

# Prosecution



## Summary

On the afternoon of Saturday 14 June, 4 children aged 11 – 13 entered Tyne Yard with little in the way of obstacles to entry. The yard housed a disused signal box, known as the 'haunted house' and various other hazards without any warning signs. The children found themselves in the Up Sidings where a train was stabled under the Overhead line (OLE). Two of the children climbed onto one of the wagons and came into contact with the OLE. One suffered minor burns, the other life-changing injuries. It was found that there was an inherently high risk to be managed and the defendant had fallen far short of its duty of care.

## Company

DB Cargo (UK) Limited

## Breaches involved

1. Section 3(1) Health and Safety at Work etc. Act 1974

## Date(s) of offence

31.01.2013 – 15.06.2014

## Plea

Not Guilty

## Result

DB Cargo (UK) Ltd were found guilty following a trial.

## Court

Newcastle Crown Court

## Sentencing date

13/03/2019



## **Penalty**

£2,700,000

## **Costs**

£188,873.89

## **Location of offence**

### **Address:**

Tyne Yard Railway Depot, Gateshead

## **ORR details**

### **ORR Team**

**ORR Directorate:** Railway Safety Directorate