

## fack families against corporate killers

### **Craig Whelan 23 years old & Paul Wakefield killed on 23<sup>rd</sup> May 2002 in a fire in a chimney at Carnaud Metal Box in Bolton.**

By Linda Whelan, mother

I want to tell you how my son Craig died to show you the risks workers face and the injustice families face when someone is killed at work.

Craig worked for a company called Churchill's Ltd in Nottingham, which won a tender to demolish a chimney at Metal Box (CMB) in Bolton on the basis of cost and not safety. His company offered to do it for £9,000, but other local companies, who had worked on the chimney in the past, were aware of the flammable residue inside the chimney and the dangers of using hot cutting gear and tendered for the demolition on the basis of only doing the work using cold cutting gear and taking the chimney down from the outside.

Because of the amount of equipment needed their prices for the job were between £20,000 and £30,000. Metal Box chose Craig's company – the cheapest tender, doing the job from the inside using hot cutting gear.

Craig and his work mate Paul Wakefield were the steeplejacks sub contracted to demolish the chimney at Metal Box and they were murdered at work on 23<sup>rd</sup> May 2002.

Three company representatives issued a hot work permit for Craig and Paul to go inside the chimney and cut it up using hot gear.

These company representatives knew there were dangerous flammable chemicals on the inside of the chimney and that it was recommended to be demolished from the outside using cold cutting gear. They had confirmation of this in an e-mail from the manufacturers of the chemical, but they withheld this information from the contract company Craig worked for and from the two steeplejacks themselves.

When Craig and his colleague carried out the hot cutting work, they were engulfed in a fireball. My son and his colleague were murdered. Craig was 23 years old.

The Crown Prosecution Service prosecuted the three representatives for manslaughter, but due to some poor case preparation, this charge was dropped. The company representatives then pleaded guilty to a lesser offence of breaching Health and Safety Legislation on all the same counts for which they had originally been charged with manslaughter. This company is a large profitable organisation, which is being allowed to get away with murdering Craig.

On Wednesday 12<sup>th</sup> June 2004 the three men were convicted under the Health and Safety at Work Act on all counts, which they had originally been charged with, for manslaughter. They pleaded guilty to knowing the content of the chimney were unsafe and failing to pass the information on regarding the e-mail they received to either the company, Craig or Paul and to sending the two men back into the chimney and therefore to their deaths. They were fined a few thousand pounds for the lives of

two men. In their last statement they said that they said that they had not had sufficient training in Health and Safety. I ask: what training could these men have been given that would have helped them to pass on the information stating 'WARNING the contents of the chimney is flammable and toxic'?

In all cases of death by industrial incident, individual directors should be prosecuted. Because of the lack of government intervention to ensure that the law is changed to force employers to be responsible for the health and safety of their employees, my son suffered a horrendous death that could have and should have been prevented.

Because the court case collapsed, my family never got to hear all the details of how Craig and his colleague were killed. We hoped that an inquest would allow us this opportunity. However, the coroner consulted with all the parties involved and decided there was no need for an inquest, rejecting any Human Rights implications. This has left us all devastated and still not sure how and why my son came to die. Appeals to the HSE to put out special warnings to steeple jacks doing this sort of work also came to nothing, but I am going to fight on for other families, so they do not have to go through the heartbreak that me and my sons have suffered.

**Linda Whelan, Craig's mother.**

