

THE DAILY HAZARD

Judge slaps employer's wrist for workers' deaths

There has been a cry of 'injustice' over the sentence arising from the prosecution of the St. John's bridge disaster which killed two workers and seriously injured five others (see Daily Hazard No 38, 40 and 41).



Terry Smith

Construction campaigners protest outside court

British Rail and Tilbury Douglas were each fined a mere £25,000 and ordered to pay a total of £25,000 costs at Inner London Crown Court on 17 October 1994. They could have been fined an unlimited amount. These derisory fines follow an inquest

jury's ruling that two men were unlawfully killed by gross negligence on the part of at least one of the engineers involved in the demolition of the bridge. The jury's decision was so serious it was passed to the Crown Prosecution Service (CPS) for

consideration of manslaughter charges. The CPS failed to make such charges saying there was insufficient evidence to secure a conviction.

In reponse to the Court's decision Kevin Barron, shadow employment minister, said 'In view of the seriousness of this case the fines are pitiful. It seems clear that the families who have suffered through this tragedy will not feel justice has been done. The whole system needs looking at, and judges must be seen to hand out fines which act as a proper deterrent.'

In court, Hugh Carlisle, prosecuting for the Health & Safety Executive (HSE), described how Tilbury Douglas put forward a working method statement for the bridge's demolition which had men working under the bridge while it was being demolished. He told how experienced British Rail engineers approved this deadly plan.

Mr Hugo an HSE Railways Inspector said 'I am astonished that BR with all its engineering

experience approved this working method statement.'

Hugh Carlisle also told the court, 'The plans must have been drawn up by somebody who had no comprehension of what was safe. One cannot remove one arch without the other collapsing because the horizontal forces become unbalanced and the bridge becomes unstable. This requirement is obvious even to the layman. This was a fatal accident waiting to happen.'

Tilbury Douglas has been prosecuted on at least three previous occasions.

Judge Jonathan Van Der Werff said 'This appalling accident which resulted in the deaths of two men and injuries to five sub contractors, was caused by the defendants' joint and several failures. Because the defendants did not carry out their legal duties the tragedies resulted.'

'Their culpability is a heavy one' he added. He also said it was not the role of the court to try to impose a sentence that would make up for the loss of the two men and the grief their families had suffered. And with that, he proceeded to give the companies concerned the equivalent of a financial slap on the wrist.

Outside the Court, Rose Dunn speaking for the Construction Safety Campaign, said, 'The Crown Prosecution Service should have laid manslaughter charges against both companies and any identified individuals. It's a jury's job to decide their guilt or not. Things will not be safer at work until negligent employers are imprisoned.'

London Hazards Centre moves

On 15 December the London Hazards Centre will be moving to: Interchange Studios, Dalby Street, London NW5 3NQ. Phone 0171 267 3387. Fax 0171 267 3397. The advice line will be closed on 13 December 1994 and will re-open on Tuesday 3 January 1995.

Travel directions to Interchange Studios

Tubes: Kentish Town, Chalk Farm — Northern Line.

Trains: Kentish Town West station (North London Line), Kentish Town (Thameslink)

Buses: 24, 27, 31, 46, 134, 135, 168, 214, C2.

INVITATION

Please come to a party to celebrate the London Hazards Centre's 10th Anniversary and move to Interchange Studios

R.S.V.P.
0171 267 3387

10th anniversary

Celebrate 10 YEARS of the London Hazards Centre

time 7pm - 11pm
on Friday 27 January 1995
at Interchange Studios
Dalby Street
London
NW5 3NQ

food • drink • speakers • music

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Dick Jackson, anti-asbestos campaigner dies

Our condolences go to the family and friends of Dick Jackson; asbestos has finally killed him. He was one of the country's best known anti-asbestos campaigners and died at the end of October. Dick, a thermal insulation engineer, who worked as a lagger, and safety representative of the GMB union, had been campaigning for over 20 years to get asbestos banned in the UK, in the European Community and worldwide.

Dick was exposed to asbestos for many years, first in the Hull dockyards, and later spraying asbestos in many schools, hospitals and other public and

private buildings for J W Stanley of Hull. In 1976, three of his workmates died in one year of asbestos-related diseases. Since then, Dick has helped many victims and their families all over the country to get compensation. However, as Dick said, 'prevention is better, there is no cure'. So he used all his experience and knowledge in the campaign to ban asbestos so that future generations would not be exposed to this terrible hazard.

Dick's death is attributable, like that of many other working people, to management's neglect of workplace safety. Dick has gone but the anti-asbestos campaign continues.



Dick Jackson at the 1994 Workers' Memorial Day march

Victorian values

Concern about British Rail's (BR) commitment to their employees' health and safety has been highlighted by a noise hazard at Victoria Station. Staff are prevented from speaking to the press by their managers, despite it being illegal for employers to victimise workers for taking up safety problems, but anyone is able to see some ticket office staff wearing earplugs to protect their hearing against the hubbub of concourse noise that is amplified through the window speaker system.

A few weeks ago, if you had been buying a ticket, you would have seen a nurse carrying out noise tests. It is likely that the noise exceeds 80 decibels



(dB(A)). Although this is below the minimum level covered by the Noise Regulations, daily exposure to this level while working will cause hearing loss in a significant number of workers.

The ticket office workers' union branch brought up this matter more than a month ago but management has so far failed to take action to reduce the noise levels that their employees are having to suffer. One practical response by BR management, to reduce the noise hazard, would be to provide window amplifiers that could be adjusted for noise volume by the ticket sales staff.

Council between heavy metal and a hard place

Close to 100 people turned out on a cold night in October for a public meeting on the latest developments concerning the North Woolwich Children's Centre and the possible threat to the health of both workers at the Centre and local residents from contaminated land (*Daily Hazard* 43)

A petition and model letter demanding action from Newham Council were launched and strong proposals were put forward for a mass lobby of the Council and the MP. There was discussion of taking the matter to Brussels. The meeting (organised by Newham Unison, the Pier Estate Action Group, a local community organisation, and the London Hazards Centre) heard a graphic account of the illnesses suffered by the child care workers and by local residents and workers involved in the construction of the building in 1992-93.

Child care workers complained

of adverse health effects almost as soon as the building opened in mid-1993. As a result, the Centre was closed in December 1993 and has not reopened; the workers continue to suffer bouts of illness. Despite a great deal of testing, no satisfactory explanation of the cause of the illness has been found but the symptoms are consistent with exposure to toxic heavy metals such as lead and mercury. These metals are especially dangerous for young children. The only likely source of these is the land on which the Centre is built, but Newham Council has so far not carried out the kind of tests which would allow the heavy metal question to be answered. When it emerged that local residents were suffering illnesses akin to those of the workers, the London Hazards Centre carried out a survey to establish the extent and cause of health problems in the area. The results were inconclusive but pointed to the need for a proper

investigation. These results have been sent to the Council.

The Head of Newham's Environmental Services said at a recent conference organised by Docklands Forum that it was the Council's policy to give high priority to health and environment issues and that these were closely linked to equal opportunities and poverty questions. It was the Council's policy to involve local people in the decisions which affected them. This news was an eye-opener for Unison, which represents the child care workers, as all their efforts over the past year to establish a dialogue with the Council officials have been rebuffed. Now that the union and the community have established strong links, there is an opportunity for the Council to honour the words of its environment chief and carry out the investigation which will safeguard the health of both workers and residents in North Woolwich.

Bereaved families get HSE recognition

A group of relatives of people killed at work has succeeded in getting the Health and Safety Executive (HSE) to publish a booklet: *Advice and Information for Bereaved Families* which will be made available to families by the HSE Inspector investigating the death/s and not for general publication.

The booklet briefly covers all issues and agencies that bereaved families are likely to encounter and is, on a couple of issues, surprisingly candid. Ann Elvin of the Relatives Support Group said, 'We see this as a very positive move. This leaflet gives the bereaved an insight into what lies before them and

should help to remove some of the distress and confusion out of dealing with the different agencies.

The Relatives Support Group can be contacted via: Ann Elvin, 8 Chalfont House, Keetons Road, London SE16. Tel: 071 252 1621.

TEN YEARS OF THE LONDON HAZARDS CENTRE

In 1984, the London Hazards Centre began its work in a portacabin. Ten years and two moves later, the Centre is now based in Interchange Studios in Kentish Town and the eight members of the collective guided by the Management Council continue to provide Londoners with free and accessible information on health and safety.

Information and advice work

The Centre responds to a constant stream of letters and calls to the free advice line every year. The advice line continues to be open on Mondays, Tuesdays, Thursdays and Fridays between 10am-12noon and 2pm-5pm. Many callers can be advised over the phone. In other instances, inquiries develop into detailed casework over a longer period of time.

Since 1984, the London Hazards Centre has built up a strong information system to back up its advice work. As well as a library, on-line and CD-ROM access to international databases and information services helps us to ensure a quick and accurate response to callers.

Factsheets

One of the clearest ways of presenting information that the Centre has used over the years has been the factsheet. We began publishing a factsheet in each issue of the *Daily Hazard* in 1989 and they are useful reference tools, either singly or as a set.

Title	Issue no (date)
Asbestos Cement 1 & 2	20/21 (1989)
Cement	17 (1988)
Chemicals & Reproductive Health	40 (1993)
Chemicals Policies	19 (1988)
Cockroaches	44 (1994)*
Contaminated Land	43 (1994)*
COSHH	24 (1989)*
Electricity Regulations	28 (1990)
Europe	26 (1990)
Fire	36 (1992)
Formaldehyde	25 (1990)
Hot Working Conditions	30 (1991)
Information, Where to look	34 (1992)*
Insect Infestations & Insecticides	22/23 (1989)
Inspections	33 (1991)*
Legionnaires Disease	18 (1988)
Manufactured Mineral Fibres	29 (1990)
Noise & Hearing Loss	38 (1993)*
Paints 1 & 2	31/32 (1991)
Photocopiers & Laser Printers	27 (1990)*
Physical Agents & Reproductive Health	41 (1993)*
Safety Data Sheets	37 (1992)*
Safety Reps' Rights	42 (1994)*
VDU work & reproductive health	39 (1993)*
Violence	35 (1992)
Wood Preservatives	16 (1988)

The cost of FACTSHEETS if you missed them or have lost your old *Daily Hazards* is:

For single copies: send a s.a.e. For a complete set: send a cheque for £6 (inc £1 p&p). For a set of 20 of any single factsheet (starred copies only): send a cheque for £6 (inc £1 p&p).

Pioneering

The Centre has been a pioneer on the hazards of working in the 20th century. In 1987, the Centre's first booklet was published, detailing the symptoms linked to exposure to fluorescent lighting. The Chartered Institution of Building Services Engineers (CIBSE) invited the Centre to withdraw the book because 'no large scale problems have been detected'. One year later, the Medical Research Council's Applied Psychology Unit found that people suffered headaches as a consequence of exposure to fluorescent lighting and that the more daylight workers got, the better they felt.

The Centre was also in the forefront of the battle to confront the asbestos industry over claims that environmental exposure to asbestos posed no threat. As long ago as 1985, the Government's Doll-Peto report argued that environmental exposure would only kill one person per year. However, the report assumed levels of asbestos far lower than many of the cases known to the Centre. It ignored the fact that children are more susceptible to cancer agents and are more likely to disturb asbestos during their normal activity at home and at school. The industry continues to argue that environmental exposure poses no risk even in the face of continuing deaths. In 1993 the *Daily Hazard* reported the death of a 37 year old teacher from the asbestos-related cancer mesothelioma.

Books

The lifetime of the Centre has coincided with a technological explosion which has brought computers to almost every office. As early as 1985, the Centre was

warning of the health effects of working with display screen equipment. The association between VDU work and reproductive hazards continues to be debated, but in 1985, the London Hazards Centre recommended that VDU operators should have the right to transfer to alternative work for the duration of their pregnancy without loss of pay or seniority.

Repetition Strain Injury (RSI), which has so recently been making headlines as the subject of a London Hazards Centre booklet published in 1988. The causes, including excessive work rates, rapid repetitive movements and poor equipment design were discussed together with compensation and the trade union response.

Sick Building Syndrome is a major source of ill-health and misery for thousands of workers. The Centre's 1990 book of that name was published to help all those concerned, from workers to planners and architects, unravel the maze of technical and medical information and find practical remedies to the problems of sick buildings.

Publications such as these have presented information and advice to users in a straightforward manner. The Centre plans to publish an asbestos factpack for 1995.

Training

The aim of presenting clear information in order to assist organisations who wish to improve workplace health and safety is furthered by the London Hazards Centre's training programme. Offering both in-house and tailored courses out-of-house, the training team delivers courses to safety representatives and workers from voluntary and public sector organisations.

Training allows organisations to keep abreast of legislative changes and gain confidence in challenging hazardous practices at work. The driving force behind health and safety legislation has moved from Britain to Europe and Centre workers ensure the changes brought about by the 'Six Pack' of

regulations which came into force in 1993 are part of all aspects of Centre work.

Highlighting poor safety management

Recent cases, reported in the *Daily Hazard* demonstrate that risk assessment, central to health and safety management, is still being neglected by employers. In 1994, the *Daily Hazard* reported the uncontrolled release of two pathogenic fungi from a London hospital. Compliance with the COSHH regulations should prevent such an occurrence. The construction industry continues to provide evidence that health and safety measures must be improved. On Workers' Memorial Day in April 1994 hundreds of marchers protested at the deaths of 1,300 construction workers during the past ten years.

Affiliations

In 1984, the London Hazards Centre was funded by the Greater London Council; ten years on about half our funding comes from the London Boroughs Grants Committee. Throughout the past ten years, however, the support of affiliates has been crucial, not only in financial terms. The exchange of hazards information and details of ground-breaking agreements have played their part in strengthening the hand of people fighting to improve safety standards at work and in the community.

After the first year of operation, 200 organisations and individuals had affiliated and over the past ten years, over a thousand affiliates have shown their support for the work of the Centre. The current affiliations figure stands at 447, the number depleted by union mergers and the closure of other voluntary organisations.

Work with other organisations

As well as work in the community with tenants' associations, and in the workplace with safety representatives, the Centre has contact with, and works

with, many organisations.

We cannot list them all but they include: Inquest; the Pesticides Trust; Women's Environmental Network; Action Group for Irish Youth; Citizen's Advice Bureau; Women's Health; law centres; occupational health projects; trade's councils; Haldane Society; Capital Transport; PEGS (Pesticide Exposure Group of Sufferers); RSI Association; National Homeworking Group; Docklands Forum.

We are in regular contact with other hazards groups, centres and projects nationwide and help to organise the regular bi-annual hazards conference. This national campaign group has been instrumental in putting **Workers' Memorial Day**, April 28th on the calendar.

The Centre often works with a group which supports the relatives of people killed at work and which helps bereaved families through the legal maze. They are also campaigning for changes in the law so that employers will be appropriately punished for negligence.

We also work with construction workers and their campaign group in its fight to secure safe workplaces.

Contact details for any of these groups and others can be obtained from the London Hazards Centre.

Send us your safety press cuttings

The London Hazards Centre needs to be informed of the risks that exist in the community and at work in London, Britain and around the world. **You** can help by sending us any press cuttings of accidents or workplace fatality reports, details of inquests or Health and Safety Executive prosecutions reported in your local newspapers, trade magazines and especially any magazines you may pick up on your travels at home and abroad.

The information you send us will be put to use in many ways as we redistribute it to people making inquiries of the Centre.

European work hazards conference

Much of the UK health and safety law for workplaces comes from the European Union. Directives issued by the European Commission after consultation with the European Parliament have to be implemented in member states through national laws, though the UK has obtained opt-out clauses on some issues. The London Hazard Centre closely monitors developments in Europe to keep up with legal developments and their impact on health and safety at the workplace and in the community in London.

An important channel of information for us is the European Work Hazards Network. This organisation holds a conference every two years in different European Countries and is developing 'sector groups' that concentrate

on information exchange in individual industries or on specific hazards.

The 1994 conference, held in Italy on 7-9 of October reached the following conclusions, among others:

- The recent wave of European Union health and safety legislation has so far had very little impact on standards in the workplace.
- There is a need to capitalise on the positive aspects of the Directives and safety representatives should attempt to demand implementation of new rights particularly with respect to information, training and consultation.
- Workers should not lose sight of health and safety aims despite aggressive attacks on

employment rights and widespread unemployment.

- With increasing privatisation of public sector work, trade unions must ensure that health and safety standards are written into contractual tender documents.
- A Working Environment Fund should be set up to support a system of 'roving' safety representatives among small companies and to subsidise small and medium sized companies in their efforts to improve standards.
- Trade unions should ensure that workers who are on temporary, part-time, casual and other contracts (e.g. homeworkers) are fully included in arrangements to maintain or improve health and safety standards.

RSI update

The workplace action week called by the Health and Safety Executive (HSE) to highlight musculoskeletal disorders coincided with many events organised by the trade union movement as part of the TUC's RSI campaign in London to raise awareness of repetitive strain injuries (RSI).

- Ealing Trades Council held a special public meeting with guest speakers from the TUC's campaign and the Ealing RSI Support Group.
- The Banking, Insurance and Finance Union (BIFU) held a school for its London members at which reps worked out an action programme on RSI.
- National Communications Union reps at British Telecom in Croydon devoted a large part of one of their meetings to looking at trade union strategies for the prevention of RSI.
- Camden Council featured an exhibition on RSI organised in conjunction with local voluntary organisations, including the Camden and Islington Occupational Health Project.

Signs are that the TUC's RSI campaign, originally intended to last six months, will now have a much longer life. The London and South East part of the campaign plans to run a conference on the trade union organising and bargaining aspects of RSI early in 1995, a valuable addition to the perhaps excessive concentration on legal and medical issues. Certainly, as RSI cases continue to emerge, the need and urgency for a campaign is as much beyond doubt as ever.

Minimum wage?

Home truths, a report by Ursula Huws for the National Group on Homeworking (NGH) was launched at the House of Commons in September. With an estimated one million homeworkers in the UK, the report shows how the 'typical' homeworker works a 36 hour week and receives an hourly wage of £1.28.

The report outlines a survey conducted over a two year period and involving 175 homeworkers. It paints a picture of insecurity and vulnerability for the homeworker tied to poor working conditions. The report outlines the scale of health problems experienced by homeworkers. Most homes are not designed with work in mind and are therefore unlikely to incorporate any features which minimise health hazards. The environment is also likely to be cramped and any hazards also affect other members of the household, including the elderly and small children. The report argues that these groups are more vulnerable to hazards than healthy adults, the group for whom products are normally tested to establish safe exposure levels. Homeworkers' isolation also makes it much less likely that they will receive information about safe working practices.

Peg Alexander, the NGH National Coordinator can be contacted on 019 244 79325.

Time to book Spring training

For only £40 per person, the London Hazards Centre is offering the following one-day courses for voluntary sector organisations, safety representatives and trade union members.

Tuesday 7 February 1995
Chemical safety

Increasing numbers of chemicals are being brought in to all types of workplace. This course shows how to prevent injury to workers and covers the

requirements of recent legislation.

Thursday 2 March 1995
VDUs and RSI

This course covers the causes, symptoms and treatment of RSI as well as prevention of RSI by organising the workplace and using the law, especially the Display Screen Equipment Regulations.

Phone 0171 267 3387 for booking details.

PUBLICATIONS

- ▲ **Hard Labour: Stress, ill-health and hazardous employment practices.** August 1994. £6.95.
- ▲ **VDU Work and the Hazards to Health.** August 1993. £6.50
- ▲ **Protecting the Community: A worker's guide to health and safety in Europe.** May 1992. £9.95
- ▲ **Basic Health and Safety: Workers' rights and how to win them.** June 1991. £6.00
- ▲ **Repetition Strain Injuries: Hidden harm from over-use.** January 1988. £3*/£6.00
- ▲ **Out in the Open** (supplement to *Repetition Strain Injuries*). January 1993. £1.00 (free with *Repetition Strain Injuries*).
- ▲ **Sick Building Syndrome: Causes, effects and control.** June 1990. £4.50
- ▲ **Fluorescent Lighting: A health hazard overhead.** March 1987. £2.00*/£5.00
- ▲ **Toxic Treatments: Wood preservative hazards at work and in the home.** January 1989. £5.95
- ▲ **After the Sprayer: investigation and treatment of ill-health caused by wood preservatives and how to get help.** January 1992. Factsheet. £1.00
- ▲ **Factpack:** Set of factsheets from the Daily Hazard. £5.00
- ▲ **Daily Hazard** complete run: £25.00

* Price to community/tenants/union groups.

Add £1.00 post and packing up to the first £10.00 worth of books, add an additional £1.00 up to each subsequent £10.00 worth. Discounts for 10 or more copies. All orders must be accompanied by a cheque made payable to London Hazards Centre.

HAZLIT is London Hazards Centre's library database. For information about on-line access, contact the Centre.



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