

Airport fined for failures that led to a man's death

An airport company has been fined £144,050 for failures that led to the tragic death of a 59-year-old man.

Glasgow Prestwick Airport Limited pled guilty to a breach of health and safety legislation at Ayr Sheriff Court after Joseph Dempsey, an experienced member of the ground handling team, died when a corroded guardrail gave way and he fell to the tarmac below.

The procurator fiscal told the court the fatal incident happened at Prestwick Airport on Wednesday 11 January 2023.

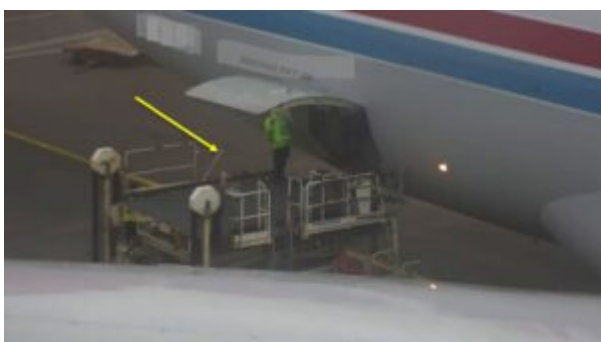


Screenshot of CCTV footage captured by an airport camera overlooking the apron, showing the incident platform loader in situ, at the open door of the rear (right) aircraft cargo hold

The prosecutor described how Mr Dempsey was preparing to unload cargo from an aircraft using a pallet loader. He had positioned the loader and was repositioning a guardrail when it suddenly gave way and Mr Dempsey fell to the tarmac, about 10 feet below.

Mr Dempsey's colleagues immediately went to his assistance and paramedics attempted CPR and advanced life support. These efforts proved unsuccessful and he was pronounced dead at the scene.

The Health and Safety Executive investigation found that one of the guardrail posts had completely fractured. There were visible signs of significant corrosion, discolouration and flaking white paint around the area.



Close-up view

Metallurgical examination of the guardrail posts found differences in chemical composition, manufacturing, and wall thickness which indicated the posts were manufactured from two different tubing sections.

These welded sections were not a feature of the manufacture's original design and appear to have been modified while the loader was under the ownership of Prestwick Airport. The welds on both the guardrail posts contained defects which would allow moisture in, creating a corrosive environment and speeding up deterioration.

There was no record of any modification or repair to the loader guardrail involving welding and the maintenance programme in place at the time did not cover the parts of the guardrail where failure or deterioration could lead to health and safety risks.

The charge libelled by the Procurator Fiscal and accepted by the company is that they failed to ensure that the pallet loader was maintained and in good repair.

They failed to have in place a suitable and adequate maintenance and inspection programme to identify deterioration of and corrosion to the safety guardrails fitted to the container loader.

As a consequence of Prestwick Airports failure, Joseph Dempsey fell from the platform when part of a safety guardrail gave way due to corrosion and sustained severe injuries from which he died.

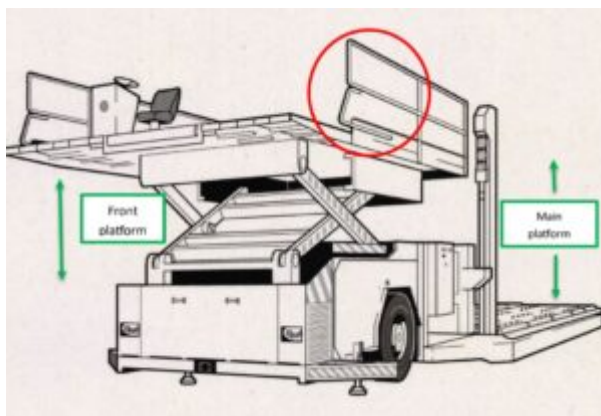


Diagram of the front of the loader. The area circled shows the front guardrail which failed (not in extended position)

Since the incident, Prestwick Airport has undertaken a review of all work at height.

Checks of the guardrails on the platform loaders have been added to the list of checks conducted during the annual service and inspection schedule and the failed guardrail was replaced by a new rail from the manufacturer.

Graeme McMinn HM Principal Inspector of Health and Safety added:

"Employers have an absolute legal duty to ensure that equipment they use at work is maintained in an efficient state and in good repair and full working order.

“This incident is a tragic reminder of what can result when that does not happen.”

Glasgow Prestwick Airport Limited pled guilty to a charge contrary to Regulations 5(1) of the Provision and Use of Work Equipment Regulations 1998 and Section 33 (1)(c) of the Health and Safety at Work etc. Act 1974 at Ayr Sheriff Court on 25 June 2025. The company was fined £134,000 with a Victim Surcharge of £10,050.

Speaking after the sentencing, Debbie Carroll, who leads on health and safety investigations for the COPFS, said:

“Joseph Dempsey lost his life in circumstances which could have been avoided if Prestwick Airport had in place a suitable and adequate maintenance and inspection programme to ensure the equipment he was using was in a good state of repair.

“This prosecution should remind duty holders that a failure to fulfil their obligations can have fatal consequences and they will be held accountable for this failure.”

Further information:

1. [The Health and Safety Executive](#) (HSE) is Britain’s national regulator for workplace health and safety. We are dedicated to protecting people and places, and helping everyone lead safer and healthier lives.
2. More information about the [legislation](#) referred to in this case is available.
3. Further details on the latest [HSE news releases](#) is available.
4. HSE does not pass sentences, set guidelines or collect any fines imposed. Relevant sentencing guidelines must be followed unless the court is satisfied that it would be contrary to the interests of justice to do so. The sentencing guidelines for health and safety offences in Scotland can be found [here](#).