

Corporate Killing, the devastation



Michael Adamson, 26 years old, killed on 4th August 2005 at JJB Sports, Dundee

By Louise Adamson, sister.

On 4 August 2005 my brother, Michael – an electrician by trade – left for work first thing in the morning from the home he shared with his fiancée. He spent some time working in Edinburgh and then received a call to go to Dundee to help out with an “all hands on deck” job to get a sports shop ready for opening. At that job he suffered an electric shock and later that same night I kissed his forehead and said goodbye for the last time as he lay dead in a hospital bed.

His employer - Mitie Engineering Services (Edinburgh) Ltd - have been charged with breaches of the Health and Safety at Work Act. Additionally, and unusually in Scotland, three individuals have also been charged – 2 directors and a member of senior management. Having been postponed twice already, the court case is now scheduled to get underway on 17 March 2007 (more than two and a half years after his death). The following day, the 18th, it should have been Michael's 29th birthday

My brother was only 26 when he was killed. He had a whole lifetime ahead of him and that year should have been his best so far. He had met the girl of his dreams and was due to be married on 15 April 2006. Instead of preparing for these celebrations, 2005 turned out to be the worst of our lives and the pain lives with us to this day.

I need you to understand that not only has the death of my brother had a huge impact on my mum and dad, his fiancée and I, this has affected so many hundreds of people - extended family, workmates, and his huge circle of friends. I would therefore urge you not to look at the headline figures produced by the HSE in isolation - 241 work-related deaths occurred in the United Kingdom during 2006/07 - but consider how many thousands upon thousands of people have been affected by those deaths.

As we head towards the third anniversary of my parents having lost their son, his fiancée her future husband, and me my only sibling, we do not even know if the court case will deliver the answers we demand and an explanation as to how Michael's death occurred.

The Scottish Parliament is the people's parliament and we need to ensure that all those who suffer as a result of involuntary killings, including those that die in needless workplace-related tragedies get justice.

The Corporate Manslaughter and Corporate Homicide Act 2007 contains no provision for the imposition of prison sentences, yet I read last week that the Westminster Parliament is currently considering proposals to amend the Data

Protection Act 1998 in order to provide a custodial sentence as well as the existing fines for those found guilty of unlawfully obtaining or disclosing personal data. I am appalled that the loss of personal data appears to be treated as a more heinous offence than the loss of life suffered by an individual through negligence on the part of an employer.

Where a death is caused by negligence, we must ensure that the punishment fits the crime and, equally importantly, that the punishment sends out a signal to others about the importance of health and safety measures in order to prevent others losing their lives.