

# BRIEF UPDATE

FROM THE HEALTH, SAFETY & ENVIRONMENT DIVISION



## Second Prosecution for Corporate Manslaughter

Following the successful conviction of Cotswold Geotechnical Holdings Limited earlier this year, the Crown Prosecution Service in England has announced that it is proceeding with a second corporate manslaughter prosecution. Lion Steel Limited, a medium sized company with over 100 employees, manufactures storage products. Their employee, Steven Berry, died on 29<sup>th</sup> May 2008 when he fell through a plastic roof panel on an industrial estate in Greater Manchester.

In addition to the charge of corporate manslaughter, the company is charged under section 2 of the Health and Safety at Work Act 1974 and three directors are to be prosecuted under section 37 of the Act, on the basis that the breach was due to their consent, connivance or neglect.

The directors face a possible prison sentence if convicted

and the company faces a fine which may be measured in millions of pounds. The sentence for corporate manslaughter is an unlimited fine which is determined by a judge. The judge may also give the company a publicity or remedial order.

In February 2011 Cotswold Geotechnical Holdings Limited were convicted of corporate manslaughter when geologist Alex Wright was killed while investigating soil conditions in a deep trench which collapsed. For further details of the case see our [Brief Update of February 2011](#)

We will be monitoring the progress of the Lion Steel case and will issue a further Update on developments in due course.

**In the meantime, if you would like further information on this or any other aspect of Health, Safety and Environmental law please contact any member of the P&W HSE team:**

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