

Herne Bay care home lift crush death bosses fined £60k

- 28 April 2017



Image caption Joan Daws had been 18 months away from retiring

The former owners of a care home, where a worker was fatally crushed in a lift, have been fined £60,000.

Joan Daws, 64, was pinned to the wall of the lift by a weighing chair at The Laleham care home in Herne Bay, Kent in October 2013.

KCRH Limited ran the home and **admitted health and safety failings** before Canterbury magistrates in February.

Fining the firm, Judge James O'Mahony said at times justice fell short as no amount of money could bring her back.

He said the court was "not a perfect place for justice in such cases".

"If I were to impose a fine of millions it would not bring her back and I am profoundly sorry for the family," he told Canterbury Crown Court earlier.

The care home has changed ownership since the death of Mrs Daws.

Live: More news from Kent



Joan Daws died five days after she was pinned to the wall of the lift

She became trapped in the lift while moving a chair used to weigh patients.

In 2015 an **inquest jury** found her death could have been avoided if a lift safety sensor had been in place at the time.

The inquest was told Mrs Daws screamed as the equipment became caught and the lift descended through the floors.



The care home worker had been moving a chair used to weigh patients

The court heard the lift had been installed in 1972 and KCRH chose not to install a safety sensor offered by the lift servicing company in April 2002 that would have halted the lift in the event of a problem.

Judge O'Mahony said the state of the lift was "a long-standing and systemic failure of duty of care" towards the staff and any lift users on the part of KCRH.

Speaking after the hearing earlier, Mrs Daws' family said the pain of her death remained with them every day.

Her daughter, Amanda Fuller, said: "Nothing will bring my mum back.

"Their negligence caused her death and I hope that pains them every day."

Her son, Simon Daws, added: "It's deeply upsetting to realise that the opportunities were there to stop this accident happening."