

# Britain: Company faces corporate manslaughter charges over death of student

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The Dutch owned stevedore company Euromin faces corporate manslaughter charges over the death of a worker killed by a crane. The company's British general manager Richard Martell was also indicted.

The charges relate to the April 1998 death of Simon Jones, who was killed by a crane while working at a dock in Brighton, England. The Crown Prosecution Service (CPS) announced the decision last week. The Director of Public Prosecutions (DPP) David Calvert-Smith said, "After detailed consideration of all the issues involved, I have decided there is sufficient evidence for a realistic prospect of conviction and it is in the public interest".

Colin Chalmers of the Simon Jones Memorial Campaign, said, " We have been campaigning for this for the last two years and I am sure the family are delighted. We are overjoyed at this result".

The decision to prosecute reverses the DPP's original refusal to press for manslaughter charges, when it said that "emotions should not cloud the issues" and that there was little chance of conviction.

For over two years Simon Jones' family refused to accept this position. They won a landmark victory in March of this year, when a judicial review of the case by the Court of Appeal said that CPS decision not to prosecute was "irrational" and that it had incorrectly applied the law, and ordered the decision to be reconsidered.

Simon Jones (24) was one of a growing number of casualised workers who have been forced into dangerous work on Britain's docks. He was a student who was taking a year out from his studies at Sussex University. Facing harassment from the unemployment office, he was forced into taking a series of casual jobs. The young man was sent to work at Shoreham docks for £5 an hour by an agency called Personnel Selection.

Without proper training or supervision, he was put to work in the hold of a ship, hooking bags of cobbles onto chains, which were welded to the inside of the crane's grab.

A grab should not have been employed with that kind of cargo. According to press reports, the Polish crew member acting as "banksman," responsible for guiding the crane driver, spoke very little English. The grab and chains were brought too low over the hold and the grab was accidentally closed on Simon's head.

The chances of a successful prosecution remain slim, particularly after the Labour government dropped its planned introduction of a new offence of corporate killing in the next parliamentary term.

In the past it has been incredibly difficult to bring successful corporate manslaughter charges for deaths at work. The Health and Safety Executive states that since 1992, only 125 work-related cases have been given to the CPS and only 33 of these ended in a prosecution. Of these only eight convictions for manslaughter had been made and only three of these involved verdicts against companies rather than individuals.



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