

Glasgow 9 January 09 - Fatal Accident Enquiry findings published today. Family condemn Allied Bakeries and TNT and demand that company directors be held responsible

Sheriff Sean Murphy who heard 23 days of evidence in the Fatal Accident Inquiry into Grahams death found that Allied Bakeries who owned the lorry had failed to properly maintain the tailgate mechanism. And that TNT who had hired Graham as an agency driver had failed to give him the same level of training as their own drivers. Graham was 40 when he died in the accident at Allied Bakeries premises in Balmore Industrial Estate in Glasgow in July 2005.

Dr Meldrums widowed partner Karen Thomson said about the findings “The Sheriff highlights some of the critical failures of these companies and makes clear that they were responsible for Grahams death. However he failed to highlight sufficiently the apparently deliberate decision by Allied Bakeries not to repair crucial safety features on the tailgate over a period of many years; he failed to acknowledge that cost cutting on these essential safety critical repairs lies at the heart of the matter and he almost completely ignored the responsibility of ABF / Allied Bakeries senior management to ensure proper health and safety standards were in place.”

The Sheriffs findings recognized but failed to highlight the fact that critical safety pins designed to keep the tail lift in place had been broken for many years to the extent that a culture of working without the broken safety pins had become institutionalized within the company and by the inspectors it employed to check the vehicles. Two inspectors (Johnston Engineering and Zurich Risk Services) systematically downgraded safety critical repairs, so called category A repairs, that should have required immediate repair by calling them category B repairs that could be repaired as soon as practically possible i.e. whenever Allied Bakeries got around to it.

Two things that we believe the Sheriff should have considered in more detail concerning this clear failure to identify and repair key safety mechanisms over a period of many years are,

1) That since the tail lifts were specifically designed for, and operated on behalf of, Allied bakeries, and since Allied Bakeries had been involved in the design and was ultimately responsible for the maintenance and use of the tail lifts, that the Allied Bakeries Director responsible for cutting costs on the repairs is guilty of criminal negligence, or worse of deliberately and criminally downgrading the safety critical work in order to maximise profits.

2) That the two inspectors employed to check the tail lifts are incompetent because they failed to recognise such basic and crucial safety features (a pin and fastener that stopped the tail lift suddenly flipping closed) or worse they knew it was safety critical but deliberately and criminally downgraded it to save their client money and thereby to keep-in with Allied Bakeries.

ABF (Associated British Foods) the company who own Allied Bakeries are ranked in the top 5 European food companies with sales of £8.2 billion annually. But at what cost in workers lives?

Scott Erwin of GreenCity Wholefoods the workers cooperative where Dr Meldrum had previously

worked for many years as transport manager said, "We are all still gutted by Grahams death. He was a great guy and a true friend. Our heart goes out to Karen and the kids." He continued, "The paltry fines handed out to ABF Grains and TNT Logistics in November '07 of £19,000 and £14,000 respectively for breaches of health and safety legislation are not justice compared to Grahams horrific death and the ongoing trauma suffered by his family. Such low fines will not deter these companies from cutting corners again."

Family friend Lindsay Keenan said "We have nothing but condemnation for the money-grabbing directors of companies like ABF and Allied Bakeries and for the government and legal systems that fail to regulate them or to adequately prosecute them. The real bottom line is that cost cutting on health and safety costs workers their lives. The director of ABF / Allied bakeries who was responsible for cutting costs on vehicle repairs or those who profited from that decision should be prosecuted for corporate manslaughter".

Sheriff Murphy's full determination is available on the Scottish Courts website at <http://www.scotcourts.gov.uk/opinions/meldrum.html>

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Notes:

1) Extract from findings. On page 7: In terms of Section 6(1)(d) of the Fatal Accidents and Sudden Deaths Inquiry (Scotland) Act 1976

That the following defects in the system of working operated by Allied Bakeries contributed to the accident resulting in the death:

- the maintenance regime failed to keep pace with the level of depreciation of the tail lift;
- the maintenance regime failed to ensure the safe upkeep of items of the tail lift equipment with a safety aspect

That the following defects in the system of working operated by TNT contributed to the accident resulting in the death:

- the system of driver evaluation and training failed to identify all requirements which were placed upon drivers such as Dr Meldrum;

2) The Graham Meldrum Memorial Campaign, c/o GreenCity Wholefoods, 23 Fleming St, Dennistoun, Glasgow, G31 1PQ. E-mail: gmmc@hotmail.co.uk, t: 07866 058533, www.myspace.com/gmmemorialcampaign