

DELAYS TO REFORM LAW LEAVE WORKERS' SAFETY HANGING IN THE BALANCE

A new corporate manslaughter law should be a top priority in the Queen's Speech, say personal injury lawyers.

The Government has faced a barrage of questions from its own backbenchers in recent months over delays to reform the corporate manslaughter law.

And lawyers acting for victims of workplace accidents say every delay means continuing risk for workers and escape from prosecution for negligent bosses.

Patrick Allen, president of the 5000-strong Association of Personal Injury Lawyers (APIL), says it is practically impossible for a company boss to be prosecuted for manslaughter because the current law requires "the controlling mind" of the company to be found guilty of gross negligence leading to death.

"It's extremely difficult to prove unless it's a one man band company and that's why legislation is so desperately needed," he said. "But the Government don't seem to have any sense of urgency on this matter.

“There has been a whole series of parliamentary questions and the subject has been debated for six years now, but the Government still hasn’t set a date for legislation. It answers all questions by saying the matter will be dealt with ‘when parliamentary time allows’, which could mean weeks, months or even years.

“This is not a satisfactory answer. It certainly won’t ease the suffering of those who have lost a loved one because an employer, who put profit before safety, walked away from his crime scot-free.”

Results of a Mori poll published earlier this year found that only one in six company directors put health and safety at the top of their agenda. Generating profits for shareholders and increasing customer satisfaction were found to be more important than health and safety. And ten per cent of directors said they would definitely resign when the new corporate manslaughter law takes effect.

“We believe that any employer with proper health and safety practices in place has nothing to fear,” said Patrick. “But there is no doubt in my mind that those who ignore employees’ safety should be held accountable.

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“The Government must act fast and the only answer is legislation. Reform of the corporate manslaughter law must be included in the next Queen’s speech - there has been more than enough time now for discussion.”

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