**Mr. George Galloway’s (MP. Glasgow, Kelvin) speech to the House of Commons: 3rd of March 1999**

**Extract from Hansard1**

The Under-Secretary, my hon. Friend the Member for Mansfield (Mr. Meale), and I go back a long way. We share a strong commitment to health and safety at work and a sense of horror at some of the casualties that have been inflicted by careless or negligent employers on the battlefield which so much of the British industrial landscape has become. Almost 20 years of attrition against trade unions and the rights of workers to refuse hazardous employment conditions, and deregulation posing as a bonfire of red tape, have, in reality, represented the burning down of standards that responsible government and representative trade unionism took the best part of a century to construct.

I applied for this debate after reading the award- winning journalist, Seamus Milne, in The Guardian, and later in the "Big Issue", on the manslaughter of Simon Jones, a 24- year-old man who was killed on 24 April 1998 on his first day as a casual worker at a privately owned wharf at Shoreham docks. However, Simon was no dock worker. Driven by the jobseeker's allowance scheme, he was sent to his death by a company called Personnel Selection. This company undoubtedly failed in its statutory duty to ensure its client's suitability for the job to which it was sending him and to provide the written terms and conditions of the job.

The company sent him to the docks and into the hands of a cowboy company called EUROMIN, of ultimately Dutch ownership--and with a low reputation even in the jungle that is the deregulated dock industry, 10 years after the abolition of the dock labour scheme, for whose retention some of us--my hon. Friend the Under- Secretary and I included--fought tooth and nail in this place. We warned then that casualisation kills. Simon Jones is just one of the mute witnesses to that truth.

Simon was taking a year off from Sussex university when he was killed. He died, almost decapitated by the grab of a crane, only two hours after starting work, and after only a two-minute briefing on what the job entailed. That two minute was meant to equip him with the skills of a stevedore, one of Britain's five most dangerous occupations.

The reality in some of Britain's docks, illuminated by the case of Simon Jones, is like a still from Elia Kazan's epic film "On the Waterfront". Simon was put to work in the hold of a ship called the Cambrook, hooking bags of cobbles on to chains which had been welded to the inside of the crane's open grab. There was no need for a grab for that sort of cargo and the chains should have been attached to a hook instead. However, changing back and forth between hook and grab costs time and money.

With Simon and his workmate, Sean Currey, was just one crew member, a Pole who spoke no English, yet he was acting as banksman, guiding the crane driver. The banksman is supposed to communicate with the driver and monitor what is happening in the hold. Not only did the banksman not speak English, but even his hand signals were foreign to the crane driver. Moreover, from where he was standing, he could not even see into the hold.

The grab and chains were brought in too low over the hold and the grab was accidentally closed on Mr. Jones's head. Only the chains prevented it shutting completely.

Sean Currey, who had nightmares for months afterwards, was asked later to clean the blood and remains of Simon off the bags of stones so that they could be sold. He was sent home for the day without pay for refusing to do so.

The general manager of EUROMIN, James Martell, was arrested by the police after the accident but released without charge. Last month, the Crown Prosecution Service decided not to charge EUROMIN or Martell with manslaughter because of insufficient evidence. Under pressure from Simon's family and their admirable campaign, the CPS is reviewing that decision and a final ruling is expected this week.

I have to tell the House that, according to Sean Currey, Mr. Martell--who is, in legal terms, undoubtedly the controlling mind of this company's UK activities--laughed out loud when told that he could face prosecution. Martell, who has not so much as sent two lines of condolences to his victim's family, has the blood of Simon Jones on his hands. Martell's contempt for the laws of health and safety in this country, his greed and hunger for profit and his negligence and carelessness slaughtered a young man just as clearly as if he had pushed him off the dock with his own hands

In a way, Martell was right to laugh, because the chances of his ever being properly held to account were and are laughably small. Life is cheap on the British waterfront and in many of the privatised and deregulated sweatshops of which the previous Government boasted. That is the true legacy of the Thatcher era.

The average fine levied upon employers following fatal industrial accidents is less than £2,000. Unbelievably, it is cheaper to be fined for having caused the death of an employee than to take the necessary precautions for the avoidance of that death. As my right hon. Friend, the Minister for the Environment said on the BBC last year:

"I am absolutely outraged at penalties that perhaps are as little as £2,500, which I believe are derisory and insulting when awarded in the case of death or serious injury".

The whole House will welcome the Government's massive increase of 17 per cent. in expenditure on the Health and Safety Executive, which will produce an extra £4.5 million this year. However, as my right hon. Friend the Minister for the Environment said at the time:

"I would be the first to say I think these significant increases are not enough."

The Government themselves admit that the money that we plan to spend on health and safety enforcement is not enough and that fines levied upon killer companies are often derisory and insulting. The question that needs to be asked and answered therefore is what more we can do and when we will be able to do it.

According to Gary Slapper, law director of the Open university, official figures for deaths at work massively underestimate the real number. Dr. Slapper argues that about 20 per cent. of such death’s present good prima facie cases for charges of manslaughter against the employers responsible, but such charges are rarely brought. Twenty per cent. would translate into about 90 prosecutions a year--that is two every working week. That contrasts with the actual rate of two prosecutions every 30 years.

The new offence of corporate killing, on which the Government are consulting, would be a step forward in cases where criminal negligence by employers causes deaths at work. It would allow companies to be fined at a much higher level than that allowed for breaching existing health and safety law. However, I believe that even high fines are not a sufficient deterrent for many rogue employers. Some would merely put their companies into liquidation rather than pay the fines. For others, even high fines would represent a scintilla of the high profits generated in part by the reckless cutting of corners.

I believe that only the imprisonment of directors of companies found to be responsible for such negligence would have a deterrent effect. After all, people are not fined for committing manslaughter outside the work place; they go to prison, sometimes for several years. As Professor Charles Woolfson from Glasgow university in my constituency put it, "When one goes down, the others sit up."

On the basis of an exhaustive three-year study, Dr. Slapper believes that many more charges of manslaughter could be brought, even under existing legislation, were it not for the fact that the prosecuting authorities are more lenient towards those engaged in business.

The Stephen Lawrence campaign has been a real inspiration to those campaigning in the memory of Simon Jones. Although in the five long years of the Lawrence campaign Stephen's family have failed to obtain justice for their dead son, they have exposed the truth about institutional racism to everyone. The Simon Jones campaign hopes to be equally successful in ensuring that the truth about casualisation--that it is killing people for profits--is equally widely understood. 167 Updated 2018.

The Thatcher era proved to be a killing field for innocent victims of corporate failure, from Occidental's towering inferno of Piper Alpha, in which 160 workers perished, through the King's Cross fire, the Clapham and Putney rails disasters, the sinking of the Marchioness and the loss of the Herald of Free Enterprise in the Zeebrugge disaster. Altogether over the past few years there have been more than 500 fatalities in major incidents and more than seven times as many individual deaths. In virtually all of those, management failure was deemed to be a central cause of the incident.

A study of 739 deaths in the building and civil engineering industries during just four years from 1981 to 1985--the depths of Thatcherism--concluded that, in 70 per cent. of cases, positive action by management could have saved lives. Studying a range of industries in the early 1990s, the HSE concluded that management was primarily responsible in 54 per cent. of cases, and that, in 70 per cent. of cases,

"Positive management action could have saved lives".

Most deaths through industrial negligence go virtually unreported. However, involvement with the Simon Jones campaign has shown me that such incidents not only destroy the lives of the victims, but tear apart the lives of their families and friends.

For some reason, workers in Scotland are a third more likely to die in workplace accidents than workers in the rest of the United Kingdom. In 1996-97, almost 30 Scottish workers died at work and another 12,000 were injured, more than 2,000 of them seriously. Last October, there was the case of Raymond Stevenson, a 28-year-old father of two who was overcome by toxic fumes and fell into a sludge pit that he had been ordered to empty. Paisley sheriff court levied pitifully small fines on the contractor and the site operator. The fatal accident inquiry report noted that safety issues

"Were matters of little or no importance to senior management".

In 1997, Alan Dale, a 30-year-old married man, died of suffocation, buried alive at the bottom of a 29 ft deep bin containing concrete dust that he had been ordered to remove. The sheriff at the fatal accident inquiry, at Glasgow sheriff court, said that the tragedy could have been avoided if suitable rescue equipment had been available on site. The company was fined £1,000. Last year, John Curry, aged 37, was crushed to death when a tool rack fell on him, on Shell's Tern platform in the North Sea. The company was fined £3,000.

William Veetch, a father of three in Cumnock, Ayrshire, died after being pulled into the rotating drum of a huge washing machine for washing coal. The company was fined £1,500. One of Mr. Veetch's sons said:

"I just cannot believe my dad’s life is worth just £1,500."

None of that should be construed as an attack on the Health and Safety Executive. For years, it struggled to civilise Britain's industrial landscape, while starved of the necessary resources and operating in an atmosphere of thinly disguised hostility from Tory Governments who saw the executive's activities as just another burden on business. Now, that atmosphere has been dispelled by the Labour Government and a substantial increase in funding is forthcoming. I hope, however, that my hon. Friend the Under-Secretary will agree that far more has to be done.

The HSE has a target of investigating one in five serious accidents in the workplace. I do not understand why its target should not be to investigate every serious accident in the workplace. Currently, however, the HSE is able to investigate only one in 20 serious accidents at work--only 5 per cent. of accidents that often involve the maiming, crippling or blinding of employees, and almost all of which mean that the victim will never work again. Thus, because of current investigation levels, more than 48,000 serious accidents every year go uninvestigated.

The Government should propose a clear timetable for progress in meeting the HSE target of investigating 20 per cent. of serious accidents in the workplace, and be ready to fund the level of inspectorate that meeting that target would require. The Government should reconsider the appallingly low level of fines levied in cases of serious accidents under current safety law, and speed the day when the new offence of corporate killing is added to the armoury of the law.

**Since 1998 when Simon Jones was killed over 4,000 people have died as a result of workplace activity.**

**Whilst unconfirmed it is believed close to one million have died from illness related to workplace activity**