

France Fines Hong Kong Shipping Firm Over Top Executive's Death

Courtenay Allan died in 2003 after plunging six floors down a lift shaft onboard the container ship OOCL Montreal when lift doors inexplicably opened without the lift present

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File photo of the OOCL Montreal. Courtenay Allan died in 2003 after plunging six floors down a lift shaft onboard the container ship. Photo: SCMP Pictures.

Orient Overseas Container Line, a shipping company controlled by the family of former Hong Kong chief executive Tung Chee-hwa, has been fined 50,000 euros (HK\$530,000) over the death of a top executive in France 11 years ago.

The firm, one of the world's biggest container shippers and a unit of Hong Kong-listed parent Orient Overseas (International), was found guilty on Wednesday by a criminal court in the French port of Le Havre of involuntary manslaughter over the July 3, 2003 death of Courtenay Allan.

The ruling followed a long campaign for justice by Allan's three sons, Ben, Hayden and Tristan Allan.

"After 11 years of campaigning for justice, we are pleased that OOCL have finally been held responsible for our father's premature death," they said in a statement.

The statement described the verdict as "heartening" after years of investigation and calling in specialist engineers to reconstruct what happened.

"It shouldn't have taken this long, and it didn't need to, had OOCL done the right thing and accepted responsibility," it said.

Allan, 53, died after plunging six floors down a lift shaft onboard the container ship OOCL Montreal when the lift doors inexplicably opened without the lift present.

Allen, who had worked for OOCL for 37 years and was head of the firm's transatlantic trades, was attending a customer cocktail party while the ship was docked at Le Havre on its maiden revenue-earning voyage.

While the lift malfunction has not been properly explained, a British coroner did not rule out human involvement in a judgment on Allan's death.



Courtenay Allen had worked for OOCL for 37 years and was head of the firm's transatlantic trades. Photo: SCMP Pictures

In a verdict on September 20, 2011, coroner Caroline Beasley-Murray said experts who inspected the vessel had concluded that the lift car was not there when called.

“There should have been a mechanism in place to ensure that the lift door could not be opened when the lift car was on a different level,” the report said. “It is possible that direct human intervention by way of modifications to the lift system led to this malfunctioning.”

OOCL was charged by the French authorities in November 2012 with involuntary manslaughter “by negligence, carelessness, inattention or breach of duty or safety causing the unintentional death” of Allan. OOCL has 10 days to appeal the court’s ruling, which followed a trial in May.

An OOCL spokesman said on Thursday that the company believed closure “would be in the best interests of all concerned”.

But he added: “As the reason for the judgment is not out yet, our lawyers are unable to advise the company if an appeal against the judgment should be considered.”

The family of Tung Chee-hwa, Hong Kong’s first leader after China resumed control in 1997, owns about 69 per cent of OOIL