

A

IN THE CENTRAL CRIMINAL COURT



S20030069

B

Old Bailey
London
EC4M 7EH

Monday, 5th April 2004

Before:

C

THE HONOURABLE MR JUSTICE BELL

R E G I N A

-v-

D

THAMES TRAINS LTD

E

MR H CARLISLE QC, MR N HILLIARD and MR D BARR appeared on behalf of the Prosecution

MR A SEYS LLEWELLYN QC and MR K MORTON appeared on behalf of **Thames Trains Ltd**

F

SENTENCING REMARKS

G

Computerised transcript of **Smith Bernal Wordwave Ltd**
(Official Shorthand Writers to the Court)
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Monday, 5th April 2004

Sentencing Remarks

H

MR JUSTICE BELL: Thames Trains Limited has to be sentenced for two offences against the Health and

A Safety at Work Act, 1974, to which it pleaded guilty
at Bow Street Magistrates' Court on 10th December 2003
last year.

B Both offences arise out of the head-on collision between
a westbound Thames train and an eastbound
C First Great Western train at Ladbroke Grove Junction
about 2 miles west of Paddington station, shortly
after 8.00 am on 5th October 1999, exactly four and a
half years ago to the day.

The collision took place at a closing speed of about
D 130 miles per hour. It caused the death of 31 people,
including both train drivers, and over 400 others were
injured, many very seriously, either in the initial
E impact or as a result of the fire which engulfed one
of the high speed train carriages.

The first offence which Thames Trains has admitted
involves a failure to ensure, so far as was reasonably
F practicable, the health and safety of Thames Trains
employees, including the driver and other employees
travelling as passengers, contrary to Section 2 of
the Act.

The second involves a failure to conduct its undertaking
G in such a way as to ensure, so far as was reasonably
practicable, that persons not in its employment, that
is persons other than its employees travelling on
H trains between Paddington and Ladbroke Grove, were not

