

PROSECUTION

Summary

At 17:38 on Friday 19 August 2016 at 17:38 a 13-year-old boy received serious electrical burns from 25kV ac railway overhead line equipment after trespassing onto railway infrastructure owned and operated by Network Rail and climbing onto a tank wagon within a freight train that had been stopped at a red signal. Investigation by ORR found the railway boundary measures in the area to be incomplete, of substandard specification, poorly maintained, and compromised by adjacent structures. As a result, it was possible to cross the boundary and enter railway infrastructure with relative ease at several points. In addition, there was clear evidence of trespass onto the infrastructure at the location in the form of graffiti including on parts of the structure of a bridge over the railway within the railway boundary.

Company	Network Rail Infrastructure Limited
Breach involved	Health and Safety at Work etc. Act 1974 Section 3(1)
Date(s) of offence	On and before 19 th August 2016
Plea	Guilty
Result	Sheriff imposed fine
Court	Edinburgh Sheriff Court
Sentencing date	15 December 2020
Penalty	£135 000
Costs	Not awarded in Scottish cases

Location of offence

Address	Lineside in the vicinity of the A1 bridge over the railway between Monktonhall Junction and Millerhill, East Lothian
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ORR details

ORR Team	Scotland Route Team
ORR Directorate	Railway Safety Directorate