

Firefighter's family to sue Lothian and Borders Fire and Rescue Service

FIREFIGHTER EWAN WILLIAMSON'S FAMILY TAKES SEARCH FOR ANSWERS TO COURT

The family of Edinburgh Firefighter Ewan Williamson, who tragically died in a blaze at the Balmoral Bar in the city's Dalry Road on 12th July 2009, are raising an action for damages in the Court of Session.

Mr Williamson's mother and sisters, Linda Williamson, Rachel Williamson and Rebecca Williamson, have launched the action against Ewan's former employers, Lothian & Borders Fire & Rescue Board, because they believe that mistakes were made that night which cost Ewan his life and their questions about why things went wrong remain unanswered.

In a statement, the family explained that their court action was about getting answers and justice:-

"With this action we hope to get answers and justice. Almost three years have passed since Ewan lost his life and we have waited patiently for the authorities to investigate what happened and either prosecute those they hold responsible or hold a Fatal Accident Inquiry into Ewan's death. Despite the passage of time, we still do not know all the facts or why Ewan died.

We believe something went wrong that night and we want to

know why.

We had hoped and expected that after all this time and all the investigations carried out by the Health & Safety Executive, the police and an external Fire Brigade, that the Crown Office would have been able to take a decision on how to proceed. As matters presently stand, however, we do not know if a decision has even been taken to prosecute anyone for Ewan's death or if a Fatal Accident Inquiry is to be held.

The night we lost Ewan turned our lives upside down. Nothing can ever replace him but we feel that we cannot move on until we know what happened to Ewan and any lessons which should be learned and applied from that night are put into practice.

The justice system is taking far too long and we simply cannot wait any longer. Enough is enough."

Senior Partner at Thompsons, Solicitors, Syd Smith, is representing the family in their action. He said:

"The Williamson family have waited long enough for action and answers regarding Ewan's tragic death. That is why we are having to launch a legal action for damages.

"The length of time it is taking the Crown Office to make a decision on how to proceed is frankly unacceptable. Our firm sees case after case where somebody has died and these delays then take place. Everybody understands that fatal accidents

have to be fully and properly investigated but even in difficult or complicated cases it should not take this length of time.”

Roddy Robertson, Fire Brigade Union Executive Council Member for Scotland said:

“The Fire Brigades Union have supported the Williamson family throughout their ordeal. We share their interest in what happened that night and why Ewan died.

“Our members have a professional job to do and it can sometimes be dangerous. If there are lessons to be learned from Ewan’s death then there should not be delays of the sort we have seen here in learning them. The Crown Office now needs to reach an early decision on what they are going to do with Ewan’s case and we are pressing for that to happen.

“In the absence of any Fatal Accident Inquiry or prosecution after this length of time it is necessary for both the Williamson family and the future safety of Firefighters that this action is taken.”

Lothian and Borders Fire and Rescue Service have also issued a statement:-

“We note the decision of the Williamson family to raise an action for damages in the Court of Session in relation to the death of Ewan Williamson.

Ewan’s death was a tragic event in the history of Lothian and Borders Fire and Rescue Service. It affected everyone working within the organisation. We also witnessed firsthand the pain of Ewan’s family and his partner and did all that we could to

support them through that exceptionally dark period in their lives.

We understand that without answers to what happened on that fateful night their pain and anxiety continue. This is something that personnel from Lothian and Borders Fire and Rescue Service, particularly those who responded to the fire at the Balmoral Bar on the 12 July 2009, live with too, on a daily basis.

Lothian and Borders Fire and Rescue Service has cooperated fully with the police investigation into Ewan's death. It is of paramount importance to us that we understand the full circumstances of what happened the night that Ewan died. Our personnel have taken part in thousands of hours' worth of interviews, with police, the Health and Safety Executive and to assist with our own organisation's investigation into the circumstances of the incident.

We remain committed to continuing to serve the communities of Lothian and Borders, responding on a daily basis to incidents that put us in danger. We must await the outcome of the legal process to determine what lessons can to be learned from Ewan's death. Those lessons will be used to shape how we respond to the continuing challenges of a very difficult job where the balance between protecting others and our own is always at the forefront of our minds.