

# Care home owners fined £100,000 after death of OAP who fell down lift shaft

Husband and wife Shirwan and Nasik Al-Mufti, the owners of Pontcanna House in Cardiff, admitted health and safety breaches following the death of May Lewis, 96

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## NEWS



**Fined: Shirwan Al-Mufti and his wife have been ordered to pay £100,000 over May Lewis' death** (Image: Cardiff Council)

The owners of a care home where an elderly pensioner fell down a lift shaft to her death have been ordered to pay £100,000.

May Lewis died in March 2012 after a care home worker tried to reverse the wheelchair-bound 96-year-old into a lift on the second floor of the Cardiff home. Because the lift had not moved from the ground floor, both plummeted 20ft.

Mrs Lewis suffered fatal injuries, while carer Carol Conway was found semi-conscious with broken ribs, a broken ankle and four fractures in her back.

At Cardiff Crown Court, husband and wife Shirwan and Nasik Al-Mufti, the owners of Pontcanna House, were fined £75,000 and told to pay £25,000 costs for health and safety breaches.



**Guilty: Nasik Al-Mufti and her husband admitted health and safety breaches** (Image: Cardiff Council)

The court was told that weeks before the incident an engineer was called to attend to the lift and locked the second-floor lift door. He told Mrs Al-Mufti the door could not be opened.

But the owners allowed staff to use an emergency access key which would override the safety mechanism, enabling the door to be opened manually.

Prosecutor James Bennett said: "Around 9am that morning two carers entered May Lewis' bedroom, washed and dressed her and were moving her to the ground floor to have breakfast.

"The other carer went downstairs and collected the emergency key and passed it to Carol Conway. She reversed herself and the wheelchair."

"It is common practice for carers to reverse a wheelchair into a lift.

"The platform was at ground level and they both fell 6.2 metres to the ground floor.

"Other staff members heard the noise and opened the door on the ground floor.

"This was also traumatic for the staff who opened the lift door to see the scene."



**Scene: May Lewis dies in an accident at Pontcanna House care home in Cardiff** (Image: Cardiff Council)

He said staff at the home in Llandaff Road had not been made aware of the risks involved in using the access key, which should only have been used in an emergency.

The court was told Mrs Al-Mufti, 61, had shown staff members, including Ms Conway, how to use the key, [reports WalesOnline](#).

Carers were under the impression the lift was safe to use when they heard the ding noise of the lift arriving and the door opening.

The court heard both defendants ignored several warnings, including failing to read the lift manual and a yellow warning sticker on the emergency key and ignoring advice in a letter sent by engineers pointing out residential homes are required to have regular formal lift inspections.

The court also heard there was no reference to the lift in induction documents.



**Tragedy: Pontcanna House, where May Lewis was being cared for, is situated in Llandaff Road** (Image: Cardiff Council)

Andrew McGee, defending, said: "They both deeply, deeply regret the death of May Lewis and the injuries sustained by Carol Conway.

"They were deeply shocked and upset by the accident. It was an appalling thing to happen and they accept it should not have happened.

Mrs Al-Mufti and her husband, of Greenway Close, Llandough, pleaded guilty to failing to ensure adequate health and safety requirements for employees and non-employees. Sentencing the pair, Judge David Wyn Morgan said: "Neither of these defendants woke up that morning intending that anyone should be hurt or should lose their life.

"This was an accident waiting to happen."They failed to act upon a number of warnings and were significantly below the adequate health and safety regulations."