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## Guilty charge for loader crane operator

Haulier Paul Napier, 48, has been found guilty of gross negligent manslaughter following a loader crane fatality at Ipswich docks in 2011. He will be sentenced next month.



Paul Napier

Napier claims to have been working for 13 hours when he arrived at the docks to deliver some pontoons. He and his father got out of the truck, put on their hi-viz vests, picked up the cranes remote control unit, unfastened the chains securing the load and then "exchanged pleasantries" with two of the men waiting to help with the unloading. "If they hadn't come over the next thing would have been to deploy the stabilising legs," said Napier.

He claimed that the interruption to his routine caused him to forget the outriggers, so he started lifting one

of the pontoons, which weighed around 1,000kg. He then said that when he saw the truck start to tip and shouted to Neville Wightman, 52, to get out of the way, but he was crushed and killed by one of the pontoons which slid off the truck bed.

"I have been doing this for 16 years and I have never operated the crane without deploying the stabilisers," said Napier, "there was no advantage to not using them as it was inevitable that the lorry would tip, putting me and other people at risk along with my livelihood."



The late Neville Wightman

The damning photograph

## £2,000 for using a telehandler bucket

Using the bucket on a telehandler as a form of powered access has cost a UK farmer £2,000. The event was photographed last February by a passer-by who then contacted the Health & Safety Executive.

The Hampshire farm manager Peter Kirby, 62, of Newton Valence Farm, near Alton was then prosecuted for putting two employees at risk by using the grain bucket of his telehandler to lift them up to work on the gable end of a barn. Kirby used the telescopic handler in spite of having attended an HSE safety day less than a year earlier.

Kirby was fined £330 plus £1,757 in costs. HSE inspector Craig Varian said: "Mr Kirby had received training and advice by HSE consultants and had the opportunity to use the correct equipment provided by his employer to carry out this job safely. Yet, despite all this, he lifted two men several metres in the air using an unsuitable work platform."

"Often, people about to do a job believing it will only take a few minutes, take a risk in the hope that simply being careful will be enough. This display of bad practice could have resulted in serious injury, or death, whether it lasted a couple of minutes or a couple of hours. The bucket had no fall protection and there was a risk of being accidentally tipped out. If they could not use an authorised work platform designed to lift people, then they could have used a tower scaffold."

Kirby claims that a full risk assessment had indicated that the bucket was the safest method and that the HSE was simply making an example of him.

## Falling apprentice costs scaffolder £16,000

An employee's three metre fall from a scaffold has cost Harris Scaffolding of Halesowen/Telford, UK, over £16,000. The incident occurred at a site in Stourport-on-Severn, Worcestershire in November 2011, when an 18 year old apprentice was helping make modifications to a scaffold that had been erected two months earlier, and he fell, fracturing two vertebrae in his back. He was off work and in a back brace for three months.

A Health and Safety Executive investigation found that he was allowed to work unsupervised without toe-boards, guardrails or a harness. At times he stood directly on tubing and gained access with an unsuitable ladder and by climbing the outside of the scaffold. The HSE said the work had not been adequately planned, supervised or carried out in a safe manner. A more experienced colleague accompanied the apprentice but had not worked on scaffolding for 15 years or received any refresher training in that time.

The investigation also found that Harris Scaffolding had not followed its own risk assessment and had failed to work in accordance with industry best practice guidance. Neither man was given any specific instructions or drawings before going to site or seen a risk assessment or method statement. HSE inspector Luke Messenger said: "In this case the company fell well below accepted standards and a trainee was badly injured as a result. It was lucky his career wasn't ended before it had properly begun."

## Who trained him then?

A painter in La Jolla, California, some six or seven metres up and using every bit of his long ladder.

