

Cargo handling company sentenced after worker crushed between shipping containers

A cargo handling company has been fined after an employee was fatally crushed between shipping containers whilst working in a container park in Portsmouth.

On 25 August 2017, Mr Mieczyslaw Tadeusz Siwak, a 34-year-old father-of-one, was working for Portico Shipping Limited (formerly MMD (Shipping Services) Limited) on the night shift in the container park. His job was to connect refrigerated container units to electrical supplies, which his colleague had lifted into position for him using a container stacker vehicle. It was during one of these manoeuvres that Mr Siwak was fatally crushed between two containers.

An investigation by the Health and Safety Executive (HSE) found that the company routinely failed to provide adequate supervision of operatives and drivers working on the night shift to ensure safe systems of work were followed. This included failure to use safe walkways to segregate pedestrians from vehicles and the safe operation of container stackers by driving with shipping containers in the raised position to allow visibility.

Portico Shipping Limited of Guildhall Square, Portsmouth, Hampshire pleaded guilty to breaching Section 2(1) of the Health & Safety at Work Act 1974. At Portsmouth Magistrates' Court the company was fined £200,000 and ordered to pay costs of £15,631.61.

Speaking after the hearing, HSE inspector Rebecca Lumb said: "Safe systems of work should be in place on sites with moving vehicles to prevent pedestrians coming into contact with traffic or moving machinery. When moving containers by container stacker, the load should be transported as low as possible whilst maintaining full line of sight.

"Supervisors must be given the necessary instruction and training to implement the safe systems of work and manage hazards during operation processes.

"This tragic incident was entirely preventable had the correct safety management procedures and supervision been in place at the site."

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

2. More about the legislation referred to in this case can be found at:
legislation.gov.uk/

3. HSE news releases are available at <http://press.hse.gov.uk>