

Crate falls from forklift truck and seriously injures worker

- Worker sustained life-changing injuries after a 1.2-tonne crate fell from a forklift truck.
- HSE investigation found unloading operation was poorly planned, not assessed and unsupervised.
- Case highlights the importance of properly managing non-standard lifting operations.

A Hull business has been sentenced after safety breaches resulted in a 64-year-old employee sustaining life-changing injuries.

Smith & Nephew Medical Ltd was sentenced on 14 September 2026 after Mr Dubey, an employee of Nippon Express (UK) Ltd, was seriously injured when a crate weighing approximately 1.2 tonnes fell from a forklift truck.



Photo showing the fallen crate at the side of the truck

Hull Crown Court heard that on 22 December 2020, Mr Dubey was delivering a large crate containing an electron microscope to Smith & Nephew Medical Ltd's site. Nippon Express had originally intended to provide a forklift truck and driver for the delivery. However, due to restrictions during the COVID-19 pandemic, Smith & Nephew Medical Ltd sought to reduce the number of people on site and took responsibility for unloading the goods.

The task was not properly assessed, planned or supervised. As a result, Mr Dubey was positioned unsafely and the load was lifted in an unsafe manner, causing the crate to fall from the forklift truck and land on him, resulting in life-changing injuries.

An investigation by the Health and Safety Executive (HSE) found that Smith & Nephew Medical Ltd had failed to adequately plan the unloading operation. There was no assessment of the suitability of the company's two-tonne forklift truck in relation to the characteristics of the load. The company also failed to consider how the lift should be carried out, who should be involved and what precautions were necessary. The unloading operation was not meaningfully controlled or supervised.

HSE guidance on [planning and organising lifting operations](#) states that lifting operations can often put people at great risk of injury, as well as incurring great costs when they go wrong. It is therefore important to properly resource, plan and organise lifting operations so they are carried out in a safe manner.

Smith & Nephew Medical Ltd, of Hull, was found guilty of breaching Section 3(1) of the Health and Safety at Work etc. Act 1974. The company was fined £230,000 and ordered to pay £111,000 in costs.

After the hearing, HSE Inspector David Stewart said:

“The company should have had clear procedures in place setting out how deliveries were to be managed and what safety measures were required for third parties attending site. These requirements did not change just because normal delivery arrangements at Smith & Nephew had changed, due to restrictions on third-party access during the COVID-19 pandemic.

“If Smith & Nephew were not to play any role in unloading deliveries, this should have been clearly specified. If third parties were permitted to take part, including supervising or guiding a forklift truck driver, this should also have been clearly defined, along with the actions necessary to ensure their safety.

“This case should serve as a reminder to the wider industry of the need to properly plan and supervise unloading operations, particularly where non-standard loads are involved. Such operations require a risk assessment proportionate to the hazards, taking account of the nature of the load, the suitability of lifting equipment and the arrangements for execution and supervision.”

This HSE prosecution was brought by HSE enforcement lawyer Jonathan Bambro and paralegal officer Rebecca Forman.

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. Relevant guidance can be found here: [Planning and organising lifting operations – HSE](#).
5. 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 can be found [here](#).