



Disclosure ref: 59 Sent: 11th November 2019

Freedom of Information Act 2000 Request

Information regarding Corporate Manslaughter Laws

Request

I would be very grateful if you could provide me with the following:

- 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 organisations. 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(s) under either health and safety, fire safety or food safety legislation or for common law manslaughter. If charges were initially brought and then dropped, please confirm this if possible.*
- 5. The date of the offence*
- 6. The outcome of the cases (and the year of the outcome).*
- 7. The sentences in the successful prosecutions.*
- 8. Confirmation of director disqualifications arising out of those prosecutions.*
- 9. Whether those cases involved the HSE or the Local Authority as an enforcement authority.*

I would be grateful if you could also provide the following:

- 1. The number of charges brought for common law manslaughter (gross negligence manslaughter, if you can be that specific) each year since 2000.*
- 2. Whether there were related charges under Health and Safety, Food Safety or Fire Safety legislation against any of the defendants. If charges were initially brought and then dropped, please confirm this if possible.*
- 3. Whether there were related charges under Health and Safety, Food Safety or Fire Safety legislation against any related organisations (and identifying them). If charges were initially brought and then dropped, please confirm this if possible.*
- 4. The date of the offence*
- 5. The outcome of the cases (and the year of the outcome).*
- 6. The sentences in the successful prosecutions.*



7. Confirmation of director disqualifications arising out of those prosecutions.

8. Whether those cases involved the HSE or the Local Authority as an enforcement authority.

You were referred to our published information (release 9 dated 29/02/19) regarding the Corporate Manslaughter and Corporate Homicide Act 2007 via the following link:

<https://www.cps.gov.uk/publication/freedom-information-releases-2019>

On the 10 October 2019 you requested the following:

Response

1. Are you able to provide the additional information for the period after February 2019?

The table provided to you within the published data, dated 04 February 2019, has been updated in respect of one organisation as provided below:

Name of organisation	H & S charges brought against the organisation? (Y/N)	Charges brought against brought against Directors or employees of the organisation under either health and safety (H&S) legislation or for common law manslaughter (GNM)	Outcome of the case and year of outcome	Sentence in successful outcome
JTF Wholesale	Y	H&S	Guilty plea	Fined - £1m

2. Also, can you provide the information sought by questions:

- **3 and 4 (as they relate to fire or food safety):**
- **8; and**
- **9.**

For ease of reference I have copied questions three, four eight and nine from both categories of questions below and have renumbered them 1 - 5:

1. Whether charges were also brought under Health and Safety legislation against any of the organisations.

If charges were initially brought and then dropped, please confirm this if possible.

2. Whether charges were also brought against directors or employees of the organisation(s) under either, health and safety, fire safety or food safety legislation or for common law manslaughter. If charges were initially brought and then dropped, please confirm this if possible.

The table previously provided to you within the published data (<https://www.cps.gov.uk/publication/freedom-information-releases-2019>) shows the charges brought against Directors or employees of the organisations under health and safety (H&S) legislation or for common law manslaughter (GNM).

We do not collate information related to specific fire safety or food safety legislation; in these types of cases any such breaches would be likely to be dealt with under Health and Safety legislation.

3. Confirmation of director disqualifications arising out of those prosecutions

The CPS does not hold this information.

4. Whether those cases involved the HSE or the Local Authority as an enforcement authority.

The CPS does not hold this information.

5. Also, can I assume you'll still be dealing with the manslaughter information request?

In response to point one in the second category of questions you requested **“The number of charges brought for common law manslaughter each year since 2000”** The CPS does hold recorded information relating to the number of relevant charges from financial year 2004-05. This data is shown below and should be read in conjunction with the caveat appended to it*

Year	Number of charges
2004-2005	104
2005-2006	131
2006-2007	120
2007-2008	128
2008-2009	139
2009-2010	106
2010-2011	102
2011-2012	71
2012-2013	121
2013-2014	108
2014-2015	90
2015-2016	104
2016-2017	106
2017-2018	104
2018-2019	132

*This data have been drawn from the CPS's administrative IT system, 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 data relates to the number of offences recorded in magistrates' courts, in which a prosecution commenced. There is no indication of final outcome or if the charged offence was the substantive charge at finalisation. The official statistics relating to crime and policing are

maintained by the Home Office (HO) and the 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).

In order to respond to questions two to eight asked in the category relating to common law manslaughter a manual examination of all cases would be required. As an indication of the work this would involve records indicate that there were a total of 1,666 charges brought for common law manslaughter since financial years 2004-05 to 2018-19.

Section 12(1) of the FOI Act means public authorities are not obliged to comply with a request for information if it estimates the cost of complying would exceed the appropriate limit. The appropriate limit for central government it is set at £600. This represents the estimated cost of one person spending 3.5 working days determining whether the department holds the information, and locating, retrieving and extracting the information.

We believe that the cost of reviewing cases involving 1, 1666 charges as described, would exceed the appropriate limit. Consequently, we are not obliged to comply with your request.

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