



### **Corporate Manslaughter Brief**

- Unite supports a corporate manslaughter law since it will provide the means to find an organisation guilty of manslaughter.
- Unite also wants a secondary individual offence that would mean a director or senior manager could be found guilty of an additional offence if they were found to be responsible for the corporate manslaughter.
- This policy is based on the Government consultation paper in 2000 which clearly indicated the possibility of such a secondary offence. We do not accept that this cannot be included as part of a corporate manslaughter bill. The consultation invited views on whether officers of undertakings if they contribute to the management failure resulting in death should be liable to a penalty of imprisonment in separate criminal proceedings.
- We also want to see the corporate manslaughter law provide for the possibility of disqualification of culpable directors. The 2000 Government consultation said that any individual who could be shown to have had some influence on, or responsibility for, the circumstances in which a management failure falling far below what could reasonably be expected was the cause of a person's death should be subject to a disqualification from acting in a management role in any undertaking carrying on a business or activity in Great Britain.
- If the Home Office fails to include the possibility of imprisoning directors in the corporate manslaughter bill, it must at the very least provide for the disqualification of directors.
- Without individual sanctions against directors or senior managers, there is little chance of a corporate manslaughter law changing the health and safety behaviour of directors and improving the management of health and safety at work.
- Unless high level managers feel the heat of the law against them, personally, we do not think there will be a significant change to company behaviour on health and safety.
- We need some "joined up Government" for the Home Office and the DWP to work together on corporate manslaughter and directors duties. They also need to ensure that an organisation and directors can be subject to relevant court proceedings on corporate manslaughter and health and safety offences at the same time.