

10 September 2025, 11:15 am

The Seminar Theatre, Hall 5, IMHX, NEC, Birmingham

## Scenario:

Jake Lawson, 18, a level 2 apprentice supply chain warehouse operative at the Ware Wear Warehouse, was struck by a forklift truck when taking a shortcut across the facility to reach the rest area. Jake suffered life changing injuries including concussion, fractured pelvis, and a shattered ankle. Severe damage to the popliteal artery subsequently necessitated amputation of his left leg below the knee.

Ware Wear Warehouse is a reputable company with a good safety record. Their only previous interaction with the authorities being an improvement notice in 2023 regarding segregation of pedestrians and vehicles contrary to Regulation 17 of the Workplace (Health, Safety and Welfare) Regulations 1992. The improvement notice was rapidly complied with by updating the workplace traffic management plan, adding defined crossing points and repainting floor markings.

Jake's employer is being prosecuted for failing to ensure systems of work were safe in accordance with Section 2 of The Health and Safety at Work etc. Act 1974 and Regulation 17 of the Workplace (Health, Safety and Welfare) Regulations 1992

Laura Bennett, 42, Warehouse Manager at Ware Wear Warehouse, is being cross-examined by counsel for the Prosecution.

This is a fictional account of an accident that never happened: Let's keep it that way by making every day National Forklift Safety Day.

## Disclaimer:

*The characters, events, and scenarios depicted in this account are entirely fictional and created for storytelling purposes. Any resemblance to actual persons, living or dead, or to real-life events, is purely coincidental. This account is not intended to represent or reflect the policies, procedures, or actions of any real company, organization, or individual. All names, places, and situations have been fabricated for the sake of the narrative.*

## Statement of the injured party:

I have worked for Ware Wear Warehouse for nearly 2 years as a warehouse apprentice. My job involves picking goods from storage locations within a racking system.

I was wearing the required PPE at the time of the incident, this comprised of safety boots and a high-vis vest supplied by the company.

I was slightly late starting my break due to the staff shortages and the volume of work. You get dinged if you don't hit your picking target.

To get to the rest area you walk through the warehouse. There are yellow lines painted on the floor and pedestrians are supposed to stay one side and forklifts the other. This was explained to us when we had our safety induction and people mostly follow the rules.

The lines are just a narrow yellow band between the walkway and the vehicle route, and the paint has peeled off in some places, but I guess everyone knows where the paths should be.

I followed the marked path until I was almost opposite the door into the rest area. You can't cross directly in front of the door because there is a short barrier in front of the door to prevent people stepping out of the rest area directly in front of the trucks.

There is a zebra crossing point slightly further along the path, but nobody uses it and, anyway, the path was partially blocked by some pallets of damaged goods. I could have passed between the pallets and the wall to get to the crossing point, but some people were coming the other way and I was in a hurry.

George was driving a forklift along the vehicle route towards me, but he acknowledged my presence, slowed down, and waved me across in front of him. When I stepped out the truck accelerated and knocked me to the ground. At first didn't realise what happened, I panicked as my new earbuds that I got for my birthday had fallen out and I was worried one was crushed. I shouldn't have been wearing them but I was excited as wanted some for ages, the work is kind of boring at times and listening to low level music keeps my attention through the day.

## Statement of the Forklift Operator

My name is George Farnham and I have worked for Ware Wear Warehouse for 6 years as a forklift truck operator.

My normal job is driving a reach truck inside the warehouse, but I had been asked to move some pallets of damaged goods from the walkway running past the rest area into the yard.

Reach trucks aren't supposed to access the yard so damaged loads are always dropped here and I use a counterbalance truck to move them outside. This doesn't happen often, maybe once every month or so. I guess they ask me to do it rather than one of the normal counterbalance operators because I know the routes inside the warehouse.

I was trained on reach trucks before starting here and they took a copy of my training certificate when I joined. Apparently HR have lost it, but I wouldn't have been offered the job without it.

I think it was Class D2 license. Counterbalance trucks are basically the same as reach trucks, only simpler, that's why they're only class B and reach trucks are class D. I was able to figure out the controls for myself so there wasn't any need for additional training.

Obviously, everyone is given a site induction when they join, and traffic routes and speed limits are explained to them then. When somebody is new onsite the supervisors keep a special eye on them, and we all help out to make sure they know what they're doing. I think they arrange refresher training for forklift operators when needed, like if you hit some racking or something. There are also team meetings every week where they bang on about targets and productivity, there's usually some safety reminder there, especially if they spotted somebody doing something stupid.

On the day of the incident, Mrs Bennett told me to move some damaged loads out to the yard. She was annoyed because she'd asked me to do this a week ago, but I was on another job at the time and then forgot all about it.

She didn't tell me which truck to use, but I always used a counterbalance for this job. The keys are left in all the trucks, so you can just go and help yourself. There are access controls to get onto the site, so there's no point in locking the keys away. That would just slow us all down.

It's not my job to do daily checks on the counterbalance trucks but I knew it was safe to use because it had been subject to a Thorough Examination a month or so before. There's a sticker on the truck so you know.

I was travelling backwards down the aisle when the incident happened. I intended to go past the load so that I could pick it up from the other side. This would ensure that the

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ripped shrink wrap on that side of the pallet was supported by the backrest and the load would remain stable. I wasn't given any particular instructions about this, it was just obvious.

We're trained to drive backwards because otherwise the load obscures your view. Obviously, it's easier on a reach truck because you're facing sideways, whereas on a counterbalance you have to look over your shoulder and use the mirrors. You can't always be looking in the travel direction because you have to check for the swing of the forks.

I wasn't wearing the seat belt, so that made looking over my shoulder easier. The reach trucks aren't even fitted with seat belts, so there's clearly no need for them inside the warehouse.

As I was approaching the load I saw Jake about to step out, so I slowed down and waved him back. He then stopped and waved me on. As I accelerated, I think I may have briefly glanced towards the forks to check everything was safe. To be honest, I don't exactly recall because it was all over so quickly. Jake stepped out in front of the truck and I didn't have time to react. I didn't expect him to step out as he wasn't on the designated crossing area.

After the paramedics had taken Jake to hospital I explained to Mrs Bennett what had happened and we agreed that Jake was to blame and there was nothing else that I could have done.

I then moved the damaged loads to the yard whilst Mrs Bennett arranged for an engineer to inspect the truck and ensure there were no faults. I wasn't present when the engineer attended later that day, but I understand that no faults were found with the steering or the brakes and that a full service was also carried out at the same time as a sensible precaution.

Apparently, it's company policy that anyone who is involved in an accident has to be tested for drugs and alcohol. I don't do drugs but I had been to the pub the night before. I go most nights when I'm not on shift, it helps me unwind at the end of the day. Fortunately, the result came back negative. The company doctor took a blood sample that afternoon, and it showed I only had 15 mg/100 ml alcohol in my blood,