

Health and Safety Law Update

The latest industry update from a range of experts,
exploring a variety of key issues and recent developments



Wednesday 24 February 2010
Central London



Chaired by:

BARRY COTTER QC
Old Square Chambers

Speakers:

GERARD FORLIN
2-3 Gray's Inn Square

DAVIE LECKIE
Maclay Murray & Spens LLP

JOHN GOODMAN
Barlow Lyde Gilbert LLP

LUKAS ROOTMAN
Nabarro LLP

HILARY ROSS
Bond Pearce LLP

STEFFAN GROCH
DWF LLP

DANNY MCSHEE
Kennedys

CRAIG BAYLIS
Berwin Leighton Paisner LLP

Hear about the latest legal and regulatory developments in the current litigious environment

- Implications of the corporate manslaughter act for senior managers
- The new approach in sentencing – How much is enough?
- Case law update – The practical impact of recent cases
- Fire safety and health and safety legislation
- Conflicts of interest for lawyers in dealing with the aftermath of an accident
- The Coroner's reforms explained
- Implications for licensed premises

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The latest industry update from a range of experts,
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Why attend this conference?

As health, safety and environment issues take on greater significance in today's litigious society, lawyers, consultants and advisors are coming to appreciate the crucial position that they play in preventing accidents and illnesses and, in many cases, investigating, regulating and litigating these matters before the courts.

Lawyers from a variety of backgrounds including litigation, environmental law, workplace relations and health and safety need to be familiar with all the current issues that they are in the best possible position to advise their clients. HSE managers and representatives need to understand their legal position but also what practical steps to take should an incident occur. Consultants and advisors are being called upon to explain how the legislation works in practice and what preventative steps organisations should be taking.

Attend Butterworths Health and Safety Legal Update to ensure that you have the information and skills to stay ahead of the game.

Don't miss your opportunity to:

- Meet and network with other health & safety specialists
- Question the leading experts on this ever-changing area of law
- Hear about the new approach to sentencing
- Consider the practical application of recent cases
- Under the interaction between fire safety regimes and health & safety
- Clarify the complexities surrounding conflicts of interest for lawyers when dealing with the aftermath of an accident
- Consider why there is a need to reform Coroners

Who should attend

- Health and Safety Lawyers
- Environmental Health Lawyers
- Litigation Lawyers
- Personal Injury Lawyers
- Construction Lawyers
- Barristers specialising in health and safety law
- In-house Counsel
- Health and Safety Advisors and Managers
- Safety Health and Environment Managers
- Company Board Members
- Risk Managers
- Corporate Responsibility Managers
- Facilities Managers
- HR and Personnel Directors

Chaired by:

BARRY COTTER QC is the Head of the Personal Injury Interest Group at Old Square Chambers. Barry is also recognised as a leading expert on product liability and regulatory compliance. He advises and represents clients in serious head and spinal injury cases, and in the defence of HSE and corporate manslaughter prosecutions. He has been involved in numerous high profile public inquiries and inquests. He sits as a Recorder in the Crown and County Court. Barry lectures at client seminars and in-house training workshops.

Hear from delegates at the 2009 Health & Safety Legal Update conference:

"Informative conference with a variety of knowledgeable presenters and subject matter."

(H Smith, Gama Group)

"An exploration of current issues, practices and policies in health and safety and environmental law."

(N Jones, Scott Jones Associates)

"A useful summary of general regulatory issues."

(C Benham, Manchers LLP)

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PROGRAMME – Wednesday 24 February 2010

09:00	Registration and Coffee	13:40	Fire safety and health and safety legislation <ul style="list-style-type: none">• The interaction between fire safety regime and health & safety• 2 differences between the HSWA and the Regulatory Reform (Fire Safety) Order (RRO)• Difficulties with the provisions of the RRO• Overview of enforcement challenges under the RRO• Tips on dealing with fire safety enforcement action HILARY ROSS , <i>Partner</i> , Bond Pearce LLP
09:30	Chair's opening remarks BARRY COTTER QC , <i>Old Square Chambers</i>	14:20	Conflicts of interest for lawyers in dealing with the aftermath of an accident <ul style="list-style-type: none">• Conflicts of interests in corporate manslaughter investigations• The legislation focuses upon senior managers creates more likelihood of more individuals being investigated• Should you act for the company and employees, even if the employees are not themselves being investigated• Tactics to be employed with voluntary employee interviews STEFFAN GROCH , <i>Partner</i> , DWF LLP
09:40	The state of play: an overview of health & safety law for 2010 <ul style="list-style-type: none">• Current legislation• Practical considerations• Sentencing• Other jurisdictions GERARD FORLIN , <i>2-3 Gray's Inn Square</i>	15:20	The Coroner's reforms explained <ul style="list-style-type: none">• The Coroners and Justice Act 2009• s47 and the definition of "interested person"• The new post of Chief Coroner and the right to appeal• When must a jury be summoned? DANNY MCSHEE , Kennedys
10:20	Overview of Corporate Manslaughter and Corporate Homicide Act <ul style="list-style-type: none">• CMCHA - overview• Gross breach, senior management and safety culture• Sentencing• First prosecution• Handling police investigations• Practical tips to ensure compliance DAVIE LECKIE , <i>Partner</i> , Maclay Murray & Spens LLP	16:00	Health & safety and licensed premises <ul style="list-style-type: none">• Licensed premises - EHO involvement• The licensing objectives• Making representations to a licence application• Licence conditions• The Bristol City Council case• Enforcement of conditions CRAIG BAYLIS , <i>Partner</i> , Berwin Leighton Paisner
11:20	The new approach to sentencing – How much is enough? <ul style="list-style-type: none">• Latest trends in sentencing• Likely effect of the new sentencing guidelines• The key principles affecting sentence• How crucial is turnover?• How does culpability relate to size?• What are the key mitigating factors?• Approach to corporate manslaughter sentences• Are public authorities a special case? JOHN GOODMAN , <i>Partner</i> , Barlow Lyde Gilbert LLP	16:40	Final Q&A and chairman's closing remarks
12:00	The practical impact of recent cases <ul style="list-style-type: none">• Improvement and Prohibition Notices - <i>Chilcott</i> case• What did Lord Hope mean in <i>Chargot</i> - <i>EGS</i> case• Prosecution practice and case management - <i>EGS</i> case LUKAS ROOTMAN , <i>Partner</i> , Nabarro LLP	16:50	Close of Conference
12:40	Lunch		

