

# MoD issued with Crown Censure by HSE after Marine recruit died during an exercise

The Ministry of Defence (MoD) has been issued with a Crown Censure by the Health and Safety Executive (HSE) after a Royal Marine recruit died during a routine training exercise.

On 21 January 2020, Royal Marine recruit Ethan Jones drowned while taking part in a training exercise involving a night beach landing at Tregantle Beach, Cornwall.

As the final part of their training, the recruits took part in an exercise which included disembarking from a landing craft into the sea and wading to shore. The depth of the water was deeper than anticipated and a number of recruits were submerged and had to be rescued. Recruit Ethan Jones was found floating next to the landing craft. Although he was recovered from the water and transported by air to hospital, he tragically died three days later.

HSE found the MoD failed to undertake a suitable and sufficient risk assessment, failed to properly plan, failed to properly supervise, and therefore failed to ensure the safety of their employees during what should have been a routine training exercise.

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.

HSE inspector Emma O'Hara said: "This was a very serious incident which has resulted in the death of a young Royal Marine recruit at the start of his military career.

"Just like any other employer, the MoD has a responsibility to take all reasonably practicable steps to control the risks to the safety of its employees. In this case they have failed to do so.

"HSE fully recognises the importance of properly managed realistic military training but this does not mean the training itself should expose recruits to uncontrolled or inadequately controlled hazards. HSE expects training exercises to be properly planned and managed through suitable and sufficient risk assessments and safe systems of work."

## **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. The breach of law the Censure is being issued over is: Section 2(1) and Section 3 (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"*.
3. 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.
4. More information on Crown Censures can be found here: <http://www.hse.gov.uk/enforce/enforcementguide/investigation/approving-enforcement.htm>
5. The [Code for Crown Prosecutors](#) 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](#)