

# **Fatal Accident Inquiry – preliminary hearing set for 2018 tram death**

**A preliminary hearing, part of the proceedings which lead up to a fatal accident inquiry (FAI), will be held on 31 May at Edinburgh Sheriff Court to investigate the death of Carlos Correa in September 2018.**

In a hearing in 2023 Edinburgh Trams Limited which operates the tram system on behalf of The City of Edinburgh Council was fined £240,000 when the company admitted a breach of health and safety legislation.

The pedestrian, 53-year-old Mr Correa, crossed the track on his way home from work as a bus driver. The tram driver sounded his bell a number of times and slowed the vehicle down when he saw Mr Correa.

Applying the emergency brake approximately 18 metres from the tram crossing also set off the warning horn which all trams are fitted with, but Mr Correa was killed in the incident. The Crown Office and Procurator Fiscal Service (COPFS) said: “The criminal investigation found Edinburgh Trams Limited had fail to carry out a suitable and sufficient risk assessment of the layout of the crossing, and to ensure that it provided sufficient notice and warning to pedestrians of the crossing itself.

“The company failed to assess the loudness of audible warning devices on Edinburgh trams, or the emergency braking distances of trams approaching the crossing in order to identify and implement adequate control measures to address these hazards.

“The absence of any written risk assessment was made worse by the failure to regularly review which meant the original error went unnoticed. A near miss incident at the same crossing in November 2016 was reported but failed to result in any action in relation to the risk assessment.

“The investigation found there were no issues with the tram drivers driving and that he had responded to the situation in accordance with his training. The tram was in working order and the braking system was functional.”

An FAI will decide the cause of death, the circumstances in which the death occurred, and what reasonable precautions could have been taken, if any can be identified and could be implemented in the future, to minimise the risk of any deaths in similar circumstances. The FAI will explore the circumstances of Mr Correa’s death, looking at the process of risk assessment and safety management at Edinburgh Trams Limited.



18/09/2023 Picture Alan Simpson