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First Corporate Manslaughter Charge

HSE 2009 Inspection Initiative

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NEW

Select Health and Safety Ltd are now an IOSH accredited training provider. We are currently taking group or individual bookings for the IOSH 4 day Managing Safely and 1 day Working Safely Certificates. These can be carried out over both a block or day release programme. Prices start from just £99 per person.

NEWS FLASH

We are at present offering 1/2 day seminars to Directors and Senior Managers who have duties under the Corporate Manslaughter and Corporate Homicide Act 2007. The seminars are designed to raise awareness amongst duty holders and give guidance on compliance to the Act.

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Wake Up Call For Employers**Company Director Charged with Corporate Manslaughter**

The Crown Prosecution Service (CPS) has announced it is bringing the first ever charge under the Corporate Manslaughter and Homicide Act 2007 in response to the fatality of a 27 year old employee during September 2008. The deceased, a Junior Geologist was killed when the sides of a pit in which he had been collecting soil samples collapsed and crushed him.

As well as corporate manslaughter the employer has been charged with breaching Section 33 of the Health and Safety at Work Act 1974.

Consequently the Company Director has been charged with gross negligence manslaughter and with breaching Section 37 Of the Health and Safety at Work Act 1974 and will appear before the magistrate on 17th June 2009.

Under the Corporate Manslaughter and Corporate Homicide Act 2007 an organisation is guilty of corporate manslaughter if the way in which its activities are managed or organised causes a death and amounts to a gross breach of a duty of care to the person who died. A substantial part of the breach must have been in the way activities were organised by senior management. The CPS have concluded that there is sufficient evidence for a realistic prospect of conviction for this offence.

The penalty for a conviction for corporate manslaughter is an unlimited fine for the organisation, while a conviction for gross negligence manslaughter carries a maximum life imprisonment for the individual.

HSE 2009 Inspection Initiative

The construction industry continues to be affected by the economic downturn and is seen by some as an opportunity to relax safety standards. However the HSE takes no such stance and flexed its muscles by carrying out a programme of visits to some 1759 sites encompassing 2145 contractors. This culminated in 265 Prohibition Notices being served on working at height activities alone.

Phillip White, HSE's Chief Inspector of Construction said: "The initiative was well publicised and for our inspectors to find this level of disregard for basic safety standards on refurbishment sites was disappointing."