

Lift maintenance company fined after engineer fatally crushed

A lift maintenance company has been fined after an employee died while working at a factory run by Muller Yogurt and Desserts.

Lift Monitoring Systems Limited, previously known as RJ Lift Services Limited, was fined £200,000 on Monday following a Health and Safety Executive (HSE) investigation into the death of 24-year-old Lewis McFarlin, a lift engineer employed by the Staffordshire company.

Muller was not prosecuted by HSE.

Mr McFarlin was fatally crushed when attempting to repair a goods lift at Muller's Market Drayton factory on 14 January 2020.

Mr McFarlin's mother has said "no one should go to work and not return."



Lewis McFarlin

He and two other lift engineers at Lift Monitoring Systems were on site to work on a different lift before being asked to resolve an issue with the door-opening mechanism on one of the lift landing doors.

While attempting to resolve the issue, Mr McFarlin was on top of the lift car with one engineer in the lift itself and the other outside on the landing. The lift had been placed in inspection mode enabling Mr McFarlin to control the lift from the lift's rooftop. This mode enabled him to assist his colleague, inside the lift, to rectify the issue.

As the work progressed, the lift unexpectedly shifted from inspection mode to normal mode while Mr McFarlin was still on top. This sudden transition caused the lift to move at its normal speed, trapping him in a void between the lift car and the structural elements of the lift shaft.

Mr McFarlin's colleagues tried to release him but were unable to. He had

already lost his life by the time the emergency services arrived at the scene.

A Health and Safety Executive (HSE) investigation found that there was a failure to cover the void in which Lewis became trapped. Had the void been sheeted, the incident could not have happened.



The lift shaft wall

Mr McFarlin's mother, Leah Salt, said: "Hearing all the evidence this last week has been extremely difficult. Hearing how Lewis' death was easily and reasonably preventable, is heart-breaking. No one should go to work and not return.

"As a family, losing our lovely Lewis and his future, has had a massive impact on all of our lives. Nothing can bring my son home, however, if future lives and families can be protected as a result of this outcome, then Lewis' death hasn't been in vain."

Lift Monitoring Systems Limited, formerly known as RJ Lift Services Limited, of Galveston Grove, Oldfield Business Park, Stoke-On-Trent, Staffordshire, pleaded guilty to failing to discharge the duty imposed upon it by Section 2(1) of the Health and Safety at Work etc. Act 1974. The company was fined £200,000 at Stoke-on-Trent Crown Court on 27 November 2023. Costs will be decided at a later date.

HSE inspector Andrew Johnson said: "This tragic and entirely preventable incident led to the loss of a much loved son. The risks associated with working on lifts and the necessary safety measures were well-known to the company.

"Sadly, in this case, the employer failed to meet its responsibilities to put in place simple and well established reasonably practicable measures such as

covering the void in which Lewis became trapped in. Had the company fulfilled its duties, this tragic incident simply would not have happened.”

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. [hse.gov.uk](https://www.hse.gov.uk)
2. More about the legislation referred to in this case can be found at: [legislation.gov.uk/](https://www.legislation.gov.uk/)
3. HSE news releases are available at <http://press.hse.gov.uk>

Manchester firm fined after it put workers at risk with unsafe scaffolding

A rendering company in Manchester has been fined £3,000 after a HSE inspector noticed unsafe scaffolding on a house renovation as he happened to be driving past.

The company had been issued with a Prohibition Notice after a HSE inspector drove through the area on 17 February 2022 and spotted the scaffolding its workers were using at the property.



HSE inspector Phil Redman noticed unsafe

scaffolding when driving
passed the site on 17
February 2022

RS Rendering Specialists Limited disregarded the notice while carrying out rendering works on a house in Belgrave Crescent, Eccles, Manchester.

The HSE inspector noted there were gaps in the scaffolding, putting the company's staff at risk from falling at height. RS Rendering Specialists had also failed to plan the work safely at the property and a mandatory weekly inspection of the scaffolding had not been carried out.

The subsequent Prohibition Notice banned the company from using the unsafe scaffolding.

However, on 23 February 2022, the same HSE inspector drove past the property again and noticed that two workers from the company were operating on the scaffolding it had been prohibited from using.



The company ignored a prohibition notice served on them by HSE and carried on working on the unsafe scaffold

The colour of the house had changed since the inspector's previous visit, indicating that the company had continued to use the same scaffolding and had completely disregarded the Prohibition Notice.

HSE guidance can be found at: [Work at height – HSE](#)



There was a large gap to which workers were at risk from falling between scaffold and front door

RS Rendering Specialists Limited, of Athol Road Manchester, pleaded guilty to breaching Sections 4(1) and 6(3) of the Work at Height Regulations 2005 and Section 33(1)(g) of the Health and Safety at Work etc. Act 1974. The company was fined £3,000 and ordered to pay costs of £1,000 at Manchester Magistrates' Court on 24 November 2023.

HSE inspector Phil Redman said: "We will not hesitate to prosecute companies who choose to ignore enforcement notices issued to prevent risks from falls from height or any other health and safety related matters.

"This case highlights how such actions will not be tolerated under any circumstances."

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.
 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. Guidance on [working at height](#) is available.
-

Company fined as stunt performer sustains life-changing injuries during filming of Fast and Furious movie

A production company has been fined after a stunt performer was injured during the filming of Fast and Furious 9: The Fast Saga.

Joe Watts, from Surrey, sustained life-changing injuries after he fell approximately 25 feet at Warner Bros. studios in Leavesden, Hertfordshire on 22 July 2019.

He had been filming a fight scene for the action movie.

Mr Watts fell 25 feet onto the concrete floor below when the line on his stunt vest became detached.



The stunt vest Mr Watts was wearing

As a result of his fall, Mr Watts suffered a fractured skull and a severe traumatic brain injury, which has resulted in permanent impairment and disability.

A Health and Safety Executive (HSE) investigation found several failings by

FF9 Pictures Limited. FF9 Pictures Limited's risk assessment failed to address the potential issue of a rope snap or a link failure, there was no system for double checking that the link had been properly engaged and tightened. There was also no system for checking the link for signs of deformation or stretching between takes, the manufacturer's website stated that the link used was forbidden for use as PPE and shock loading should be avoided. On top of that, six-monthly inspections of harnesses were required but Mr Watts' harness had not been inspected in the last six months and FF9 Pictures Limited did not extend the crash matting needed to mitigate the consequences of an unintended fall following changes to the set and the sequence of the stunt.



The incident took place at Warner Brothers' studios in Leavesden

FF9 Pictures Limited, of St. Giles High Street, London, pleaded guilty to breaching Section 3(1) of the Health and Safety at Work etc. Act 1974. The company was fined £800,000 and ordered to pay £14,752.85 in costs at Luton Magistrates' Court on 24 November 2023.

HSE inspector Roxanne Barker said: "Mr Watts' injuries were life-changing and he could have easily been killed. In stunt work, it is not about preventing a fall but minimising the risk of an injury."

This prosecution was brought by HSE enforcement lawyer Rebecca Schwartz and supported by HSE paralegal officer Gabrielle O'Sullivan.

Sentencing, district judge Talwinder Buttar stated Mr Watts is fortunate to be alive and added that she was astonished that the crash matting was not adequate.

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. [hse.gov.uk](https://www.hse.gov.uk)
2. More about the legislation referred to in this case can be found at: [legislation.gov.uk/](https://www.legislation.gov.uk/)
3. HSE news releases are available at <http://press.hse.gov.uk>

Farmer fined after cow attack left man fearing for his life

A retired chartered surveyor said he feared for his life after being attacked by cows while walking his dog on a public footpath in Devon.

The farmer responsible has been prosecuted by the Health and Safety Executive (HSE) as a result.

Patrick Atherton and his 13-year-old Border Collie 'Lad' had been dropped off at Birdcage Farm, in Ottery Saint Mary, by his wife on 12 June 2022. The 70-year-old, who moved to the South West from West Kirkby on The Wirral more than 30 years ago, was a regular user of the footpath and said it was 'ironic' that Lad had been on his lead that fateful day.



Patrick Atherton and his dog were attacked by cows as they walked on a public footpath in Devon

"I've been a trainer of Border Collies for many years.

"It was ironic that for the first time I had kept Lad on his lead as I had noticed two young calves in the field and thought if he was walking by my side they wouldn't really notice.

"Unfortunately, one black cow did and it charged at us, knocking me down by the hedge that bordered the path.

"I tried to stand up and let Lad off his lead but they kept on knocking me over.

"There was about seven cows involved, but it was the very aggressive black cow that was trying to kill my dog.

"I thought we were going to die."

The traumatic ordeal only came to an end after Mr Atherton said he heard a call – who he presumed to be from the farmer – and the cattle moved away from the pair and ran back to the farm.

"I had been powerless to do anything," he added.

"We were both surrounded by cattle.

"I could hear Lad shrieking in pain as he was repeatedly kicked and stamped on.

"He was never the same dog after what happened and he sadly passed away in September this year.

"I just want to make other people aware of the risks when out enjoying

popular footpaths such as this one.”



The retired chartered surveyor said he feared for his life during the incident

Mr Atherton escaped with cuts and bruises following the attack, while Lad was badly injured had to take veterinary medication for the remainder of his life.

The HSE investigation found that cattle with young calves , which are known to be protective and unpredictable, were being kept in a field with a public right of way across it. They can pose a risk to walkers, especially to those with dogs.

Where possible farmers should:

- avoid putting cattle, especially cows with calves, in fields with public access.
- do all that they can to keep animals and people separated, including erecting fencing (permanent or temporary) e.g. electric fencing.
- Assess the temperament of any cattle before putting them into a field with public access.
- Consider culling any animal that shows signs of aggression.
- Any animal that has shown any sign of aggression must not be kept in a field with public access.
- Clearly sign post all public access routes across the farm. Display signage at all entrances to the field stating what is in the field (cows with calves / bulls).

John Hallett of Birdcage Farm, Ottery St Mary, Devon pleaded guilty to breaching Section 3(2) of the Health & Safety at Work etc Act 1974 and was fined £2,000 and ordered to pay costs of £4,500 at Exeter Magistrates' Court.

HSE inspector Simon Jones said: “It is fortunate that the injuries sustained by Mr Atherton weren't life threatening, however given the nature of the

attack the end result could have been far worse.

“Public knowledge – and concern – is increasing about how dangerous cattle can be. On this occasion Mr Atherton took the right precautions and HSE has taken action against the farmer in question.

“Cattle are extremely protective of their calves and even calm cattle can become aggressive if they think the calves may, in any way, be threatened, even by members of the public walking past.

“Farmers should not place cattle with calves in fields where members of the public have a legal right to walk.

“Had John Hallett followed this simple rule, then this incident could have been prevented.”

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.
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. Advice for farmers, landowners and other livestock keepers on dealing with [the risks posed by cows with calves](#) is available.

Food company fined £360,000 after worker loses consciousness

A company in Fife which grows and prepares vegetables has been fined £360,000 after a worker was dragged into a machine and lost consciousness.

Remigiusz Cyrek, a hygiene operative at Kettle Produce Limited, was undertaking a routine clean of a machine that makes carrot batons on 22 June 2018. The 37-year-old was trapped by a giant roller after being dragged into the machine at the company’s premises at Orkie Farm, in Freuchie.

Mr Cyrek had been cleaning part of the conveying machinery which had not been isolated from the power supply. The hood of his waterproof jacket became entangled in a moving power driven roller, causing it to tighten around his neck and resulting in him losing consciousness. The incident left the Polish

national unable to work for six months afterwards.

An investigation by the Health and Safety Executive (HSE) found that Kettle Produce Limited had failed to provide a safe system of work for employees who were cleaning the machinery. A safe system of work should ensure that cleaning activities are not carried out whilst the machinery was moving, and that all parts were isolated and locked-off from the power supply.

HSE guidance on [working safely with machinery](#) is available.

Kettle Produce Limited, of Balmalcolm Farm, Cupar, Fife, pleaded guilty to breach Section 2(1) and Section 33(1)(a) of the Health and Safety at Work etc Act 1974. The company was fined £360,000 at Dundee Sheriff Court on 23 November 2023.

HSE inspector Kerry Cringan said: "This incident could so easily have been avoided by simply carrying out correct control measures and safe working practices.

"While cleaning is an essential part of food processing, hygiene operatives should not be exposed to risks from unguarded moving parts.

"Companies should be aware that we 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.
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. Guidance on [working safely with machinery](#) is available.