



Disclosure ref: 13 Sent: 5<sup>th</sup> March 2020

## Freedom of Information Act 2000 Request

### *Figures regarding prosecutions of Corporate Manslaughter since Feb 2019*

#### Request

*I would like to see the figures for prosecutions of Corporation Manslaughter since February 2019 when this information was last released. If these figures are the same could I equally be informed of that?*

#### Response

The Crown Prosecution Service (CPS) has interpreted the previously released information referred to in your request to be our published Freedom of Information request response release nine, dated 28 February 2019.

The questions asked in that published request are set out below, for reference. Our updated response encompassing data up to the end of 2019 can also be found below.

Data held relating to charges made in 2020 is withheld under section 22 of the Freedom of Information Act – information intended for future publication. For more details about this exemption please see the attached section 17 notice.

- 1. The number of charges brought for corporate manslaughter each year since the introduction of the Act.***
- 2. The names of all organisations charged with corporate manslaughter.***
- 3. Whether charges were also brought under Health and Safety legislation against any of the organisation. If charges were initially brought and then dropped, please confirm this if possible.***
- 4. Whether charges were also brought against Directors or employees of the organisation under either health and safety legislation or for common law manslaughter. If charges were initially brought and then dropped, please confirm this if possible.***



**5. The outcome of the cases (and the year of the outcome).**

**6. The sentences in the successful prosecutions.**

The CPS collects data to assist in the effective management of its prosecution functions. The CPS does not collect data that constitutes official statistics as defined in the Statistics and Registration Service Act 2007. Official statistics relating to sentencing, criminal court proceedings, offenders brought to justice, the courts and the judiciary are maintained by the Ministry of Justice (MOJ).

The below data has been drawn from the CPS's administrative IT system and manual records, which (as with any large scale recording system) is subject to possible errors with data entry and processing. The figures are provisional and subject to change as more information is recorded by the CPS.

The offence of corporate manslaughter (and in Scotland, corporate homicide) was introduced by the Corporate Manslaughter and Corporate Homicide Act 2007. By definition, a charge of corporate manslaughter can only be brought against an organisation (which includes government departments and crown bodies). The 2007 Act effectively absolved organisations of liability for the offence of common law manslaughter; however, individual employees can still be charged with gross negligence manslaughter. Individual employees (and organisations) can similarly be charged over the same underlying incidents leading to the death under the Health and Safety at Work Act 1974.

You have asked for "The number of charges brought for corporate manslaughter each year since the introduction of the Act". That information can be summarised as follows:

**2008 – 2019**

<b>Year</b>	<b>Cases</b>
2008	0
2009	1
2010	0
2011	1
2012	1
2013	5
2014	6
2015	5
2016	5
2017	1
2018	2
2019	0

The information you have requested in questions 2-6 can be found in the table below.

Please note that information regarding the charges brought in each case has been taken from the formal indictment submitted by the prosecution at the start of each trial. Case outcomes refer to the corporate manslaughter offence only. In some cases, the figures given in the final column (sentences) represent the cumulative total of fines given in connection to all charges for which the organisation was found guilty. For the purposes of this table, we have interpreted 'common law manslaughter' (Q. 4) as meaning manslaughter by gross negligence (GNM).

**Corporate Manslaughter Charges 2008 – 2019**

<b>Name of organisation</b>	<b>H&amp;S charges brought against the organisation? (Y/N)</b>	<b>Charges brought against brought against Directors or employees of the organisation under either health and safety (H&amp;S) legislation or for common law manslaughter (GNM)</b>	<b>Outcome of the case and year of outcome</b>	<b>Sentence in successful outcome</b>
<i>Cotswold Geotechnical Holdings Ltd</i>	Y	GNM and H&S.	Guilty - 2011	Fined £385,000
<i>Lion Steel Equipment Ltd</i>	N	GNM and H&S	Guilty plea - 2012	Fined £480,000
<i>Princes Sporting Club Ltd</i>	Y	H&S	Guilty plea - 2013	Fined £134,579.79
<i>Mobile Sweepers (Reading) Ltd</i>	Y	GNM and H&S	Guilty plea - 2014	Fined £183,000
<i>PS &amp; JE Ward</i>	Y		Not guilty - 2014	
<i>MNS Mining Ltd (Fyfields)</i>	N	GNM	Not guilty - 2014	
<i>Sterecycle (Rotheram) Ltd</i>	N	H&S	Guilty - 2014	Fined £500,000
<i>Cavendish Masonry Ltd</i>	Y		Guilty - 2014	Fined £150,000
<i>Peter Mawson Ltd</i>	Y	GNM and H&S	Guilty plea - 2015	Fined £220,000
<i>Pyranha Mouldings</i>	Y	H&S	Guilty - 2015	Fined £200,000
<i>Huntley Mount Engineering Ltd</i>	Y	GNM	Guilty plea - 2015	fined £150,000
<i>CAV Aerospace Ltd</i>	Y		Guilty - 2015	Fined £600,000

<i>Linley Developments Ltd</i>	Y	GNM and H&S	Guilty plea - 2015	Fined £200,000
<i>Kings Scaffolding Ltd</i>	N		Guilty - 2015	Fined £300,000
<i>Baldwin's Crane Hire Ltd</i>	Y		Guilty - 2015	Fined - £700,000
<i>Cheshire Gate and Automation Ltd</i>	N	GNM	Guilty plea - 2015	Fined - £50,000
<i>Maidstone and Tunbridge Wells NHS Trust</i>	N	GNM	Judge directed acquittal - 2016	
<i>Sherwood Rise</i>	Y	GNM and H&S	Guilty plea - 2016	Fined - £300,000
<i>Bilston Skips Ltd</i>	N	GNM and H&S	Guilty - 2016	Fined - £600,000
Monavan Construction Ltd	Y	H&S	Guilty plea - 2016	Fined - £550,120
Ozdil Investments	Y	H&S	Guilty - 2017	Ozdil - fined £660,000 Koseoglu – fined £400,000
SR and RJ Brown	Y	GNM and H&S	Guilty - 2017	Fined - £300,000
JTF Wholesale	Y	H&S	Guilty plea	Fined - £1m
Master Construction Products Ltd	Y	H&S	Guilty plea - 2017	Fined £225,000
Martinisation Ltd	Y	H&S	Guilty - 2017	Fined £1.2m
Roofing Consultants Ltd	Y	H&S	Not Guilty - 2020	Fined £100,000 (H&S offences)
Ace Waste Haulage Ltd	Y	H&S	Not Guilty - 2020	Fined £240,000 (H&S offences)

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