

LEGAL  
UPDATE

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## HSE advice on vehicle support

## SAFETY

The Health and Safety Executive (HSE) has issued a motor vehicle repair bulletin relating to fatal accidents while working on incorrectly supported vehicles. HSE says it is aware of at least eight fatal accidents since 2019 due to work being carried out on incorrectly supported vehicles or cabs (not pictured).

The bulletin states: "Never work beneath a vehicle that is only supported on jacks. Use axle stands that are in good condition and inspected every year. Use stands on firm, level ground and securely located under a strong point on the vehicle. Securely chock wheels remaining on the ground. Do not exceed the rated capacity of the stand.

"Never work beneath a cab or tipping trailer unless it is propped. Always prop cabs, trailers, etc, that could drop



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under their own weight. The prop should be locked in position before gaining access. If there is no prop fitted, or if one is fitted but you are unsure it will be effective, provide your own.

"Never crawl beneath a vehicle fitted with air suspension unless it is properly supported. Prevent movement of air suspension, either by using suitably rated props or stands to prevent the chassis

lowering or by deflating the system. Don't tamper with the ride height for the purpose of recovery or repair."

Further information is available in an HSE guide ([www.is.gd/nikitu](http://www.is.gd/nikitu)) and a safety alert ([www.is.gd/munoxu](http://www.is.gd/munoxu)).

Also useful to improve operational and safety standards are IRTE's irtec technician competence scheme and its Workshop Accreditation programme.

## Fact File

DRIVING  
OFFENCES

The Highway Code has been updated following a change in the law that affects the sentences for some driving offences. The updates are to the penalties for:

- causing death by dangerous driving
- causing death by careless driving under the influence of drink or drugs.

The maximum sentence for both offences has increased from 14 years' imprisonment to life imprisonment.

The obligatory disqualification period for both offences has increased from a minimum of two years to a minimum of five years.

A new offence has also been created for causing serious injury by dangerous driving.

This carries a maximum penalty of two years' imprisonment, an unlimited fine and an obligatory driving disqualification.

Find out more via [www.is.gd/qufakip](http://www.is.gd/qufakip).

## SAFETY

## Tanker deaths lead to jail sentences

A food waste recycling company has been found guilty of corporate manslaughter after two employees drowned in a tanker of semi-liquid pig feed.

Nathan Walker was a member of yard staff at Greenfeeds Limited. On 22 December 2021, upon the instruction of his employer to clean out a tanker, Walker climbed into the tanker after it could not be emptied fully. Walker got into difficulty and

his co-worker Gavin Rawson climbed into the tanker in an attempt to save him. Rawson also started to struggle and their colleagues could not follow them to help. They died at the scene.

Following a six-week trial, Gillian Leivers, the firm's manager, was jailed for 13 years for gross negligence, manslaughter and breaking health and safety rules. Her husband Ian, who was a director at the firm, has also been jailed for 20 months. Stewart Brown, the firm's

transport manager, has been given a one year suspended sentence for breaking health and safety rules. However, he was cleared of two counts of gross negligence and manslaughter. The firm itself was fined £2m.

## SAFETY

## Driver fall leads to prosecution

A transportation company has been fined almost half a million pounds after a driver fell from the lorry he was unloading and later died. Christopher Barnes,

69, from Middlesbrough, was making deliveries for Devereux Developments Limited, of Daimler Drive, Billingham, in his curtain-sided HGV. While unloading the vehicle at Cotswold Doors Limited, Fairford, on 23 April 2018, he climbed onto the lorry bed, and then the load, to untangle securing straps. He fell more than 7ft from the lorry on to a concrete floor, was injured and died. An investigation by HSE found the company did not have a safe system of work in place for work at height.