

More Questions Than Answers on Injaka Bridge Debacle

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Professional engineers and the general public expressed confusion and outrage when the finding of the inquest into the Injaka Bridge Collapse was announced on 13 November 2006. Over eight years has elapsed since the collapse that killed 14 people in July 1998.

The inquest magistrate Ms J E Serfontein surprisingly found that *"none of the deaths were brought about by any act or omission prima facie involving or amounting to an offence on the part of any person. This Office does not intend prosecution in the matter."*

Conflict with DOL report

However, a 700-page report by the Department of Labour (DOL) resulting from a four year enquiry over 191 court days involving many expert witnesses and over 26 000 pages of evidence, was released in May 2002, in which they found gross negligence and recommended the criminal prosecution of two individuals. Advocate Hans Fabricius and his legal team found both parties, the consulting engineers and the contractor, negligent in a number of ways. Johan Bischoff, head of VKE Pretoria structural department, and technical manager Rolf Heese of Concor, were both found to have been negligent.

ProjectPro asked the Magistrate for reasons for coming to her surprising finding. She informed us that this was an "informal inquest" and her decision was based on affidavits provided by the various parties, not on the 700-page DOL enquiry. No reasons for her finding were forthcoming.

A staggering amount of R100 million has already been spent on this case according to the DOL.

Background

The Injaka Bridge in Mpumalanga collapsed on 6 July 1998, causing the death of 14 people (including the inexperienced designer of the bridge, Ms Marelize Gouws) and injuring 19 others. Most of them were standing on the bridge deck when it collapsed as it was being launched.

The owner of the works was the Department of Water Affairs and Forestry. VKE Consulting Engineers were appointed by the owner to design the bridge to span the Ngwaritsane River, near Bosbokrand. The contractor, Concor Holdings (Pty) Limited, was appointed to design the temporary works from design information obtained from VKE and to build the structure.

Causes of the collapse

The DOL enquiry found that the causes of the collapse resulted from a long list of shortcomings and can be summarized as follows:

- **Lack of competent personnel and supervision**
- Steel launch nose not structurally stiff enough
- Incorrect temporary works slide path
- Incorrectly placed temporary bearings
- Incorrect feeding of bearing pads

- Under-designed deck slab

All of the above could have been avoided had normal design and construction principles and processes been followed. For example, a design review was not carried out as required by standard procedures.

ECSA still to make its findings known

The investigating committee of the Engineering Council of South Africa (ECSA) has concluded that three registered engineers may possibly be held liable for the collapse of the Injaka bridge. ECSA has not disclosed the names of these engineers, but they are reported to be Messrs. Johan Bischoff and Thinus Rautenbach of VKE and Mr Rolf Heese of Concor

ECSA, however, as the controlling body of engineering professionals in South Africa, only takes action against individual engineers and not companies, and only those registered with the council.

ECSA legal services manager Anthony Faul told ProjectPro that it was awaiting further funding from the Dept of Public Works in order to complete their investigation.

Many questions remain

Has the criminal justice system failed us once again? How can a formal DOL enquiry taking four years and costing R 100 m recommend that two individuals be prosecuted for negligence causing the death of 14 people, be negated by an "informal" inquest that finds that nobody be prosecuted. Who is accountable for the bridge collapse?

Early in 2005 the dossier on the Injaka bridge collapse was lost, delaying the process for many months. The dossier lay at the Department of Justice for almost 2 years and then mysteriously disappeared. How could such an important and high profile dossier just disappear? ECSA were called upon to help recompile a dossier which caused further delays.

Taking the matter further

Mr Richard Spoor, an occupational health specialist attorney, told ProjectPro that VKE settled out of court with some of the injured and next of kin for a surprisingly low amount of R1.3 million. He said that in South Africa compensation for damages claims for injuries and loss of life are traditionally low. Furthermore, culpable homicide charges were notoriously low in success rates, but the alternative charges of contravening regulations have very low penalties attached to them.

ProjectPro has requested ECSA to approach the relevant authorities for reasons why a finding was made that did not mirror the DOL investigation, in fact it diametrically opposed it. Anthony Faul has confirmed that this was done on 28 November 2006 and a response is expected early in 2007.

ProjectPro will keep you updated

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