

# Devon based welding engineer sentenced after serious injury to worker

An agricultural engineer from Totnes in Devon has been sentenced after a worker sustained serious, life changing injuries after falling through a mezzanine floor whilst it was under construction.

Plymouth Crown Court heard how Russell Soper, trading as RJS Agricultural Welding was contracted to install the mezzanine floor in a unit at the South Hams Business Park in Totnes during March 2017.

On 31st March, 53yr old Derek Mortimore, a self-employed worker contracted by Russell Soper to help with the floor construction, was working on the mezzanine floor while it was still being constructed. During the work, Mr Mortimore fell approximately three meters through the purlins to the concrete floor below suffering serious head injuries. Mr Mortimore remained in hospital for many months after the fall to undergo neurological rehabilitation.


An investigation by the Health and Safety Executive (HSE) found that Russell Soper, as an employer, failed in his duty to ensure the health and safety of his employees and others whilst at work. Insufficient measures were taken to prevent a fall through the mezzanine floor while under construction.

Russell Soper of Diptford, Totnes pleaded guilty to breaching Regulation 4(1) of the Work at Height Regulations 2005. He has been fined £2,500 and ordered to pay costs of £6,132 and a victim surcharge of £170.

Speaking after the hearing HSE inspector Allison George said: "Falls from height remain one of the most common causes of work related fatalities and injuries in this country and the risks associated with working at height are well known.

"Mr Mortimore's injuries were life changing for both him and his family. He could have easily been killed. This serious incident and devastation could have been avoided if basic safe guards had been put in place."

## **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](http://hse.gov.uk)<sup>[1]</sup>
2. More about the legislation referred to in this case can be found at: [legislation.gov.uk/](http://legislation.gov.uk/) <sup>[2]</sup>
3. HSE news releases are available at <http://press.hse.gov.uk><sup>[3]</sup>
4. Further information about health and safety in workplace transport can

be found at: <http://www.hse.gov.uk/workplacetransport/driving.htm><sup>[4]</sup>

Journalists should approach HSE press office with any queries on regional press releases.

Journalists should approach HSE press office with any queries on regional press releases.