

fack families against corporate killers

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Families Against Corporate Killers Statement on the 4th anniversary of deaths of five workers at Shredmet on 7th July 2016 *immediate use*

All Workers Lives Matter and Justice delayed is justice denied
Four years is too long for an employer to be held to account
for an incident that killed five workers.

Protest 10 am on Tuesday 7 July outside Shredmet Recycling Centre: Riverside Works, Trevor St, Nechells, Birmingham B7 5RG - safely 2m physically distanced

"Families Against Corporate Killers supports the protest on 7th July. We support the families of Mr Ousmane Kaba Diaby, Mr Saibo Sumbundu Sillah, Mr Bangally Tunkara Dukuray, Mr Almamo Kinteh Jammeh, Mr Mahamadou Jagana Jagana and Mr Tombong-Conteh, in their call for justice now. Four years is too long to wait. We send them love and understanding but also anger that the employer's health and safety at work failures took the lives of the fathers and husbands they loved, and injured Tombong. See the families' full statement below.

"Ousmane, Saibo, Bangally, Almamo and Mahamadou were killed and Tombong was badly injured [when an unsecured, hazardously loaded wall collapsed on them while they were working at Shredmet](#) metal recycling plant.. The men, from the Gambia and Senegal and were employed on zero-hours agency contracts, and were [killed on 7 July 2016](#) when a 3.6-metre wall and 263 tonnes of metal collapsed on top of them at the Hawkeswood Metal Recycling site in Birmingham . Waste and recycling has one of the highest rates of deaths in UK workplaces and this is believed to be the single biggest loss of life at a recycling plant in the UK. The Health and Safety Executive (HSE) four-year criminal investigation and an inquest's finding that the risk of the tragedy was foreseeable, has not led to any arrest or prosecution over the deaths. The men's families are distraught after being told recently that the investigation had been delayed further, despite "repeated promises" from the HSE that it would decide whether to prosecute the scrap metal firm Shredmet, which owns the site, before next week's fourth anniversary of the tragedy.

"Death at work in a traumatic incident where they are supposed to be safe has huge the impact on families, often resulting in [Post Traumatic Stress Disorder, Major Depressive Disorders, and Prolonged Grief Disorder](#) with major long term impact on children. This is then exacerbated by a delay in investigation, the judicial process, and of course leaving families without adequate income after the death of a breadwinner

"FACK is angry that these heartbroken, grieving families are still waiting for a decision on prosecution of those responsible, and also for the compensation to which they are entitled. The injustice they have suffered is huge, unbearable almost unbelievable. How can this be? Health and safety law is criminal law, breaking it is a criminal offence, so why is it not treated with greater urgency. This is so painful for any families who have been subjected to the loss of dearly loved family members and years without compensation or due process, would be unacceptable if it was a one off error but sadly we know it is too common from our own and many other cases of work-related deaths.

Alongside the deaths at Shredmet, just a few examples of other unacceptable delays in justice for work-deaths:

Four workers - Ken Cresswell, John Shaw, Michael Collings and Christopher Huxtable - [were killed in the Didcot power station collapse on 17 February 2016](#), the investigation by Thames Valley Police and the Health and Safety Executive, HSE is not complete so no decision on charges yet.

Four workers - Derek Moore, Dorothy Bailey, Jason Shingler and William Barks- were killed in the Bosley Flour Mill Explosion in July 2015 but it wasn't until [November 2019 that corporate manslaughter and other individual charges](#) were laid but trial not yet held.

Cyran Stewart was crushed in a faulty lift at a Walkabout pub in Cardiff in February 2014 but the prosecution by Swansea City Council for minor regulatory offences against the company only concluded in [March this year with an insulting fine of £48,000.](#)

Mark Wright was killed in an explosion in Deeside in April 2005 but due to mistakes made by the Crown Prosecution service, for which Keir Starmer, DPP, later apologised, the correct charge of gross negligence manslaughter was not brought until too late and the [company and manager were finally sentenced in December 2010](#)

"In the case of those killed at Shredmet, as with all other cases, we question the commitment and resources available to the HSE to carry out and complete investigations in a timely manner. Families of workers killed at their work fully understand the need for precision and thoroughness. They understand investigations take time. They want it to be done right more than anyone else involved. But it cannot be right that cases should take four years plus to bring an employer to account for their legal duties under criminal law. If this is due to the HSE and Local Authorities responsible for the enforcement of health and safety at work lacking resources in terms of staff and specialist expertise, then this must be made public and it must be rectified.

"FACK seriously questions the government's commitment to workers lives. FACK is well aware that central government has massively cut the enforcement budgets for [the HSE and Local Authorities](#) over the last ten years under a punitive programme of deregulation of health and safety law and austerity cuts. Since 2010, the HSE has suffered an almost 50% cut in its budget, LAs have lost even more, and both have lost hundreds of experienced inspectors. The HSE is still losing inspectors now, and as this and other cases have been held up as the inspector in charge of the investigation leaves and another has to get up to speed. When this happens twice or more the conclusion of the case is massively delayed and we believe the outcome may be affected. Families must not pay the price for Government failing to resource and run an efficient enforcement service for criminal health and safety law..

"FACK families feel as do the families of Ousmane, Saibo, Bangally, Almamo, Mahamadou and Tombong feel, that 'the lives of their loved ones do not matter'. They matter to them and they matter to us. but it is impossible to believe that workers lives matter much to the government as it rubbishes protective health and safety law as silly 'red tape' and slashes it's enforcement by budget cuts [and banning and cutting numbers of preventative inspections](#) to check that employers are complying with the law and so preventing workers being killed in the first place. These cuts and attacks on the HSE and LAs then feed through to far too much time taken to investigate work-related deaths they couldn't help to prevent. Little wonder that bereaved families feel treated with utter contempt.

"FACK believes that all workers lives matter and all must be protected: no-one should be killed at work. We demand the government stop both its attacks on health and safety and on the enforcers. We want the HSE and L.A health and safety enforcement to be fully funded and empowered to proactively keep workers safe at work, and also provide timely and effective justice when workers are killed.

"FACK specifically demands swift justice for the families of Mr Ousmane Kaba Diaby, Mr Saibo Sumbundu Sillah, Mr Bangally Tunkara Dukuray, Mr Almamo Kinteh Jammeh, Mr Mahamadou Jagana Jagana and for Mr Tombong-Conteh on the 4th anniversary of their preventable deaths. They have waited too long and must wait no longer."

For more information contact: Hilda Palmer, Facilitator of Families Against Corporate Killers, FACK.

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Founder Members of FACK:

Dawn and Paul Adams – son Samuel Adams aged 6 killed at Trafford Centre, 10th October 1998

Linzi Herbertson -husband Andrew Herbertson 29, killed at work in Oldham, January 1998

Mike and Lynne Hutin – son Andrew Hutin 20, killed at work at Corus, Port Talbot on 8th Nov 2001

Mick & Bet Murphy – son Lewis Murphy 18, killed at work in Brighton on 21st February 2004

Louise Taggart – brother Michael Adamson 26, killed at work in Aberdeen, on 4th August 2005

Linda Whelan – son Craig Whelan 23, (and **Paul Wakefield**) killed at work in Bolton on 23rd May 2002

Dorothy & Douglas Wright – son Mark Wright 37, killed at work in Deeside on 13th April 2005

For their stories see: <http://hazardscampaign.org.uk/fack/about/> FACK: <https://gmhazards.org.uk/index.php/fack/>

Statement by the families below:

Statement by the families of Mr Ousmane Kaba Diaby, Mr Saibo Sumbundu Sillah, Mr Bangally Tunkara Dukuray, Mr Almamo Kinteh Jammeh, Mr Mahamadou Jagana Jagana and Mr Tombong-Conteh

On 7 July 2020, it will be the fourth anniversary of the deaths of our husbands and the fathers of our children. The anniversary should be a day to remember our husbands and to reflect on our loss with our families. This will not be possible as we continue to have justice and accountability for the deaths of our loved ones denied; we remain without any compensation and we are made to wait longer for a decision as to whether those responsible will be held to account. We cannot grieve or move on.

Instead, we will be marking the anniversary of their deaths by holding a public protest outside the gates of the Shredmet recycling centre, where our husbands were killed.

We will mark the anniversary by remembering Ousmane, Saibo, Bangally, Almamo and Mahamadou. We know also that Tombong's life has been devastated by the events of 7 July.

We cannot understand the delay as it is obvious that the company failed to protect our loved ones. The Inquest, which was held two years ago, showed the inexcusable and gross failings of the company which led to the deaths of our loved ones on 7 July 2016.

This delay cannot be allowed to continue. We hope that our protest will show that we have not forgotten what happened, and we will not allow society to forget. We demand recognition for what happened to our husbands.

Shabana Mahmoud, the Member of Parliament for Birmingham Ladywood where the recycling centre is located, says: "I have been raising serious concerns about this tragic case with both the government and the Health and Safety Executive for four years. Time after time, we have seen delays, missed deadlines and a worrying lack of transparency. "The families of those who lost their lives deserve answers and some form of closure. Next Tuesday marks four years since Almamo Jammeh, Ousmane Diaby, Bangally Dukureh, Saibo Sillah and Mahamadou Jagana tragically lost their lives. They — and their families — deserve far better than the way the HSE and the government have treated them to date."

Protest details:

The protest will be held from 10 am on Tuesday 7 July, outside Shredmet Recycling Centre: Riverside Works, Trevor St, Nechells, Birmingham B7 5RG, off Aston Church Road.

Strict social distancing will be observed at all times and we encourage all those attending to wear face masks or coverings.

For further details of the protest, please contact Manka on 07846 048 079.