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Employer sentenced over rope fall

An employer yesterday received a suspended prison sentence after a court ruled he did not take adequate steps to protect a construction worker who fell a height of two storeys.

Magistrate Carol Peralta heard that Salvu Aquilina had been standing on a plank of wood tied to two lengths of rope, when one of them snapped and he fell some 10 metres, suffering serious hip injuries.

The accident happened at a block of flats in Gudja on April 15, 2008, at about 7.30am.

Court expert and architect Richard Aquilina noted the 2.5cm-thick rope was frayed on one side.

He reported the rope had been kept in damp conditions, which caused it to deteriorate.

Mr Aquilina, who was sanding down a wall of a block of flats, was not wearing a safety harness.

The magistrate ruled employer Manwel Cutajar was responsible for what had caused Mr Aquilina's serious injuries.

He said that in today's world there were much safer practices – such as scaffolding or a hi-up truck – to undertake such a job.

Although not formalised, the court established there was an employer-employee relationship between the men that rendered Mr Cutajar responsible for what had happened.

While it was true that an antiquated roping system to prevent falls was in place, it was insufficient.

The magistrate imposed a one-year jail term suspended for two years