



CUMBRIA

13 January 2012 Last updated at 17:22

Network Rail to be prosecuted over Grayrigg crash

Network Rail is to be prosecuted over the Cumbrian rail crash at Grayrigg in which one passenger died.

The Office for Rail Regulation (ORR) said it had started criminal proceedings for a breach of health and safety law.

Margaret Masson, 84, from Glasgow, died after the Virgin train derailed on the West Coast Main Line in February 2007.

In November, an inquest jury found poorly-maintained points were to blame for causing her death.

The train went over a "degraded" set of points at 92mph and careered down an embankment, leaving 88 people injured, including two members of the train crew.

Network Rail is facing a charge under section 3(1) of the 1974 Health and Safety at Work Act.

'Thorough investigation'

The ORR said: "This results from the company's failure to provide and implement suitable and sufficient standards, procedures, guidance, training, tools and resources for the inspection and maintenance of fixed stretcher bar points."

The stretcher bars keep moving rails a set distance apart.

ORR railway safety director Ian Prosser said: "We have conducted a thorough investigation into whether criminal proceedings should be brought in relation to this derailment which caused the death of Mrs Masson and injured 86 people.

"Following the coroner's inquest into the death of Mrs Masson, I have concluded that there is enough evidence, and that it is in the public interest, to bring criminal proceedings against NR for a serious breach of health and safety law which led to the train derailment."

He said his thoughts were with Mrs Masson's family and it would try to ensure the prosecution proceeded as quickly as possible.

Mr Prosser said: "The railway today is as safe as it has ever been but there can be no room for complacency.

"The entire rail industry must continue to strive for improvements to ensure that public safety is never put at risk."

The first hearing is due to take place at Lancaster Magistrates' Court on 24 February.

Network Rail managing director of network operations Robin Gisby said: "Network Rail has not hidden from its responsibilities - the company accepted quickly that it was a fault with the infrastructure that caused the accident.

'Substantial changes'

"We again apologise to Mrs Masson's family.

"Since the derailment Network Rail has worked closely with the authorities, conducted comprehensive and detailed investigations and made substantial changes to its maintenance regime."

Soyab Patel, the solicitor representing Ms Masson's daughter Margaret Langley, said: "I am not surprised at this course of action

taken by the Office for Rail Regulation.

"Indeed it would, having regard to the evidence that came out at the inquest, seem to me to be an appropriate and necessary consequence."

Craig Johnston, regional official of the Rail Maritime and Transport union (RMT) said: "I don't believe any lessons have been learned from Grayrigg because the ORR is calling for more cuts in jobs.

"We've also failed to get the public inquiry that we have been campaigning for."

Things To Do RUN BY THE BBC AND PARTNERS



THU 19 JAN
[Observing the Cumbrian Night...](#)
Trinity School
Carlisle...



FRI 20 JAN
[Star Phwoars](#)
Low Gillerthwaite
Field Centre

[See Cumbria Activities >](#)

Find activities near you
Town, city, postcode



BBC © 2012 The BBC is not responsible for the content of external sites. [Read more.](#)