

Families fight for justice for five workers killed by wall collapse at UK Hawkeswood Metal recycling plant

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The families of five workers, killed four years ago at Hawkeswood Metal recycling in Birmingham when a wall collapsed in its storage yard, are still fighting for compensation and for the company to face criminal prosecution.

On July 7, 2016, five men, employed as agency staff on zero-hour contracts, were buried under the debris of a collapsed concrete wall and metal in the storage yard of the recycling centre in the Nechells area of Birmingham, owned by ShredMet Ltd.

Ingots of scrap metal had been stored in the adjacent bay, piled at double the recommended height. The wall consisted of interlocking concrete blocks without any mortar and had no foundation. It had been loaded on one side with 263 tonnes of metal, resulting in a collapse bringing the metal and concrete crashing down on the workers cleaning a storage bay.

All the victims died of blunt force injuries. The combined weight of the metal and concrete was the equivalent of 15 double decker buses. The work of retrieving the bodies from the wreckage took the emergency services several days.

Four of the men were from Gambia—Almamo Jammeh, 45, Bangally Dukuray 55, Saibo Sillah, 42 and Muhamadou Jagana, 49. The fifth was from Senegal, Ousmane Diaby, 39. A sixth man from Gambia, Tombong Conteh, was the only survivor. He sustained a major injury to his leg, which has restricted his mobility ever since and has been unable to work.

The men came to the UK as Spanish nationals after they were no longer able to find regular employment in Spain. Birmingham is home to a community of around 10,000 from Gambia. For their work at the recycling centre the men received just over the minimum wage

and from this meagre pay they sent remittances home to their families. According to one estimate in 2017, a fifth of Gambia's GDP consisted of such remittances.

To this day, the bereaved families have not even received interim compensation from the company, adding financial hardship to the grief of losing their loved ones.

The inquest into the fatal workplace incident held in November 2018 came to a verdict of accidental death, even though the wall collapse was described as a “foreseeable risk”. The jury found that the risk had not been identified and it “caused or contributed to” the loss of life of each of the men.

Health and Safety Executive (HSE) investigator Paul Cooper stated categorically that the risk of the wall collapse could have been identified and it would have in fact been “common sense”. The inquest also heard from the health and safety officer employed by the company that he had no knowledge of the wall, what its purpose was and how long it had been there. It had not been risk assessed and neither had the activities concerning clearing out the bays by workers in its vicinity.

The HSE, which has been in charge of the criminal investigation, has failed to bring charges against ShredMet Ltd. It has reneged on its commitment to announce its decision on whether to prosecute by the time of the fourth anniversary of the fatal incident.

ShredMet Ltd had been found guilty of health and safety violations at the site prior to the wall collapse, the biggest loss of life at a recycling plant in the UK. In 2012, the company was fined £50,000 in relation to a worker whose arm became trapped in machinery. The HSE did not conduct any subsequent inspections.

In February 2016, there was a large fire at the site after 100 tonnes of shredded scrap metal went up in flames. The waste and recycling industry is one of the most dangerous sectors to work in the UK, with 16 times more fatalities in 2017/18 than the average across all industry, according to the HSE.

The bereaved families decided to mark the fourth anniversary with a public protest outside the recycling plant. A statement issued by the families explains:

“On 7 July 2020, it will be the fourth anniversary of the deaths of our husbands and the fathers of our children. The anniversary should be a day to remember our husbands and to reflect on our loss with our families. This will not be possible as we continue to have justice and accountability for the deaths of our loved ones denied; we remain without any compensation and we are made to wait longer for a decision as to whether those responsible will be held to account. We cannot grieve and move on.

“Instead, we will mark the anniversary of their deaths by holding a public protest outside the gates of Shredmet recycling centre, where our husbands were killed.”

In reference to the failure of the HSE to bring charges it continues:

“We cannot understand the delay as it is obvious that the company failed to protect our loved ones. The Inquest, which was held two years ago, showed the inexcusable and gross failings of the company which led to the deaths of our loved ones on 7 July 2016.

“This delay cannot be allowed to continue. We hope that our protest will show that we have not forgotten what happened, and we will not allow society to forget. We demand recognition for what happened to our husbands.”

In their fight for justice, the families have had to wage a struggle with the support mainly from their friends, local community, and public appeals. Two crowd funding appeals raised thousands of pounds towards funeral expenses and other support to the families, as well as legal costs. This struggle has been waged independently of the Labour Party and trade unions, who must take primary responsibility for the isolation of the brave resistance they have shown.

Labour MP for Ladywood, Shabana Mahmood, has gone no further than issuing pro forma letters of protest to the government and HSE, which she acknowledges

have produced zero results.

The Labour Party and trade unions are preoccupied with supporting the Johnson government’s homicidal return to work policy under conditions of a resurgence of the pandemic. They are prepared to prop up a government responsible for the highest number of COVID-19 deaths in Europe and has transformed workplaces across the country into a breeding ground for the virus, in which workers have been denied protection and live with the constant fear of infection and death.

The Socialist Equality Party calls on all workers to support the fight of the families of the five workers killed at the Hawkswood recycling plant, as part of a broader struggle to end the corporate criminality which is being intensified by the pandemic, based upon the calculation that workers lives are expendable but wealth accumulation is sacrosanct.



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