

**Network Rail faces prosecution over Grayrigg Crash**

**16 January 2012**

Network Rail is facing criminal prosecution for breach of health and safety law in relation to the 2007 Virgin Trains Cumbrian rail crash at Grayrigg which killed one passenger.

Margaret Masson, 84, died after the Virgin train derailed near the Cumbrian village of Grayrigg and 88 other people were injured.

The Office for Rail Regulation (ORR) started criminal proceedings against Network Rail, the rail infrastructure owner and operator, on 13 January after an inquest into Margaret Masson's death found that poorly maintained points were to blame for causing her death.

The ORR investigation focused on Network Rail's failure to provide and implement suitable and sufficient standards, procedures, guidance, training, tools and resources for the inspection and maintenance of fixed stretcher bar points.

Ian Prosser, ORR director of railway safety stated:

*"Following the coroner's inquest into the death of Mrs Masson, I have concluded that there is enough evidence, and that it is in the public interest, to bring criminal proceedings against Network Rail for a serious breach of health and safety law."*

Network Rail is facing a charge under section 3(1) of the Health and Safety at Work Act 1974:

*"It shall be the duty of every employer to conduct his undertaking in such a way as to ensure, so far as is reasonably practicable, that persons not in his employment who may be affected thereby are not thereby exposed to risks to their health and safety."*

Network Rail could face a maximum fine of £20,000 in the Magistrates' Court, or an unlimited figure if (as is likely) the case is transferred to the Crown Court.

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