

Corporate Manslaughter and Corporate Homicide Act 2007



*National Motor Cycle Museum,
Wednesday 11th June 2008*

Aim of the Seminar

It should enable you to understand the concept of Corporate Manslaughter and Corporate Homicide and the sentencing guidelines. In particular, it should give you knowledge of the implications of gross negligence manslaughter and how they relate to your everyday senior management responsibilities. The seminar should also demonstrate how you could develop and implement a proactive health and safety management strategy that will not only protect your employees, but also conserve your business reputation and bottom line.

Programme

The keynote address will introduce the new law and explain its likely impact on businesses. It will also put it into context alongside other proposed changes in sentencing guidelines for existing health and safety offences.

Afterwards, there will be presentations by the key enforcement players in the new law, from the Crown Prosecution Service, Police and the Health and Safety Executive, who will collectively explain the process of investigation and techniques for preventing manslaughter from happening in the first place!

These principles will be reinforced and several practical solutions provided by a Consultant previously with a large multi-national company where a significant reduction in the number of serious accidents – *high severity, low frequency accidents* – was a key organisational goal!

Who should attend?

The new law will have an impact on organisations, those who manage them and those who are employed or affected by them. This will include: -

- Directors
- H & S Managers
- Senior Manager
- Managers
- HR Managers
- Management Consultants
- Supervisors
- H & S Professionals

About the Speakers

Judith Donovan CBE, Non Executive Board Member, HSE Board

Judith Donovan is a Yorkshire business woman, who ran her own specialist advertising agency from 1982 to 2000, during which time she was also chairman of Bradford TEC and the first ever female president of Bradford Chamber of Commerce. Since selling her business she has also become vice chair of Postwatch and UK Board member, Big Lottery Fund. She is also a trustee of Northern Ballet Theatre and was Chair of Yorkshire Tourist Board until this year. On the HSE Board she is champion for both small firms and agriculture.

Frank B. Wright, LLB (Leeds), LLM (Leicester), Ph.D. (Leicester), is Professor of Law at the University of Warwick. He is an Academic Associate at Outer Temple Chambers, Outer Temple, London and a member of the Management Group of Trafford Law Centre, Manchester.

Professor Wright is a Fellow of the Royal Society for the Encouragement of the Arts, Manufactures and Commerce, the Royal Institute of Public Health and the Chartered Institute of Environmental Health. He is a Member of the International Council on Environmental Law and a Member of the IUCN Commission on Environmental Law. In 1997 Professor Wright served as Deputy Chairman of the Council of the Royal Society of Health. Professor Wright is currently the Editor of *Doing Business in Europe*, Sweet & Maxwell, London.

Professor Wright has served as an Expert to the International Labour Organisation, the European Commission and the British Health & Safety Executive.

As a specialist in Health and Safety Law and Environmental Law, Professor Wright has carried out a large number of research projects for the Social Affairs Directorate of the European Commission and the Health & Safety Executive. In 2008 he gave Written and Oral Evidence in the Inquiry into the Health & Safety Commission and Executive for the Work and Pensions Committee of the House of Commons and in 2005 he gave Written and Oral Submissions on the Draft Corporate Manslaughter Bill for the Home Affairs and Work and Pensions Committees of the House of Commons. He was a British Government Adviser in the Case No.

C-127/05 Commission v. United Kingdom, before the European Court of Justice. He is currently a Member of the Institute of Directors/ Health and Safety Commission Steering Group on Directors Responsibilities for Health and Safety.

He has recently completed work for the United Kingdom Health & Safety Executive on the impact of 2003 statutory changes to the Management of Health and Safety at Work Regulations 1999, on the sanction of disqualification for company directors guilty of health and safety offences, and on transposition of European Union health and safety Directives into United Kingdom law.

In November 2005 Professor Wright gave a paper entitled Water Pollution Law - New Challenges for China to the International Forum on Environmental Legislation and Sustainable Development, Beijing, China at the invitation of Mao Rubai, Chairman, Environmental Protection and Resources Conservation Committee, National People's Congress, China.

He has recently served as a Member of the Adjudication Panel for the Sir David Calcutt QC Essay Prize, Outer Temple Chambers, London and as a Member of the Adjudication Panel for the Sir George Earle Trophy, RoSPA. Birmingham.

David Clark – Head Of Complex Casework, Crown Prosecution Service

David Clark was called to the Bar in 1987. He joined West Midlands CPS as a front-line prosecutor in 1988. In 1996, David was one of the first prosecutors appointed to the newly-created CPS Inspectorate. In 2000, when the Inspectorate became an independent statutory organisation, David was designated one of Her Majesty's Inspectors. In March 2001, David was appointed United Kingdom Liaison Magistrate to France. Based in the Ministry of Justice in Paris, David worked closely with police, customs and other agencies in the UK and France on the investigation and prosecution of cross-border crime.

Following his return to the UK, David was the District Crown Prosecutor for Coventry & Solihull from May 2005 until March 2008, when he was appointed regional Head of Complex Casework for the West Midlands CPS Group. In addition to his CPS role, David also holds a part-time judicial appointment as HM Deputy Coroner for the County of Warwickshire.

Detective Chief Inspector Steve Bimson, Senior Investigating Officer, Major Investigation Unit, West Midlands Police,

Steve has been Police Officer for 27 years, with 17 years in an investigative role. From 2001 to 2007, he was a Detective Inspector working from Sutton Coldfield, with responsibilities for the management of volume and serious crime affecting a large residential population. In this post he took the lead investigator role in a number of domestically-based murder enquiries, fatal and non-stop fatal road traffic collisions. He has been in his current role since March 2007, where he is a Senior Investigating Officer on murders where the offender identity is not readily known and Critical Incidents, where the impact of the incident on the Force requires a more focused investigation. His geographic responsibilities are the Eastern side of Birmingham and Coventry, but deal with incidents across the West Midlands area.

Rosi Edwards, Head of Operation Construction, Wales, Midlands and SW England Group

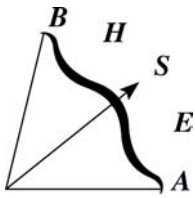
Rosi joined HM Factory Inspectorate in 1974 as an inspector. She inspected a range of industries in South Yorkshire and Humberside before moving to Birmingham in 1987 to work in the Engineering Sector, leading on robotics and automation. In this role she managed a regional team of specialist inspectors, including mechanical and electrical engineers and medical inspectors, from 1993-1999, when she became head of the operational policy unit for Engineering and Utilities. In 2002 Rosi became Head of Operations in the newly created Construction Division of HSE, and currently manages five Principal Inspectors, with a total of around 45 staff across 10 offices in the Midlands, Wales and South West.

George Allcock CMIOSH, BSc, Consultant

George has over 30 years health and safety management, consultancy, training and engineering experience in a wide range of automotive, aerospace, engineering and service businesses. His most recent position (1997 – 2008) has been as Group Safety Adviser for GKN plc (a company operating in 40 countries and employing 40,000 people). In this post he has guided the development of health and safety management and overseen the Group's accident rates fall in each and every year to a point where they now better the performance of many benchmark companies in each of the main countries and industries in which GKN operates.

His approach to health and safety is practical, pragmatic and risk-based; it is well recognised and highly regarded as adding real value at all levels of the organisation. It has entailed 'selling' and

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Programme

0845 - 0930	Coffee and Registration	
0930 - 0935	Welcome to Delegates	
	Chairman for the Day – Ed Friend, Vice Chairman, BHSEA	
0935 - 0945	Opening address	Judith Donovan CBE Non Executive Board Member HSE Board
0945 - 1045	Health & Safety at Work: New Developments in Criminal Law and Sentencing The aim of this new Act is to have fresh impact on Directors and Senior Managers. But there are other changes in Health and Safety law that might have just as much effect, as the speaker will explain!	Prof. Frank B. Wright Professor of Law Warwick Law School
1045 - 1105	BREAK	
1105 - 1130	The Case for the prosecution The principles that will be followed by the Crown Prosecution Service in pursuing cases under this new Act	David Clark Head of Complex Casework, Crown Prosecution Service, West Midlands
1130 - 1155	'Was it an accident?' An investigator's approach and an insight into the policing enquiry surrounding a death in a work-related environment.	Steve Bimson Detective Chief Inspector, Senior Investigating Officer Major Investigation Unit West Midlands Police.
1155 - 1220	Corporate responsibility: how HSE sees it New legislation on corporate manslaughter has focussed attention on the way directors discharge their duties. Health and Safety legislation imposes duties on the corporate body and on individuals, including directors. The Institute of Directors/HSE guidance has been produced to enable you to assess your own performance and that of your organisation. This talk looks at how you can demonstrate that you are managing health and safety.	Rosi Edwards Head of Operations, Construction – Wales, Midlands and South West
1220 - 1245	Managing Risk – Improving Performance Practical guidance on how Directors and Senior Managers can develop and implement a successful strategy to protect the Health and Safety of their most precious resource.	George Allcock, Consultant
1245 - 1300	Questions and Answers/Case Studies	Ed Friend Vice Chairman, BHSEA
1300 - 1400	LUNCH	
1400	Disperse	

About the Speakers (Continued)

promoting safety – and showing ‘how’ – at all levels of the organisation from the Chief Executive down. Importantly, at shop floor level his work has most recently been the development and deployment of employee involvement systems and activities with a goal of zero accidents. This has utilised behaviour-based principles, lean techniques and KYT, a powerful concept originating in Japan and used by Toyota and many others.

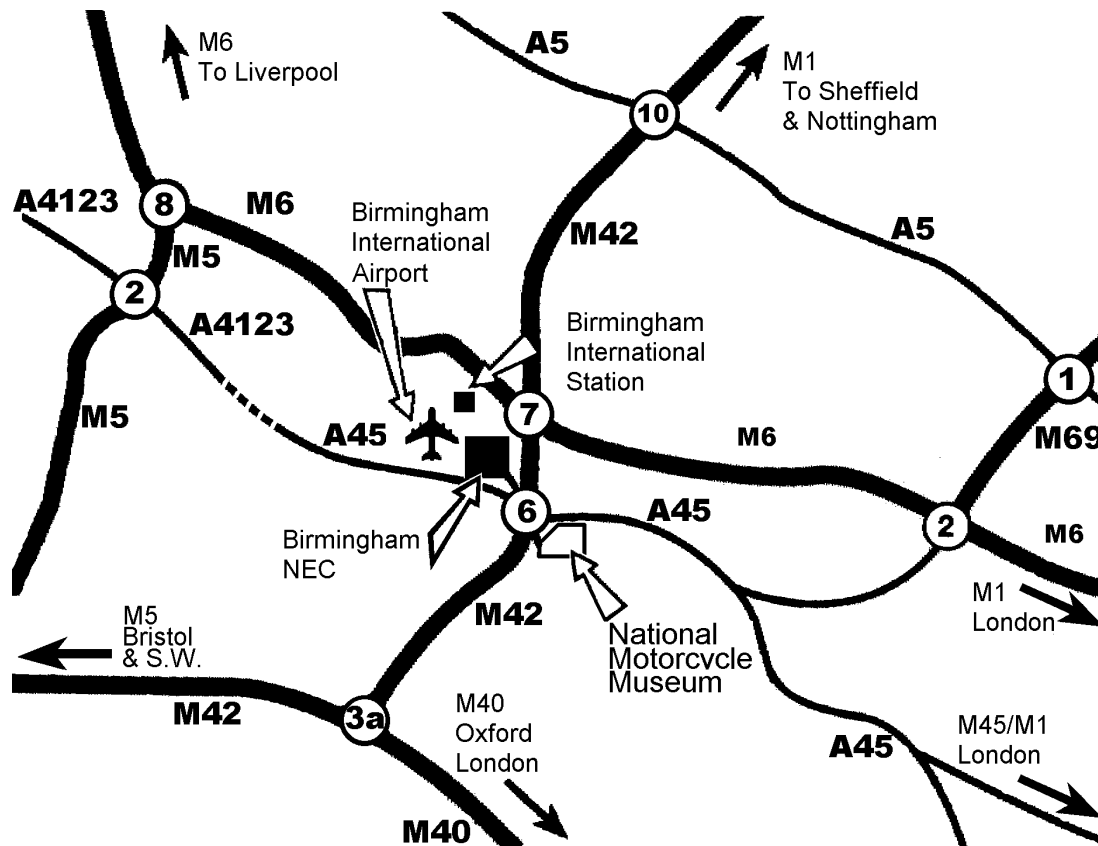
George has also been a member of an EU sponsored programme studying health and safety in the European car industry, is a chartered member of IOSH, a past Chairman of Birmingham Health Safety & Environment Association and is member of the BHSEA Management Committee.

Location of the National Motorcycle Museum

Coventry Road, Bickenhill, Solihull, West Midlands, B92 0EJ

www.nationalmotorcyclemuseum.co.uk

Reception tel: 01675 443311



Travel by Road.

The National Motorcycle Museum is located at the heart of the UK Motorway Network, on Junction 6 of the M42 at its intersection with the A45. The major access routes are as follows: -

From the north

M1 Southbound, Exit J23a, then A42 and M42 Southbound OR
M6 Southbound – Exit J4a, then M42 Southbound, OR
M6 Southbound – Exit J8, then M5 Southbound, Exit J4a, then
M42 Northbound, OR
M42 Southbound, Exit J6.

From the South

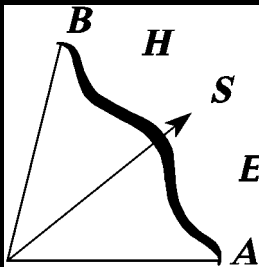
M1 Northbound, Exit J17, then M45 and A45 Westbound, OR
M1 Northbound, Exit J19, then M6 Northbound, Exit J4, then
M42 Southbound, Exit J6, OR
M5 Northbound, Exit J4a, then M42, Exit J6

Travel by Rail

The nearest Mainline Station is **Birmingham International**. Then 10 minutes by taxi.

Travel by Air

Birmingham International Airport. Then 10 minutes by taxi.



Birmingham Health, Safety and Environment Association

Corporate Manslaughter and Corporate Homicide Act 2007

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Seminar Registration

Company Name _____

Address _____

Post Code _____ Tel No _____

e-mail _____

Contact's Name _____

Delegate's Full Name(s) and Job Title _____

Total

Fee

Signed _____ Job Title _____

Name (ALL CAPITALS) _____

I enclose a Cheque for £

Please make cheques payable to "BHSEA" and Crossed "A/C Payee"

Lunch is included; please state any special dietary needs.

Please send Booking Forms and Cheques by
3rd June 2008 to:
Mr.G.A.Chappell
Secretary
Birmingham Health, Safety & Environment Association
721 Hagley Road West
Quinton
Birmingham B32 1DJ

Seminar Fees
£100 + VAT (£117.50)
Tel. No.: 07802 973795
Email: secretary@bhsea.org.uk

Be sure to book early while places are still available!