

# Carlisle company fined after customer fatally crushed

A Carlisle auto-salvage company was fined after a customer was trapped and fatally crushed when a lift truck he had purchased was being loaded onto his own recovery vehicle.

Carlisle Crown Court heard that on 15 February 2018, a lift truck purchased from Michael Douglas Autosalvage Ltd was lifted using the company's skip lorry onto a recovery vehicle at Stainton Road, Etterby. The metal ring on the lift truck that the winch wire was attached to failed, causing the lift truck to fall and trap Mr Paul Spence against the skip lorry.



An investigation by the Health and Safety Executive (HSE) found that the company had failed to ensure that this complex lifting process was properly planned by a competent person and that it had failed in its duty not to expose customers to risk. A competent person would have identified that this loading method with this equipment was fundamentally unsafe.

The Company Michael Douglas Autosalvage Ltd of Stainton Rd, Etterby, Carlisle pleaded guilty to a breach of Section 3(1) of the Health and Safety at Work etc. Act 1974. The company was fined £23,000 and ordered to pay costs of £8,000.

Sandra Spence, Mr Spence's widow said:

"Paul was taken too early, in a tragic way, and didn't deserve his life to end this way. There is a big empty hole in my heart, he was a very loving husband and father. Paul always had a smile on his face and lived for his family."

Speaking after the hearing, HSE inspector Matthew Tinsley commented:

“This incident could so easily have been avoided should the lift have been properly planned and appropriate equipment and safe working practices been employed as a result.

“Companies should be aware that HSE will not hesitate to take appropriate enforcement action against those that fall below the required standards.”

#### **Notes to Editors:**

1. The Health and Safety Executive (HSE) is Britain’s national regulator for workplace health and safety. We prevent work-related death, injury and ill health through regulatory actions that range from influencing behaviours across whole industry sectors through to targeted interventions on individual businesses. These activities are supported by globally recognised scientific expertise. [www.hse.gov.uk](http://www.hse.gov.uk)
2. More about the legislation referred to in this case can be found at: [www.legislation.gov.uk/](http://www.legislation.gov.uk/)
3. HSE news releases are available at <http://press.hse.gov.uk>

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