

HSE issues MoD with Crown Censure following death of military diver

The Ministry of Defence (MoD) has been issued with a Crown Censure by the Health and Safety Executive (HSE) after a military diver died during training.

On 26 March 2018, 27-year-old Lance Corporal George Partridge was brought back to surface after he stopped responding to lifeline signals while he was underwater. He was sadly pronounced dead after CPR was performed. He had been on a training course at the National Diving and Activity Centre in Chepstow. Lance Corporal Partridge and his dive buddy were tasked with attaching a distance line from the base of a shot line to the underwater wreck of a helicopter at a depth of 27m. When he was recovered his cylinders were found to be empty.

HSE served two Crown Improvement Notices relating to the failure to train all army divers how to undertake air endurance calculations and to assess the risk of a diver running out of air.

Julian Turvey, a HSE inspector who specialises in diving, said:

“This was a tragedy for all concerned however just like any other employer, the MoD has a responsibility to reduce dangers to its personnel, as far as they properly can. The scenario of a diver running out of air is a very real risk that needs to be managed.”

Today, at Whale Island, by accepting the Crown Censure, the MoD admitted breaching its duty under Section 2(1) of the Health and Safety at Work etc. Act 1974 in that they failed to ensure, so far as was reasonably practicable, the health, safety and welfare at work of all its employees, including George Partridge, in relation to the risks associated with diving exercises.

Notes to Editors:

1. The breach of law the Censure is being issued over is: Section 2(1) of the Health and Safety at Work etc. Act 1974, which states that: *“It shall be the duty of every employer to ensure, so far as is reasonably practicable, the health, safety and welfare at work of all his employees”*.
2. The MoD cannot face prosecution in the same way as non-Government bodies and a Crown Censure is the maximum sanction for a government body that HSE can bring. There is no financial penalty associated with Crown Censure, but once accepted is an official record of a failing to meet the standards set out in law.
3. More information on Crown Censures can be found here:

<http://www.hse.gov.uk/enforce/enforcementguide/investigation/approving-enforcement.htm> ^[1]

4. The [Code for Crown Prosecutors](#) ^[2] sets out the principles for prosecutors to follow when they make enforcement decisions. HSE's approach to Crown Censure is set out in its [enforcement policy statement](#) ^[3].

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