation into the death of RICHARD MARK WESTGATE, aged 43.. The investigation has not yet concluded and the inquest has not yet been heard.</p>
4	<p><b>CIRCUMSTANCES OF THE DEATH</b></p> <p>On 12<sup>th</sup> December 2012 Richard Mark Westgate was found deceased in his room at the Bastion Hotel in Bussum, Netherlands. His body was repatriated to Dorset. He was a British Airways pilot who had been on medical leave since September 2011 suffering cognitive dysfunction, ataxia &amp; other deficits. Post mortem examinations gave causes of death of either Pentobarbital toxicity or lymphocytic myocarditis, individually or in combination. Testing of samples taken both prior to and after death disclosed symptoms consistent with exposure to organo-phosphate compounds in aircraft cabin air. Such exposure can cause lymphocytic myocarditis.</p>

5	<p><b><u>CORONER'S CONCERNS</u></b></p> <p>During the course of the investigation my inquiries 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> <ol style="list-style-type: none"> <li>(1) That organo-phosphate compounds are present in aircraft cabin air.</li> <li>(2) That the occupants of aircraft cabins are exposed to organo-phosphate compounds with consequential damage to their health.</li> <li>(3) That impairment to the health of those controlling aircraft may lead to the death of occupants.</li> <li>(4) There is no real time monitoring to detect such compounds in cabin air.</li> <li>(5) That no account is taken of genetic variation in the human species, such as would render individuals tolerant or intolerant of the exposure.</li> </ol>
6	<p><b>ACTION SHOULD BE TAKEN</b></p> <p>In my opinion urgent action should be taken to prevent future deaths and I believe your organisation has 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 13<sup>th</sup> April 2015. 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><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, ██████████ of Cannons Law Practice acting on behalf of the family of the deceased.</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>16<sup>th</sup> February 2015</b></p> <div style="text-align: right;">  <p><b>Sheriff Stanhope Payne</b> <b>Senior Coroner for Dorset</b></p> </div>