

Expert Witness Service

Hastam's H&S Expert Witness Service for Solicitors and their Clients



Doctor Mark Cooper

PhD, MSc, BSc, MEng, FIAEC, CME, MIMechE, CMIOASH, Chartered Environmentalist; Chartered Safety and Health Practitioner



Dr Cooper was a lecturer in Occupational Health and Safety at Aston University. For twelve years he managed their MSc in Risk Management and Safety Technology. At the Engineering Industry Training Board (EITB) he

was a Senior Training Adviser and Supervisor in EITB's West Midlands Region. He has also been a Training Adviser based in Cardiff and responsible for validating Craft and Technician training. At the Ministry of Agriculture, Fisheries and Food he was a Mechanisation Advisory Officer, employed to give technical, unbiased advice on machinery to farmers and growers. He is currently the Vice President of the Institution of Agricultural Engineers.

Consultancy Experience

In a consultant capacity Dr Cooper develops both individuals and their companies in a wide range of areas of health and safety management. He is a principal examiner for Work Equipment & Machinery (Unit C) of the NEBOSH International Diploma in Occupational Health & Safety. His work for the Health and Safety Executive (Field Operations Division) involved a three-year project to train all operational HSE Inspectors in methods of analytical accident investigation for serious and fatal accidents. In that capacity he has been involved in training approximately 300 front-line inspectors. Mark's particular area of expertise is in workplace transport safety including safe use of cranes, forklift trucks, agricultural and amenity vehicles. He has a strong background in agricultural machinery safety.

Other Relevant Experience

In recent years Dr Cooper has developed a specialism within social housing offering advice on a wide range of issues including general workplace risk assessments, managing potentially violent customers, work at height, and point-of-use health and safety information for a wide range of maintenance trades. His work with a European airline has included establishing a competence framework for investigators and supporting the introduction of a programme of 'Operational Readiness' within the business.

EXAMPLE OF CRIMINAL CASES FOR PROSECUTION

Birmingham City Council v ASDA Stores plc: Expert for the prosecution arising from a death in a warehouse involving a forklift truck driver crushed between the mast and the overhead guard.

EXAMPLES OF CRIMINAL CASES FOR THE DEFENDANT

HSE v Cuddy Demolition: Successful appeal of a Prohibition Notice regarding the work of a sub-contractor and manual handling of kerbstones.

HSE v Anglo-Nordon Ltd in the Employment Tribunal: Appeal of a Prohibition Notice (PN) against a multi-FLT lifting operation. Appeal successful subject to safeguards recommended in his report. Required an Employment Judge to approve tests and issue an Order for the PN to be temporarily lifted whilst he conducted his investigations.

Daver Steels: Instructing solicitors - DWF Solicitors. Counsel - Craig Ferguson, Hare Court. Expert for the defence concerning a prosecution under S3 of the HASAWA where a third party was killed on the public highway involving a forklift truck.

EXAMPLES OF CIVIL CASES FOR THE CLAIMANT

Forest Safety Products, Technical Adviser for soft landing systems used in construction: Expert in the Patents County Court, London in defending the patent rights of the equipment.

Widow of Martin Preece (Deceased) v The Stone Company (UK) Ltd: Expert for the deceased family arising from the collapse of a load suspended from an overhead gantry on a farm in Essex.

Harding v Compact Tractors: £2.5m settlement: Expert for the claimant concerning the stability of a newly purchased compact tractor that overturned whilst descending a slope. Technical stability calculations and identification of 'control loss' as the primary cause. Included assessments of the effects of implements and counterbalanced weights.

OTHER EXPERT WITNESS WORK

West Midlands Police Federation: Incident investigation, understanding of what SMS in a large organisation (WMP has 6,500 officers) should look like. Nuances of operational policing and use of dynamic risk assessment. Lessons from fire service/Home Office guidance.

Northumbria Police: Adapting fire brigade dynamic risk assessment and assessing effectiveness of training initiatives for operational staff using video-based scenarios.