

'Network Rail lied to us' says father of girl killed at level crossing

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The families of two teenagers killed at a village level crossing claimed yesterday that Network Rail had lied to them for several years, after it admitted to health and safety breaches that caused the girls' deaths.

Olivia Bazlinton, 14, and Charlotte Thompson, 13, were killed at Elsenham, Essex, as they set out on a Christmas shopping trip in 2005.

The company indicated guilty pleas yesterday to three charges of health and safety breaches between May 2001 and December 2005. The case was referred to Chelmsford Crown Court for sentencing on March 15.

In a statement read outside Basildon Magistrates' Court, Olivia's father, Chris Bazlinton, said: "I am glad Network Rail has pleaded guilty to what, after all, are criminal charges. It proves that we have been lied to over the years."

Charlotte's father, Reg Thompson, said: "Network Rail seemed happy to let a complete lie go down in history, that our daughters died from their own recklessness and exuberance. Only after the efforts of the ORR [rail regulator] and the families has the truth emerged."

Mr Bazlinton believes that crucial documents relating to the Elsenham crossing were deliberately withheld from the girls' inquests and from government inspectors.

However, Sir David Higgins, who joined Network Rail as chief executive last February, told *The Times* that he had no evidence to suggest that risk-assessment data was wilfully withheld. "The risk assessment should have been better and we got that wrong. Something went wrong in terms of disclosure," he said.

Sarah Le Fevre, for the prosecution, told the court that the girls were killed instantly after they opened unlocked picket gates and stepped into the path of an express train. Warning lights and an alarm had continued to sound after the passage of an earlier train.

The Office of Rail Regulation reopened its investigation into the accident in February last year after *The Times* reported the existence of a risk-assessment document from May 2002 which recommended that consideration be given to locking the pedestrian gates when trains approached. No action was taken and the risk assessment was not put before the Essex Coroner, Caroline Beasley-Murray,

who conducted the inquests into the girls' deaths. Nor was it sent to government investigators after the accident.

During the course of its investigation last year, the regulator uncovered another report written in 2001 which warned of a potential "disaster" at Elsenham because of the design of the crossing and the large number of schoolchildren who used it. Again, no preventative action was taken.

Mr Bazlinton believes that the documents were deliberately withheld. "How high did the cover-up go? The inquest was a farce," he said.

Sir David said that the issue "was dealt with in the regions rather than in the centre" and suggested that the records were not collated at Network Rail headquarters. He promised greater disclosure of information from the private company from June.

Even though taxpayers contribute £4 billion every year to Network Rail and its executives are among the highest-paid public servants, the maintenance company is shielded from Freedom of Information laws, despite campaign promises by the Conservatives and Liberal Democrats.

When asked if Network Rail would claim mitigating circumstances when the case reaches Crown Court, Sir David said: "No. We are not going to fight this in court at all."

The charges relate to Network Rail's failure to conduct a proper risk assessment of the Elsenham crossing and to ensure that proper preventative measures were put in place to protect members of the public. They include two under the Management of Health and Safety at Work Regulations 1999 and one charge under the Health and Safety at Work Act 1974.

Both families expressed their frustration that the only likely sanction against Network Rail would be a fine — ultimately paid by the taxpayer.

Elsewhere, a man died last night after being hit by a train at a level crossing in Staffordshire.

The victim, who has not been identified, was struck by the 1.45pm CrossCountry train travelling from Bournemouth to Manchester Piccadilly. He was hit shortly after 6pm at the Wedgwood Station level crossing at Barlaston, near Stoke-on-Trent.

Paramedics and police attended the scene but the man was pronounced dead on arrival. The incident is not being treated as suspicious.

Train services on the West Coast mainline between Birmingham and Manchester were disrupted for more than two hours.

A spokesman for British Transport Police said: “British Transport Police officers were called to Wedgwood Station, Barlaston at 18.01 hours after a report that a man had been struck by a train. The man was pronounced dead at the scene.”

A West Midlands Ambulance Spokesman said: “Two rapid response vehicles, one driven by an incident support officer attended, along with a Community First Responder, and an ambulance crew.

“On arrival it was apparent from the outset that nothing could be done to save the casualty who, it appears, had collided with a train and who sadly was confirmed dead at the scene.”

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