



Department
for Culture
Media & Sport



Foreign &
Commonwealth
Office

David Hinchliff
Senior Coroner
Wakefield Coroners Court
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Our Ref 275180/asg
16th November 2015

Dear Mr Hinchliff

Thank you for sending us a copy of your report and recommendations following the inquest into the tragic death of Christianne and Robert Shepherd in Corfu in October 2006.

Much of the report's recommendations are aimed at Tour Operators. While this response will briefly touch upon these, we will be responding specifically to those recommendations seeking action from the UK Government.

In respect of the recommendations aimed at tour operators, we are concerned that the recommendations do not reflect the rapidly changing way in which people now book and undertake trips abroad. There were some 60 million visits abroad by British residents in 2014 (38.5 million of which were holidays) to destinations both within and outside Europe. Over time the number of people travelling abroad outside the traditional package holiday, that is, where there is no responsible "organiser", has increased significantly. The number of holidaymakers still taking trips with the established tour operators is estimated to be 15.9 million per annum. With the growth of the internet and accommodation "sharing" businesses this represents far less a proportion than has been the case historically. While the tour operators can, and already do, do much of what is recommended, and notwithstanding that the recently agreed new package travel directive will extend the cover of that regime so that many online "dynamic packaging" models will be included, ultimate responsibility for ensuring accommodation safety – in all respects, not just carbon monoxide prevention – must fall to the suppliers (accommodation owners).



Government is already acting to raise awareness about the dangers of carbon monoxide poisoning through a range of channels/agencies, for example HSE Gas Safety Week, Department of Health/Public Health England awareness campaigns, Department of Communities and Local Government sponsored public service radio fillers.

An annual summary of Government action on carbon monoxide is published at the Health and Safety Executive website via the following link:

<http://www.hse.gov.uk/gas/domestic/cross-government-group.htm>

The next summary is due to be published shortly.

The Gas Safe Register (the official gas registration body for the United Kingdom appointed by HSE) website carries more detail – both on carbon monoxide and advice on gas safety while on holiday (see the websites below).

http://www.gassaferegister.co.uk/learn/carbon_monoxide_poisoning.aspx

http://www.gassaferegister.co.uk/advice/seasonal_advice/gas_safety_on_holiday.aspx

In respect of the recommendations directed at Government, we are happy to take into account recommendation 3: that there should be awareness raising and health and safety promotion activities undertaken to make travellers aware of the dangers of carbon monoxide poisoning.

FCO officials will be working with industry partners on this issue. We are looking at how to use our 'Know Before You Go' travel safety campaign, and our social media channels to highlight the dangers to the travelling public. This would build on the work already being done by the energy industry here in the UK, whose *Be Alarmed* campaign (www.co-bealarmed.co.uk) has been raising awareness of this issue since 2008. We will use our social media channels to highlight *Be Alarmed's* national campaign. Our priority remains to raise awareness of the risks so that the travelling public can be properly informed, and make their own decisions.

In respect of recommendation 8 relating to legislation, we consider that the legislation in place in the UK is already strong. The number of deaths caused by accidental carbon monoxide in the UK is declining. There is more to do, but we do not believe that further legislation is the answer.

Our national building regulations require the safe installation of combustion appliances and the Smoke and Carbon Monoxide Alarm (England) Regulations 2015 came into force on 1 October 2015, setting minimum requirements for smoke and carbon monoxide alarm installation and testing for private sector properties. To support private landlords with the transition, DCLG provided a £3.2 million one-off grant to Fire and Rescue Authorities to distribute free smoke and carbon monoxide alarms.

The Regulatory Reform (Fire Safety) Order 2005 applies to non-domestic properties, but also the communal areas in residential buildings. Additionally, the Fire Safety Order applies if you have paying guests, e.g. bed and breakfasts, guesthouses, and self-catering accommodation.

Existing regulation clearly has a role to play and the UK already has gas regulations in place that require the safe installation, maintenance and use of gas systems and we also have national building regulations in place requiring the safe installation of fixed combustion appliances in buildings.

Building Regulations in England also require carbon monoxide alarms when new or replacement solid fuel burning appliances are installed, as these have the highest risk of accidental poisoning. Evidence currently shows that the costs of installing alarms would be disproportionate for other fuel types, for example modern gas boilers include in-built safety features that reduce the risk of accidental poisoning. For gas appliances, the use of carbon monoxide alarms is recommended as a useful precaution. However, this should not be regarded as a replacement for regular maintenance and safety checks by a registered engineer.

VisitEngland run a kitemarking scheme for tourism accommodation businesses that is voluntary and is based on awarding star ratings. One of the minimum standards under this scheme is to ensure that "all electrical and gas equipment is in good working order and regularly serviced to ensure guests' safety". VisitScotland and VisitWales run their own assessment schemes to the same common standard. The common standards are about to be reviewed, and we will be working to consider how we can build more explicit references to health and safety within them.

The UK Government does not believe that further legislation at EU level is necessary to ensure that safety standards in accommodation are met. Existing health and safety regulation should be sufficient to prevent such tragic deaths. However, in some countries, there may be a problem with a lack of inspection and enforcement of existing regulations. This would not be addressed through additional legislation. Following the 2014 Green Paper on the safety of tourism accommodation services, the European Commission concluded that no connection had been established between the absence of EU level regulation and risks to consumers. As a result, we understand that the European Commission is not giving further consideration to consumer protection issues in the specific area of tourism accommodation. However, it is essential that Member States take responsibility for ensuring that health and safety regulations in tourist accommodation are upheld. We believe that the UK Government and the UK's tourism industry have a fundamental role to play in engaging with their counterparts in other EU Member States and beyond, on the importance of accommodation safety in all forms, not just carbon monoxide poisoning. Highlighting best practice in this area, and offering practical advice where appropriate should be part of this work.

As part of this, the Minister for Tourism, Tracey Crouch MP, as one of the signatories of this response, will raise this with EU Tourism Ministers and the Secretary-General of the UNWTO to highlight this tragic case, and urge awareness-raising on the dangers of carbon monoxide poisoning. The Tourism Minister also met with her Greek counterpart on Nov 4th to discuss accommodation safety. It is worth noting that Ms Crouch's counterpart said that since the tragedy in Corfu, accommodation providers in Greece have applied stricter standards and pride themselves in providing a high standard of service and protection for visitors to the country.

We hope that this response makes clear the importance that the Government attaches to accommodation safety, and our commitment to working with the tourism industry and tourism destination States to promote this.

We would like to take this opportunity to reiterate our deep condolences for the parents of Christianne and Robert. They have shown incredible resilience throughout the investigations, especially during such an extraordinarily difficult time. The Government will continue to support their campaign to raise awareness of this very important issue.

We are copying this letter to Mrs Sharon Wood, Mr Neil Shepherd, Mary Creagh MP, Linda McAvan MEP, Thomas Cook Group, Louis Group and ABTA.



Tracey Crouch MP
Minister for Tourism



Rt Hon David Lidington MP
Minister for Europe