

PROSECUTION

Roger Lower, a cleaner working for Wettons Cleaning Services, was electrocuted after falling on a 750-volt live rail during his shift at West Marina Depot, East Sussex.

Mr Lower had arrived for his night shift just after 10pm before starting work cleaning the sides of trains with colleagues. Later that night, he was found lying on the live rail and, although emergency services were called, they were unable to save his life.

Summary

Cleaners at West Marina were supposed to be protected from the live rail by 'Protection Boards', but ORR Inspectors found that none of the four Boards present in this location was in use. Inspectors found all of them were leaning against buffers.

Wetton was employed by LSER to clean its trains and the West Marina depot was leased from Network Rail for that purpose. ORR's investigation revealed health and safety failures by both Wetton and LSER. ORR Inspectors found a culture of cutting corners, which exposed workers to serious risks including:

- Relying on paperwork rather than checking what was actually happening in the depot;
- Failing to ensure safe systems were in operation; and
- Inadequate training and supervision.

Company

1. London and Southeastern (LSER)
2. Wetton Cleaning Services Limited

Breaches involved

1. Section 3 of the Health and Safety at Work Act.
2. Section 2 of the Health and Safety at Work Act

Date(s) of offence

24 May 2014

Plea

Both: Not Guilty

Result

Both: Found guilty by jury

Court Guildford Crown Court

Sentencing date 17th November 2017

Penalty 1. Fine £2.5m
2. Fine £1.1m

Costs £162,000 each

Location of offence

Address West Marina Depot, near
Hastings in East Sussex

ORR details

ORR Team TOC (S)

ORR Directorate Railway Safety Directorate