

Legionnaires death hospital fined
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A hospital where a father of three died after contracting Legionnaires' disease from a dirty shower head has been fined £80,000 for "blatantly" ignoring safety guidelines.

Daryl Eyles, 37, had just been told that he was in remission from leukaemia and was due to be discharged when he caught the bug at Bath's Royal United Hospital in 2004.

The hospital later admitted liability for his death after an investigation found basic maintenance of its water system had not been carried out.

It was told to pay a fine of £80,000 and costs of £23,883 after pleading guilty at Bristol Crown Court to two charges of carrying out "inadequate" safety checks.

Mr Eyles, a security guard at Bath University, was diagnosed with leukaemia after he developed an abscess in August 2003.

After enduring months of treatment, doctors told him he had achieved "complete remission" and was likely to make a full recovery from the cancer.

But he contracted legionnaires' disease shortly after his fourth and final chemotherapy session in January 2004. Mr Eyles had taken a shower at the William Budd Oncology Unit, which had become a breeding ground for the bug. He became ill with a fever and died a week later on February 13.

Speaking outside the court, the Eyles family said they had been left devastated by Daryl's death. His mother Peggy, 74, said: "As a mother you don't expect to lose a son before yourself.

"You expect to see your children grow up, get married and have children.

"We were told he was in complete remission and that he would have lived a full and active life. For this to happen was devastating."

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Hospital blamed for man's death

A hospital has been condemned for ignoring safety guidance which led to a man dying from Legionnaires' disease caught from a dirty shower head. Daryl Eyles, 37, had just been given the all-clear from doctors treating him for leukaemia when he took a shower at Bath's Royal United Hospital (RUH).

The hospital pleaded guilty to charges that it carried out "inadequate" safety checks on its water system.

Bath Magistrates' Court has referred the case to Bristol Crown Court.

Magistrate Dr Jennifer Gunning, chair of the bench at the court, said she felt her sentencing powers were not sufficient.

Dr Gunning said: "Guidance was available for more than 10 years, but this was blatantly not followed (by the hospital).

"The RUH management was inadequate. Mr Eyles died as a result of those failings and many other vulnerable patients were put at risk.

"We believe this to be so serious that our sentencing powers are not sufficient."

'Tragic occurrence'

The court heard how the Health and Safety Executive (HSE) said a risk assessment did not identify potential dead legs in pipes where water can stagnate.

It also heard inspections of water temperatures and shower heads were not done regularly enough and lids on water tanks were not fitted properly, allowing insects to crawl in.

The HSE said even when money was eventually earmarked to improve the system it was withdrawn to be spent elsewhere.

He was an exceptional son, father and husband. It was a bitter pill to swallow, knowing we had lost Daryl in that way. Peggy Eyles In a statement read out in court, Mr Eyles' wife Andrea said: "Daryl's death to all of us was a tragic occurrence which has changed the lives of our children and myself so very much.

"It was a tragedy which could have been prevented, if appropriate measures had been taken, by the authorities."

Mark Davies, chief executive of Bath RUH, said the trust accepted liability in October 2004.

"The RUH took the death very seriously and we have learned from the very sad case," he said.

Speaking outside court, Mr Eyles' mother Peggy welcomed the magistrate's comments.

"It was the result we had wanted. He was an exceptional son, father and husband," she said.

"It was a bitter pill to swallow, knowing we had lost Daryl in that way."

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