

# Sole trader jailed after man crushed under van at Bootle garage

The partner of a man who got stuck and crushed under a vehicle at a motor repair company and later died has spoken of her struggles coping with her loss.

Kenneth (Kenny) McCord, 56, died following an incident on 16 July 2020 at JJ Tyres & Recovery based in Bootle, Merseyside.

Joseph Jones, the owner of JJ Tyres & Recovery in Bootle, was jailed for ten months at a hearing at Liverpool Crown Court on 4 August 2023.

The court heard that Mr McCord was assisting in the removal of the flat rear bed of a tipper van – to salvage spare parts – when the hydraulic system of the tipper bed was released without the support arm being in place. The flatbed then fell and crushed him while he was working underneath it.



Kenny McCord who was killed in his workplace

Mr Jones and two other employees on site managed to get Mr McCord out from under the tipper bed and the chassis of the vehicle. He appeared shaken but was still able to talk and have a drink of water.

Shortly afterwards Mr McCord's condition started to rapidly deteriorate, and an ambulance was called. He was taken to Aintree hospital where it was found he was suffering from significant internal injuries caused by the crushing. Mr McCord underwent surgery but later died from his injuries.

Nicola McCall, Kenny's partner of more than 20 years, said: "I feel like this was a terrible accident that could have so easily been avoided."

The Health and Safety Executive (HSE) has guidance available on [working under](#)

[vehicles.](#)

An investigation by the HSE found sole trader Joseph Jones had no risk assessments, safe systems of work or lifting plan. The company did not provide staff with adequate training or made them aware of the dangers associated with removing the flat bed from a vehicle.

The investigation also found that if the support arm which props the tipper bed while in the raised position had been in place at the time, this incident would have been avoided.

Joseph Jones, of JJ Tyres & Recovery, Lodwick Street, Bootle, Liverpool pleaded guilty to breaching Section 2(1) and Section 33(1) of the Health & Safety at Work etc. Act 1974. Mr Jones was jailed for ten months at Liverpool Crown Court on 4 August 2023. This HSE prosecution was supported by HSE enforcement lawyer Radha Vaithianathar.

Nicola McCall and Kenny lived together in Bootle. The 51-year-old said: "My life has changed massively since Kenny's death.

"Since his death my health has not been good, and I've struggled to come to terms with his loss as he was such a big part of my life.

"Emotionally I was a mess, I struggled to talk about the incident, I would cry constantly and still do, and wouldn't leave the house in case I met somebody that we both knew, and it would bring up all my feelings again.

"I miss the silly things that Kenny used to do like always tormenting people in fun ways and cherish the videos that I still have of him on my phone.

After the hearing, HSE inspector David Bellis said: "Nicola is, sadly, correct. We found that had the support arm been applied, the collapse would not have happened.

'This will only take me a minute' is a phrase we hear all too often, yet it is crucial the correct equipment is used when working under vehicles.

"This incident could so easily have been avoided by simply carrying out correct control measures and safe working practices.

"Companies should be aware that HSE take fatal accidents seriously no matter the size of the company and will not hesitate to take appropriate enforcement action against those that fall below the required standards."

## **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.