

North-West Evening Mail UK
FRESH CALLS TO SACK CAMPBELL
Published on 12Dec06

TOM CAMPBELL FAMILIES of Legionnaires' Disease victims are again calling for the sacking of town hall boss Tom Campbell.

Relatives issued the calls for him to be dismissed following the conclusion of two public meetings about the tragedy.

The Barrow Borough Council chief executive told the hearing the authority was at fault in four key areas which "directly or indirectly" led to the outbreak.

Mr Campbell had already admitted he knew about delays in risk assessment of Forum 28, the source of the outbreak, but decided "not to push the issue."

The hearing was told Mr Campbell was not prosecuted because the police and HSE investigation did not uncover any evidence to suggest he had been "grossly negligent".

Following the hearing, Bill Merewood, whose wife Christine died in the outbreak, said Mr Campbell should be sacked.

He said: "Barrow council was found guilty of breaching health and safety.

"Now surely the man at the top should be sacked.

"All right, he didn't know each individual thing, but the whole ethos of health and safety in the council wasn't there.

"Sufficient attention wasn't paid to health and safety. So you can only blame the man at the top, can't you?"

Andrew Macaulay, whose granddad Richard Macaulay died in the outbreak, said he totally agreed that Mr Campbell should be sacked.

He said: "He failed in his duty of care to the public and his employees."

Mr Merewood said the hearing served its purpose but the families had wanted a public inquiry.

He said: "For what it was, it was okay. I think it served the purpose for what the hearing was meant to do.

"The families and victims, would have preferred a public inquiry, which would have gone into detail more fully about the outbreak, about the people who basically were to blame, the people who made mistakes.

"After all, if you're going to learn lessons, you've got to know who made the mistakes as well as all these other things.

"I mean, I appreciate that as far as it went, there was a good explanation of the whole thing last week (at the first meeting and all right, the council has given a good account of the remedial action.

"This remedial action shouldn't have been necessary."

Douglas Millburn, whose wife Wendy died in the outbreak, said the hearing was only what they expected.

Mr Millburn said: "It's all right putting this health and safety thing in progress now, it should have already been in place."

Council leader and Conservative councillor Bill Joughin was quizzed about the calls for Mr Campbell to be sacked.

Cllr Joughin replied: "I am not prepared to make a statement on any individual employee of the borough council on the advice of the North West Employers Organisation, on the grounds such a statement could be classed as prejudicial in any subsequent hearings or tribunals that may stem from the council's internal inquiry."

Mr Campbell was unavailable for comment today.

Public meetings held over Barrow Legionnaires' outbreak

5 December 2006

The first of the Barrow Legionnaires' outbreak public meetings took place yesterday (4 December).

A second meeting will take place next Monday (11 December).

The purpose of the two meetings is to provide an opportunity for members of the public, and those involved in the outbreak, to learn about the circumstances and the causes of the incident. As Workplace Law previously reported, seven people died from the 2002 Barrow-in-Furness Legionnaires' Disease outbreak. The source was traced to the air conditioning system at the town's Forum 28 centre. The Council and employee Gillian Beckingham were later both fined for health and safety offences but were cleared of manslaughter charges.

One of the aims of the meetings, and one of the reasons the HSE is involved, is to help identify lessons of value both for Barrow and more widely. To this end the HSE will produce a report next year to which the hearings will contribute.

Both meetings are independently chaired by Colin Pickthall, who was MP for West Lancashire between 1992 and 2005. They aim to create a public forum in which those who attend have the opportunity to ask questions.

At yesterday's meeting these aims were stressed, with particular emphasis being placed on the fact that the two meetings are not a trial or a statutory enquiry, but simply a way to put the facts of the outbreak onto public record.

Around two dozen people attended the first meeting which was marked by a minutes silence and which examined the circumstances, the causes of - and responses to - the outbreak. The day consisted of a number of presentations given by experts from the HSE and the Health Protection Agency, looking at issues such as: the science of legionella; the Barrow outbreak; and plant and investigation.

In an unpopular move Chief Executive of Barrow Council, Tom Campbell, was given just 15 minutes to sum up 'what went wrong'. Following the outbreak and subsequent legal action thousands of people signed a petition calling for Campbell to resign, something he has, so far, resisted.

During his 15 minutes Campbell expressed regrets over the part he and the Council played in the run up to the outbreak. He admitted he knew about delays to the risk assessment of Forum 28, and that in fact the building had been left until the end of the council's risk assessment process.

When asked by the North West Evening Mail what he personally should have done, Campbell said he should have taken a "much firmer approach" to ensuring these risk assessments were completed.

The risk assessments would have highlighted the high legionella risk that Forum 28's cooling towers posed. As Giles Green of Bureau Veritas explains in Workplace Law's legionella policy it is extremely important that an assessment of the risk of legionellosis should be carried out on plant, equipment, facilities, and, as appropriate, work and work-related activities. This lack of risk assessment is what partly led to the Barrow outbreak.

Next week's meeting will discuss and identify lessons to prevent further comparable incidents. The meeting will look at what action if any the HSE is going to take in the future and what remedial action Barrow Council will take.

Workplace Law's downloadable Legionella Policy and Management Guide v2.0 covers issues such as: responsibilities; assessment of the risk of legionellosis; control of the risk of legionellosis; elimination of the risk of legionellosis; management control; and record keeping. The draft policy also comes with a 27 page Management Guide containing helpful notes on the policy and six Appendices, including a glossary of definitions, 'Chain of Command' and 'Action Plan' diagrams, and two example record forms. [more info»](#)

North-West Evening Mail

Catalogue of errors led to the deaths of seven people

Published on 05Dec 2006

SEEKING ANSWERS: Participants of the Barrow Legionnaire's Disease Outbreak public meeting at Abbey House in Barrow REF: 0365336 THE public heard how a catalogue of errors led to the outbreak of Legionnaires' Disease.

For many people it was an opportunity to hear first hand the cause of a tragedy waiting to happen.

The circumstances surrounding the death of seven people reveal wholesale failings on behalf of a number of council representatives.

Vital information from the Health and Safety Executive which detailed what needed to be taken to prevent Legionella were put to one side.

The L8 document should have been distributed among all relevant officers within the council. The council did not complete written risk assessments for all of its buildings, with Forum 28, in particular, falling behind schedule.

The borough council's head of Design Services, Gillian Beckingham, removed crucial water treatment tests from a new maintenance contract, which would have prevented the outbreak. Without tests, the chemical barrels which prevent the build up of Legionella bacteria dried out eight months before the outbreak, creating a perfect breeding ground for the bacteria. Ms Beckingham also failed to draw up a contractual document which detailed exactly what was expected of the contractors, meaning nobody could check they were doing their job properly. Despite her individual failings the HSE Investigating Inspector, Mike Tetley, said the outbreak could not be solely attributed to Ms Beckingham.

He said: "Significant failings are attributed to the employer, Barrow Borough Council.

"For an employer to meet its legal duties it cannot wash its hands of all responsibility purely by engaging contractors."

North-West Evening Mail

Realities want Campbell quizzed at Legion inquest

Published on November 7, 2006

'HUNDREDS ARE AFFECTED': Bill Merewood has appealed for the people of Barrow to attend the hearings THE relatives of Legionnaires' Disease victims want Tom Campbell to be quizzed at the inquest.

At a hearing yesterday, the families presented a list of 11 witnesses they say should be called to testify.

It included Barrow Borough Council chief executive Mr Campbell and head of design services Gillian Beckingham.

Ms Beckingham was acquitted of manslaughter after the tragedy, which was caused when bacteria spewed from the council-run Forum 28 arts centre, in Barrow.

South Cumbria and Furness coroner Ian Smith met with the families and representatives of Barrow Borough Council to plan the inquests of those who died following the outbreak in 2002. Seven people died after Legionella bacteria sprayed out from a faulty air-conditioning system. The hour-long pre-inquest hearing took place at the Barrow courts building, in Abbey Road, yesterday morning.

Mr Smith said more than 20 people attended the meeting.

He said: "All the interested parties that I am aware of were invited and most were present.

"Views were exchanged as to who would be witnesses at the inquest when it takes place.

"I haven't yet decided which witnesses will go to court and which will not. And I am hoping the inquest will be in the first half of next year."

The hearings are being held on December 4 and 11 at the Abbey House Hotel and will run from 9.30am to 12.30pm.

BBC NEWS:

http://news.bbc.co.uk/go/pr/fr/-/2/hi/uk_news/england/cumbria/5297478.stm

Published: 2006/08/30

New probe begins into bug deaths

A fresh inquiry is being held into an outbreak of Legionnaires' Disease in Cumbria which led to seven deaths and 200 people being taken ill.

The August 2002 outbreak was traced to an air conditioning unit at a council-run arts centre in Barrow.

Barrow Borough Council and design manager Gillian Beckingham were fined for health and safety breaches.

Now the council is holding its own inquiry which could lead to disciplinary action against staff.

The air conditioning unit had been spraying bacteria-infected steam into an alleyway behind the Forum 28 arts complex, health experts discovered.

In July, Beckingham, 48, was found guilty of one charge of breaching the Health and Safety at Work Act and fined £15,000.

People should be assured that there will not be a cover-up in any possible way

Ken Williams, deputy leader of Barrow Council

Barrow Council pleaded guilty to breaching the act and was fined £125,000.

The authority said the majority of the inquiry, to be composed of seven councillors, would be held in private in an effort to encourage witnesses to speak openly.

But the council has promised it will not result in a "whitewash" and will include independent legal advice.

Deputy leader of the Conservative-controlled council, Ken Williams, said: "This is a review and we will look into every aspect of what happened.

"People should be assured that there will not be a cover-up in any possible way. We want to get to the bottom of it."

There has been no time limit set on the length of the inquiry, which will hear evidence from Ms Beckingham who is currently on sick leave.

www.SecurityPark.net

August 4, 2006

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Security News article posted in Security News, Fire, Health & Safety, on 04/08/2006

Health and safety laws should not be ignored

Gillian Beckingham, the Barrow in Furness architect, has been fined £15,000 for her role in Britain's worst ever outbreak of Legionnaires' Disease. Barrow Council also faces £125,000 of fines for similar charges.

Peter Dayton, scheme director of Logic Certification, warns against ignoring health and safety laws: "Despite escaping the more serious charge of manslaughter, Gillian Beckingham and Barrow Council face massive fines, due to their blatant disregard for health and safety law. I urge all those responsible for the health and safety of others, from individuals to organisations as a whole, to consider whether they are putting lives at risk and take appropriate action. As a

first step, attending a Legionella risk assessment course should be considered, an inexpensive option on the road to water safety.

Logic Certification's Legionella Prevention and Water Treatment course costs in the region of £200 and equips candidates with the skills necessary to assess and prevent the threat of Legionnaires' Disease, according to guidelines set out by the Health and Safety Executive (HSE).

The deaths of innocent people and a £15,000 fine, or attending a course costing approximately £200? It seems an easy choice, one that should be taken seriously as part of appropriate measures to help prevent such tragedy happening again."

Logic Certification's Legionella Prevention and Water Treatment course is run at approved centres all over the UK.

Yorkshire Post Today

August 2, 2006

News Architect fined over deadly outbreak of disease

Council and department head guilty of health and safety failings over Legionnaires infection

David Hogg

A COUNCIL architect was cleared of manslaughter but fined £15,000 yesterday for her role in Britain's worst outbreak of Legionnaires Disease. Gillian Beckingham was convicted of breaking health and safety laws by cancelling a contract which meant necessary tests were not carried out on the air conditioning at an arts centre in Barrow, Cumbria. Beckingham, 48, head of the Design Services group at Barrow Borough Council, and the council itself received sentences on similar charges at Preston Crown Court yesterday. Five people died and about 172 others were infected after the Forum 28 arts centre air conditioning system became faulty and sprayed deadly Legionnaires bacteria into the air in summer 2002. Among those who recovered from the illness were two men from North Yorkshire who had visited Barrow. Yesterday Beckingham, from Grange-over-Sands, Cumbria, who was born in York and studied at Leeds School of Architecture, was cleared of manslaughter after an eight-week retrial. The council pleaded guilty to health and safety failures at the first trial in February 2005. The court heard she cancelled a contract that provided for the upkeep of the air conditioning unit and negotiated another one that did not require the new contractor to use necessary water cooling chemicals. The judge, Mr Justice Burnton, told her: "In my opinion, your failings were repeated and serious. But for the context in which your failings occurred... the result of this trial might have been very different." The judge criticised Beckingham for failing to plead guilty at the first opportunity and said the fine would have been more but for her "limited means". Barrow Borough Council, which was fined £125,000 with £90,000 in costs, ignored repeated warnings about health and safety, the judge said. "This outbreak was a tragedy which should never have happened," he said. "The failings were not only at the lowest levels or at the levels of Ms Beckingham. These failings were all the way to the top of the council." Families of the victims have called for council chief executive Tom Campbell to take responsibility for the council's failures and resign. Until now he has resisted those calls.

Speaking outside court, relatives of victims complained about the "whispered apology" from the council which had to be repeated three times in court because it could not be heard from the public gallery. "All the warning signs were there and those responsible didn't do anything about the problem," said Andy Macaulay, whose grandfather Richard died in the outbreak. The

prosecution claimed the deaths were "avoidable and unnecessary" and pointed the finger squarely at Beckingham. But she told the court she had never received any health and safety training and denied responsibility for the air conditioning unit. During July and August 2002 thick brown sludge built up inside the cooling towers at the centre because cleaning chemicals were not replaced. The temperature was not controlled and the towers became a perfect breeding ground for the Legionella bacteria. As the bacteria multiplied, they were spewed out into the air, exposing visitors to the centre and shoppers using the adjoining alleyway. At least five people were fatally infected; Richard Macaulay, 88, Wendy Milburn, 56, Georgina Somerville, 54, Harriet Low, 74, and Christine Merewood, 55. The defence claimed two others, Elizabeth Dixon, 80, and June Miles, 56, died from other causes. The jury at the original trial was unable to reach a verdict on the manslaughter charges. Beckingham was found guilty of breaking health and safety rules but cleared by the Court of Appeal. Barrow Borough Council was cleared of corporate manslaughter on the orders of the judge at the first trial but admitted health and safety failures. david.hogg@yfn.co.uk

Guilty: Gillian Beckingham leaving Preston Crown Court yesterday 01 August 2006

BBC News

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Disease lessons 'aided terror planning'

The knowledge gained by health experts during the Barrow Legionnaires' disease crisis has helped in the planning for possible bio-terrorism.

In Barrow, nearly 500 people suspected of having the illness went to Furness General Hospital.

The hospital ran at major incident status for nearly four weeks.

Staff say the scale of the outbreak and the types of medical conditions faced might be seen during a terror attack.

Ian Cumming, chief executive of Morecambe Bay Hospitals NHS Trust, said although many of his team had been involved in major incidents, such as road crashes, this was something new. He said the outbreak went on for weeks and created real challenges in terms of beds, supplies and ensuring staff did not become too tired.

Another problem was in the early stages, when staff had no idea how many patients would be coming through their doors.

Mr Cumming said: "I think in terms of the medical aspects of treatment of the condition we had it under control from day one.

"The bits we perhaps didn't have any control over were how many people we were going to see and whether Furness General Hospital was going to be big enough."

'Bio-terrorist threats'

He said his abiding memory of what had been a distressing time was the teamwork shown by his staff, with people cancelling holidays to come in and work long shifts.

He also said the people of Barrow who had operations cancelled because of the outbreak were "superb".

He said: "I think we did learn a lot as we moved through this.

"We did speak to experts from around the world on Legionnaires' disease and of course what we have now been asked to do in return is to give other people the benefit of the advice we can offer as a result of having been through this.

"One of the perhaps rather unusual spin-offs that we have been involved in is being asked to speak at conferences relating to potential bio-terrorist threats.

"Because the way in which we saw the patients presenting to us - which was a large number of people coming into our accident and emergency department with conditions, problems with breathing, and then needing to admit people to a hospital - is what they would expect people to see in a potential bio-terrorist outbreak."

Story from BBC NEWS:

http://news.bbc.co.uk/go/pr/fr/-/2/hi/uk_news/england/cumbria/4446823.stm

24Dash.com UK

Council architect cleared of manslaughter over Legionnaires' disease deaths

Publisher: Jon Land

Published: 31/07/2006 - 17:26:41 PM

Gillian Beckingham cleared by jury

Council architect Gillian Beckingham was today cleared of manslaughter charges following the UK's worst outbreak of Legionnaires' disease.

Beckingham, 48, head of the Design Services group at Barrow Borough Council, was accused of failing to ensure the ageing air-conditioning system at a council-run arts centre in the Cumbrian town was properly maintained, allowing the deadly bug to breed and infect visitors.

At least five people died and around 172 others were infected after the faulty system sprayed deadly bacteria into the air from the Forum 28 centre in summer 2002.

But Beckingham, from Grange-over-Sands, Cumbria, denied the charges and was cleared today by a jury of eight men and four women at Preston Crown Court after a seven-week retrial.

Beckingham wiped tears from her eyes as the not guilty manslaughter verdicts were read out.

From the public gallery, survivors and the relatives of victims also wept.

The jury was then sent out again to consider its verdict on a charge of breaching health and safety law.

Mr Justice Burnton said he would accept a majority of 10-2.

Beckingham was accused of manslaughter by gross criminal negligence.

The prosecution alleged that she cancelled a contract which ensured necessary tests were carried out on the air conditioning unit.

She was in charge of design services for the local authority but had received no health and safety training from her employer, Barrow Borough Council.

A court heard she was on holiday when a second contract to maintain the air conditioning system was agreed with a sub-contractor.

Beckingham told the court her job as senior architect at the council mainly concerned the design of local housing projects.

The court also heard of failings in health and safety procedures throughout the council.

The terms of the contract proved worthless in terms of protecting the public - with wrangling after the outbreak about who was responsible for cleaning and proper maintenance of the system.

The temperature in water cooling tanks was not controlled and thick brown sludge was allowed to build up inside - a perfect breeding ground for the legionella bug.

In July and August 2002, silently and unseen, the system began spewing out the deadly bacteria in water vapour, exposing visitors to the centre and those walking nearby.

Many of those infected had passed through an alleyway next to the centre which connected the town's bus station to its market.

One described water droplets from the unit falling from the air like rain.

At least five people were fatally infected. Two others, Beckingham's lawyers argued, had contracted the disease but died of other causes.

Beckingham denied the manslaughter of Richard Macauley, 88, Wendy Milburn, 56, Georgina Somerville, 54, Harriet Low, 74, Christine Merewood, 55, Elizabeth Dixon, 80 and June Miles 56.

Victims became seriously ill and with symptoms of muscle pain, vomiting, chills and headaches. Many were left permanently injured - their organs scarred by the infection.

The jury later convicted Beckingham of breaching health and safety law by a majority of 11 to one. She was fined £15,000 and Barrow Council £125,000.

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North-West Evening Mail

Judge sends jury out with swipe at town hall safety

Published on 28/07/2006

THE judge sending out the jury in the Legionnaires' trial told them health and safety at Barrow Borough Council had been in a "sorry state".

Council architect Gillian Beckingham stands accused of manslaughter.

But, summing up yesterday, Judge Stanley Burnton told jurors they must judge her actions in the context of safety arrangements at the authority.

Jurors today started their first full day of deliberations, exactly four years since Legionnaires' Disease was first diagnosed in Barrow.

It is alleged Beckingham, 48, failed to provide for the maintenance of an air conditioning unit at Forum 28, Duke Street, Barrow.

Her trial at Preston Crown Court heard how in the summer of 2002, the unit was the source of an outbreak of the deadly disease.

Six women and one man died after killer bacteria was pumped-out into an adjoining alleyway.

During the trial, the prosecution claimed Beckingham, as head of the design services department at Barrow Borough Council, was responsible for ensuring the air-conditioning unit was properly maintained.

Mr Alistair Webster QC, prosecuting, told the court Beckingham cancelled a contract which provided for necessary upkeep of the unit. He told the court that, after months of neglect, it became a perfect breeding ground for bacteria.

During July and August 2002, passers-by noticed clouds of mist being blown out.

Soon afterwards, many fell ill and some never recovered.

Beckingham denies the manslaughter through gross negligence of the seven victims and denies breaking health and safety laws.

In her defence, she told the court she had never received any health and safety training from the council.

Mr Justice Burnton asked the jury to consider verdicts on the health and safety charge and five of the manslaughter charges.

He said that, depending on those verdicts, the jury might then return to court for a summary of evidence relating to two further manslaughter charges.

The defence dispute whether Legionnaires' was the principal cause of the two deaths that relate to these charges.

24dash.com

Jury considers verdict in Legionnaires' disease trial

Publisher: Jon Land

Published: 27/07/2006 - 14:30:29 PM

The jury in the trial of a Barrow council manager accused of killing seven people in Britain's worst outbreak of Legionnaires' disease has retired to begin considering verdicts on six of the eight charges.

Architect Gillian Beckingham, 48, is accused of failing to provide for the maintenance of an air conditioning unit at a council-run arts centre in Barrow.

Her trial at Preston Crown Court heard how in summer 2002, the unit at Forum 28 was the source of an outbreak of the deadly disease.

Six women and one man died after contracting the disease and about 172 others were infected - and many left permanently disabled.

Beckingham was head of the design services group at Barrow Borough Council and it was her responsibility, the prosecution claim, to ensure the unit was properly maintained.

Alistair Webster QC, prosecuting, told the court Beckingham cancelled a contract which provided for necessary upkeep of the unit.

After months of neglect it became a perfect breeding ground for bacteria, he told the court.

During July and August 2002, passers-by noticed clouds of mist being emitted from the building into an alleyway linking Barrow market with its bus station. Many fell ill soon afterwards and some never recovered.

Beckingham told the court she had received no health and safety training from the council and other members of staff were responsible for the air conditioning unit.

Beckingham, from Grange-over-Sands, Cumbria, denies the manslaughter of Richard Macauley, 88, Wendy Milburn, 56, Georgina Somerville, 54, Harriet Low, 74, Elizabeth Dixon, 80, June Miles, 56, and Christine Merewood, 55, all from Barrow. She also denies breaching health and safety laws.

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NORTH-WEST EVENING MAIL

Legion jury to go out

Published on 25/07/2006

THE jury in the trial of an architect accused of the manslaughter of seven people in a Legionnaires' Disease outbreak is expected to retire today to consider its verdict.

Barrow Borough Council's head of design services Gillian Beckingham, 48, is accused of cancelling a maintenance contract which provided for the safety testing of an air-conditioning unit at the Forum 28 in Barrow.

In the summer of 2002 the system sprayed deadly bacteria into the air leading to an outbreak of Legionnaires' disease.

Six women and one man died, while 172 others were infected.

During the trial, which started on June 8, Preston Crown Court heard the deaths were both “avoidable and unnecessary”.

Alistair Webster QC, prosecuting, told the jury: “It was an outbreak which could have been avoided by the exercise of no more than a moderate amount of care and common sense. These were deaths, with all the consequence, trauma and sadness for the families and victims infected, which we say were avoidable and unnecessary.”

BECKINGHAM: ‘I’VE HAD NO TRAINING’
Published on 12/07/2006

GILLIAN BECKINGHAM LEGIONNAIRES’ Disease manslaughter defendant Gillian Beckingham was never given health and safety training, a court heard.

But, as Barrow Borough Council’s design services manager, she negotiated a Forum 28 maintenance contract.

She is alleged to have removed crucial water treatment tests, which would have prevented the outbreak in the summer of 2002.

A build up of deadly bacteria in the system sprayed out of Forum 28, infecting 172 people with Legionnaires’ Disease and killing six women and one man.

Beckingham, 48, from Grange, denies seven manslaughter charges and a health and safety charge.

Yesterday, on the first day of defence evidence since her retrial started a month ago, Beckingham appeared composed as she answered questions.

Victims’ relatives watched from the public gallery at Preston Crown Court. When asked specifically what health and safety training she had received in her five years with Barrow Borough Council, she replied: “As far as I’m aware I haven’t had any yet.”

She had been involved in setting up 10-year maintenance contracts for a number of council-owned buildings, including the town hall, Dock Museum and Park Leisure Centre.

She said Design Services had a central pot of money which it could share between various buildings within the council’s control for maintenance and repairs.

But the department had a number of other functions within its remit.

She said a “very, very minimal amount of time” was spent on maintenance contracts.

Under her management, the DS group won an award, the first in Cumbria, for its security designs in a home refurbishment scheme.

DS also worked with a museum designer to create the special effects displays in the Dock Museum.

Beckingham's first involvement with Interserve, the firm awarded Forum 28's maintenance contract, was in January 2000.

Previously the system had been maintained by GS Hall Ltd but Beckingham said the company's performance had deteriorated.

She said: "They just weren't doing maintenance. The contractor wasn't turning up or was tending to a call-out and then just leaving."

DS was approached because it had the expertise to advise council departments who to contact in relation to the needs of the contract and would negotiate the terms of the contract.

Beckingham identified Interserve as a strong candidate because it was a facilities management company.

She said: "I would view that as one step above an expert contractor.

"The idea of a facilities management company is they will do everything you want them to within a building which requires maintenance."

Beckingham was due to be cross-examined today.

BECKINGHAM: 'I didn't know how to check Forum air con'
Published on 11/07/2006

GIVING EVIDENCE: Gillian Beckingham THE council architect accused of causing the deaths of seven people in Barrow's Legionnaires' Disease outbreak was today due to give evidence in her retrial.

Gillian Beckingham, 48, of Grange, was set to take the stand before a jury of eight men and four women at Preston Crown Court after four weeks of prosecution evidence.

The design services manager for Barrow Borough Council denies seven manslaughter charges and a separate health and safety charge.

Yesterday the prosecution read out Beckingham's police statements, in which she admitted she did not have the technical expertise to know what was required to safely maintain Forum 28's air conditioningsystem.

Instead she said she put her trust in the expertise of contractors Interserve and Forum 28's technical manager Kevin Borthwick.

Crucial water treatment tests in Forum 28's cooling towers, the source of the outbreak, were removed from the new contract.The case continues.

Campbell: Forum boss knew risk of Legionella
Published on 30/06/2006
KEVIN BORTHWICK

THE risk of Legionnaires' Disease was clearly spelt out to Forum 28's technical manager Kevin Borthwick, Barrow Borough Council's most senior officer claimed yesterday.

Council chief executive Tom Campbell entered the witness box at Preston Crown Court as the trial of the council's design services manager Gillian Beckingham neared the end of its fourth week.

Mr Campbell told the jury Mr Borthwick had been warned about the high risks of Legionella.

In July and August 2002 Forum 28's air vents sprayed out deadly droplets of the disease into the alleyway below.

Seven people died and 172 were infected.

Beckingham is facing seven counts of manslaughter and one health and safety charge, which she denies.

Giving evidence for the prosecution Mr Campbell said: "Kevin Borthwick ... had a copy of L8 (the statutory guidance concerning Legionnaires' Disease) and a letter from the Health and Safety Executive to the council warning the council of the extreme nature of this system and outlining the necessary steps that should be taken.

"That document was written in the clearest English I've ever read and that document was never distributed to anyone."

However, Mr Campbell said he was aware pages of the L8 document had been sent from Mr Borthwick to Gillian Beckingham. Beckingham, as head of the council's Design Services Group, had been involved in setting up a new maintenance contract for Forum 28.

Prosecutor Mr Alistair Webster QC asked: "What would you expect a senior officer involved in the maintenance of cooling towers to do if they had seen those extracts?"

"I think they should satisfy themselves the correct process is put in place," replied Mr Campbell.

Mr Campbell was also aware of the L8 guidance prior to the outbreak and told the court he holds himself personally responsible for not distributing it to other council officers.

He admitted the council's approach to health and safety had been weak and a number of changes have been made since the outbreak.

"In response to the outbreak the council has thoroughly reviewed all health and safety procedures and gone to great lengths to ensure no stone has been left unturned."

The chief executive initially refused to sign a statement Beckingham had prepared ahead of a police interview defining the role of the DSG.

He said: "It leaned a little more on the responsibility of the client officer and I think when one person writes about the role of two people you get an imbalance."

Asking about the role of Design Services in the context of water treatment and cooling tower maintenance at Forum 28 defence counsel, David Travers QC, said: "Do you agree the role of

Design Services is purely limited to identifying the contractor, passing on the client's instructions and inviting the client's comments on what comes back from the contractor?"

Mr Campbell said: "If Design Services undertake the contract on behalf of the council it's Design Services' responsibility to ensure the contract is properly in place."

BECKINGHAM 'TRIED TO SHIFT THE BLAME'

Published on 13/06/2006

COUNCIL architect Gillian Beckingham tried to shift the blame as soon as Barrow's Legionnaires' Disease outbreak was traced to Forum 28, a court heard.

The former head of the Design Services Group denies seven counts of manslaughter.

The prosecution at Preston Crown Court said yesterday that, once the police investigation started in August 2002, Beckingham wrangled with Barrow Borough Council's chief executive Tom Campbell about the role of DSG.

The court heard Beckingham, 48, of Grange, prepared a document in which she tried to place the responsibility for the maintenance contract elsewhere. Mr Campbell disagreed and prepared his own document.

The prosecution also says that, during police interviews, Beckingham blamed a number of people for what had happened, including the technical manager of Forum 28 Kevin Borthwick and the council for not providing adequate training.

As well as seven counts of manslaughter Beckingham denies a health and safety charge.

24 Dash.com

8Jun06

Legionnaires' deaths: Council architect 'cancelled tests'

Publisher: Jon Land

Published: 08/06/2006 - 17:23:08 PM

The Forum 28 Arts Centre in Barrow-in-Furness

An architect caused the death of seven people from Legionnaires' Disease by failing to safely maintain an ageing air-conditioning system, a court heard today.

Gillian Beckingham, 48, cancelled a contract which ensured that necessary tests were carried out on the air-conditioning unit at Forum 28 Art Centre in Barrow, Cumbria, Preston Crown Court was told.

In the summer of 2002 the system sprayed deadly bacteria into the air and led to an outbreak of Legionnaires Disease. Six women and one man died, while 172 others were infected.

Alistair Webster QC, prosecuting, told the jury of eight men and four women that both the deaths and illnesses were "avoidable and unnecessary".

He said: "It was an outbreak which could have been avoided by the exercise of no more than a moderate amount of care and common sense.

"These were deaths, with all the consequence, trauma and sadness for the families and victims infected, which we say were avoidable and unnecessary.

"These were serious illnesses, with all of their continuing effect upon the lives of their victims, which similarly were avoidable and unnecessary."

He added: "The Crown say the person who was principally responsible for this human disaster, both in human terms and in criminal terms, was Gillian Beckingham, a qualified architect who was employed by Barrow Council as their Head of the Design Services Group."

Beckingham, from Grange-over-Sands in Cumbria, denies the manslaughter of Richard Macauley, 88, Wendy Milburn, 56, Georgina Somerville, 54, Harriet Low, 74, Elizabeth Dixon, 80, June Miles, 56, and Christine Merewood, 55, all from Barrow.

She also denied breaching health and safety laws.

At an earlier trial Barrow Borough Council, which owns Forum 28, was cleared of corporate manslaughter, but pleaded guilty to breaching the Health and Safety at Work.

The court heard that air conditioning systems were normally covered by a code of practice, published by the Health and Safety Executive.

Unless preventative measures are taken, systems can provide an "almost perfect breeding ground" for legionella bacteria, Mr Webster said.

He said: "The steps that have to be taken are not complicated, they are far from being rocket science. They could and should have been applied in Barrow.

"The central ones - monitoring the condition of the water in the air conditioning system, putting in chemicals to ensure bacteria cannot thrive and ensuring that those chemicals are put into the water in appropriate doses - have been applied in Barrow in Forum 28 for years before this outbreak took place.

"However, they have been cancelled. Nothing was put in their place.

"It has been months and months and months since there has been any control system applied to the air conditioning system."

The court heard that Beckingham have cancelled a contract which ensured that necessary tests were carried out on the system.

After a few months, when the system was not covered by a maintenance contract at all, she signed a new contract, the court was told.

But Mr Webster said this new contract "did not provide for any effective water treatment system, no regime, for the cooling towers."

He said: "You will hear evidence that she was warned by a service engineer as to the serious dangers brewing up in the air conditioning system at Forum 28, before the outbreak occurred.

"Such a warning made it imperative for her to take swift action, effective action, to eliminate the danger.

"She failed to take any affective action at all and the tragedy unfolded."

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Legion retrial set to start
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COUNCIL architect Gillian Beckingham will return to court tomorrow to face a retrial on seven manslaughter charges following Barrow's 2002 Legionnaires' Disease outbreak.

The Crown Prosecution Service announced a retrial "in the public interest" when the jury in a 10-week trial at Preston Crown Court last year failed to reach a majority verdict on the seven manslaughter charges.

The Legionnaires' Disease outbreak started in July 2002 and by the end of August seven people had lost their lives.

More than 400 people were admitted to hospital and many people are still suffering the debilitating affects of the disease.

The outbreak was traced to Forum 28 where the disease was sprayed from vents of the centre's cooling towers onto passers-by below.

The youngest of the seven victims was 54-year-old Georgina Som-erville, of Gloucester Street, Barrow, and the oldest was 88-year-old Richard Macaulay, of Smeaton Street, Barrow.

The other victims were Wendy Millburn, 56, of Latona Street, Walney; Harriet Low, 74, of Roosegate, Barrow; Elizabeth Dixon, 80, of Greengate Street, Barrow; June Miles, 56, of Westway, Barrow; and Christine Merewood, 55, of Holbeck Park Avenue, Barrow.

The retrial is set to start at 2.15pm tomorrow at Preston Crown Court.

The Honourable Mr Justice Stanley Burnton is due to hear from 70 witnesses over the course of three to five weeks.

Beckingham, 48, is now represented by Greenwoods Solicitors of Peterborough.