

# Serco fined £2.25m after death of custody officer

Security firm, Serco, has been fined £2.25 million for health and safety failings following the death of custody officer Lorraine Barwell.



Lorraine Barwell

Ms Barwell, a 54-year-old grandmother was kicked twice, once in the body and once in the head, at Blackfriars Crown Court in 2015 during the restraint of a prisoner in custody. She died from brain injuries caused by the second blow.

Ms Barwell had worked for Hampshire-based security firm Serco for 10 years when the attack took place.

The incident led to an investigation by the Health and Safety Executive (HSE) that found that Serco Limited had failed to properly analyse risk intelligence on prisoners and communicate risks and safety precautions to staff. There was also a failure to have sufficient procedures in place and follow them, to provide readily accessible protective equipment and to ensure further training was provided where identified as required.

In addition, there was a continued failure to adequately staff court activities, manage working hours, assess risks of violence and aggression, communicate safety critical information, have suitable procedures in place and to work in accordance with those procedures covering a period of over three years. Time pressures, staffing levels and business priorities had led to routine violations of procedures by staff in order to get the job done which had gone unchallenged. This is despite such failings being brought to their attentions by HM Prisons Inspectorate, Ministry of Justice, HSE Inspectors and Serco's own staff.

In a separate incident in 2016, another member of staff was rammed against a

wall and strangled in the Woolwich Court annex which could have had very serious consequences. The alarm button was pressed, but there were no staff manning the annex to respond and so it took time to call and gain assistance from the main building. There should have been 32 of Serco Limited's officers at court that day, but there were only 22.

On 25 April 2022 at Southwark Crown Court, Serco Ltd, of Serco House, Bartley Wood Business Park, Hook, Hampshire pleaded guilty to charges under section 2(1) of the Health and Safety at Work etc. Act 1974 contrary to Section 33(1) (a) of the Health and Safety at Work etc. Act 1974. On 26 May 2023 at the Central Criminal Court (Old Bailey) they were fined £2.25m and ordered to pay £433,596.07 in costs.

In a victim impact statement, Lorraine's daughter Louise Grennan, said: "Our mum was a wonderful loving supportive mother to myself, my brother and her two granddaughters whom she adored and loved, and they adored her.

"She too was a friend to many and loved by many. To lose her has left a huge void in everyone's hearts.

"Mum was my best friend and she helped me care for my daughter. We spoke about plans to move abroad to live in the sun once mum had retired from work. That has all gone now."

Speaking after the hearing, HSE inspector Helen Donnelly said: "Serco drastically failed in their duties to protect both Lorraine Barwell and other staff over a sustained period. It is not common to have a case covering such an extended period, but it appeared that Serco Limited were not learning from their mistakes. □

"Lorraine Barwell and her colleagues were just doing their job and should have been protected from harm. Had Serco carried out their legal duties, these incidents could have been prevented.

"While this investigation has been long and complex, we hope Lorraine's friends and family will find some comfort in today's sentence and see that justice has now been served.

"No matter what work environment you are in, health and safety regulation is designed to protect people at work. We will not hesitate to act against those who fail to protect their workers."

#### **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.

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# Registration of buildings with Building Safety Regulator now underway

Hundreds of high-rise buildings are being registered with the new building safety regulator as the stricter regime to protect residents begins.

Around 750 applications have been opened with the new Building Safety Regulator (BSR) since its registration process for high-rise buildings opened last month.

All high-rise residential buildings must be registered with BSR by law. Those responsible for the safety of buildings have until the end of September to register or face prosecution.

BSR is pleased with the early response from the building industry but is urging all owners and managers to act now. Up to 12,500 buildings in England are covered by the new regulator, set up in response to the Grenfell Fire tragedy and officially launched earlier this year.



High rise residential building in England

BSR is an independent body set-up by the Building Safety Act 2022 and part of the Health and Safety Executive (HSE). Its launch is the biggest change in building safety for a generation.

HSE's Director of Building Safety, Philip White, said: "We're pleased with the early response from industry but I urge owners and managers to act now and register their buildings if they haven't already done so. This is a legal requirement they will have to meet by the end of September.

"Registration is a crucial part of the new regime and our efforts to ensure residents of high-rise buildings feel protected and safe in their homes."

High-rise residential buildings that are at least 18 metres in height or have seven or more floors containing at least two residential units must be registered with BSR.

Information on how to register and what details are required can be found [here](#). Building owners or managers must provide the number of floors at or above ground level, height in metres, the number of residential units, and the year of construction.

Guidance on the key building information (KBI) that will also need to be recorded under the new building safety laws has now been published [here](#). This KBI registration element will then be added to the HRB online registration portal later this summer, allowing sufficient time for owners and managers of buildings to submit their KBI by the end of September.

Helpful information links with guidance on registering your high-rise building:

- [Register a high-rise residential building](#)
- You can watch our short [walk-through video of the process](#)
- [Get further guidance](#) to help you prepare for your registration application
- Visit our 'Making buildings safer' campaign site [campaign.gov.uk](#)

#### Notes to editors:

**About BSR:** The Building Safety Regulator (BSR) is an independent body established by the Building Safety Act, 2022, and is part of the Health and Safety Executive (HSE). We will raise building safety and performance standards and oversee a new stringent regime for high-rise residential buildings, as well as overseeing the wider system for regulating safety and performance of all buildings, and, increasing the competence of relevant regulators and industry professionals.

**About HSE:** 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.

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## [Company fined £200,000 after worker fractures arm](#)

A manufacturing company has been fined after an employee was drawn in to a machine and suffered multiple fractures to his left arm.

The man, who is from Newcastle, had recently started working as a manufacturing operative for Gates Engineering & Services UK Limited at its site on Bassington Drive in Cramlington, and was undergoing training when he

was assisting another worker on the company's 60-metre lathe on 12 November 2021. The new employee, who was 22 at the time of the incident, was working at the rear of the lathe when the rubber material he had just applied fell from the steel mandrel.

He instinctively reached to grab the material, and at the same time the lathe started, pulling him into the machine. This resulted in his arm being broken in two places.

<https://press.hse.gov.uk/wp-content/uploads/2023/05/Accident-web-under-2mb.mp4>

The machine was used to wrap rubber and other materials around a steel mandrel to form hose bodies for industrial hoses. The system of work at Gates Engineering involved one employee working at the front of the machine operating the controls, with a second employee assisting from the rear, helping to manually position the rubber materials being applied.

However, the manufacturer's manual for the machine stated that the lathe should be enclosed with a fixed perimeter guard, and that access to the work area by persons other than the machine operator prevented.

An investigation by the Health and Safety Executive (HSE) found the company had failed to take effective measures to prevent access to the dangerous parts of the lathe, and that its system of work required employees to stand in an area that was meant to be enclosed by guards. For HSE guidance visit: [Introduction to machinery safety – HSE](#)

Gates Engineering & Services UK Limited, of Bassington Industrial Estate, Bassington Drive, Cramlington, Northumberland, pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc Act 1974. The company was fined £200,000 and ordered to pay £3,653.70 in costs at Newcastle Magistrates' Court on 4 May 2023.

HSE inspector Stephen Garner said: "After this accident, the company was able to install perimeter guards to prevent access to the rear of its 60-metre lathe, and altered its system of work so that operation of the lathe could be carried out from the safe area at the front of the machine – as intended by its manufacturer. This accident could have been prevented if action had been taken earlier.

"A third-party safety audit commissioned by Gates Engineering, dated 16 January 2018, identified that there was access to moving parts at the rear of the machine due to inadequate guarding. Although this report failed to recommend any remedial measures, taken in combination with the information in the machine's manual, this represented a missed opportunity to properly safeguard the machine before an accident occurred. Ultimately this accident was both foreseeable and preventable."

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2. More about the legislation referred to in this case can be found at: [legislation.gov.uk/](http://legislation.gov.uk/)
3. HSE news releases are available at <http://press.hse.gov.uk>
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## Major transport firm hit with £1.9m fine after worker killed by HGV

Two major transport companies have been fined a combined total of £2.2m after 'a loving dad and husband' was killed when he was hit by a HGV in Birmingham.

Neil Roberts, 60, was a depot manager of Turners (Soham) Limited when he was struck by a reversing HGV on 30 August 2019. The incident happened at the premises of The Haulage Group Ltd (previously known as Howell Group Ltd), on Inkerman Street, when the vehicle reversed out of a parking space in the transport yard.

An investigation by the Health and Safety Executive (HSE) found the companies had failed to manage [the risk associated with workplace transport](#).



Mr Roberts was struck by a reversing HGV at a depot on Inkerman Street in Birmingham

In a statement issued by his family, Mr Roberts, from the West Midlands, was described as 'a loving dad' and 'caring husband'.

"He did anything and everything he could to provide for his family," they said.



“Family meant everything to him, he wasn’t a man of many words, he mainly showed his emotions through doing and showing you how much he cared. He was always there to help.

“Dad has left a massive hole in all of our lives, and nothing will be able to fill that.

“Not a day goes by where we don’t think of him and wish he was still here with us and how unfair it all is.

“Nearly four years have passed, and every happy moment since has been tinged with sadness and every happy moment going forward will be tinged with sadness as Dad isn’t here.”

Turners (Soham) Limited of Fordham Road, Newmarket, Suffolk pleaded guilty to breaching Section 2(1) and Section 3(1) of the Health and Safety at Work etc Act 1974. The company was fined £1.9m and ordered to pay costs of £7,300.

The Haulage Group Ltd of Unit 28 Maybrook Business Park, Minworth, Sutton Coldfield, West Midlands pleaded guilty to breaching Section 2(1) and Section 3(1) of the Health and Safety at Work etc Act 1974. The company was fined £300,000 and ordered to pay costs of £7,300.

Speaking after the hearing, HSE Principal Inspector Amy Kalay said: “This tragic incident was completely preventable.

“Both companies failed to recognise and control the risks associated with workplace transport, and in particular the dangers of reversing vehicles and poor visibility.

“The principle of ensuring pedestrians and vehicles are kept apart is well known and the measures needed to ensure separation and control the risk need not be complicated.

“If the companies had acted to identify and manage the risks involved, and to put a safe system of work in place, this incident would not have happened.”

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4. HSE guidance about [workplace transport safety](#) is available.

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## Health and safety failures found at more than 80% of businesses on island during inspections

More than 80% of businesses checked during an inspection push on the Isle of Wight were found to have breached the law.

The Health and Safety Executive (HSE) carried out a special two-day inspection programme on the island and found 84% of businesses in breach of health and safety regulations.

Issues found included badly maintained electrics, unguarded machinery, work at height taking place unsafely, lack of control of exposure to wood dust, welding fume or other substances hazardous to health and poor welfare facilities.

Eleven HSE inspectors visited the Isle of Wight over two days earlier this month and inspected 33 businesses. The unannounced inspections by Great Britain's workplace regulator checked a wide range of industries including boatbuilding and repair, waste and recycling, engineering, and farms.

Companies checked ranged from small businesses to large industry-leading firms with hundreds of employees. Breaches of health and safety law were identified on 84% of sites visited, resulting in four Prohibition Notices, 37 Improvement Notices and numerous instances of written advice.

HSE Principal Inspector Nancy Harman, who led the project, said: "Although we did identify some good practice on the Isle of Wight, there were numerous areas where risks to health and safety were not being properly managed and where improvements were needed.

"As a result of our intervention, we hope to have educated and informed businesses about the measures that they need to have in place to ensure that everyone goes home from work safely and without risks to their health.

"This inspection programme forms part of our ongoing work on the Isle of Wight and across Hampshire and we will be following up on the premises we visited and others in the coming months.

"By concentrating our resources at the same time, it allowed us to be more efficient in making sure businesses are putting good control measures in place and that the health and safety of workers is at the top of the agenda for everyone."

The last large-scale inspection visit like this to the Isle of Wight took place in 2019, before the Covid pandemic.



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