HEALTH AND SAFETY SENTENCING GUIDELINES – EMERGING TRENDS ONE YEAR ON

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Government Enforcement Alert

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Since the new Health and Safety Sentencing Guidelines (the "**Guidelines**") were implemented in February 2016, a series of headline-making fines have been handed out by the Health and Safety Executive (the "**HSE**").

Balfour Beatty received one of the first major fines under the Guidelines, forfeiting £2.6 million for a failure to risk assess events leading to the death of a sub-contractor in 2010. More recently Merlin Entertainments was fined £5 million for the failure to implement adequate health and safety controls leading to the crash of the Smiler ride at its Alton Towers theme park.

Fines have totalled £20.6 million during the first six months under the Guidelines compared to £14.6 million over the same period in the previous year.

Additionally, the number of individuals prosecuted tripled in 2015/2016 compared with the previous year's total.

With an increasingly active HSE and the courts armed with more powerful sentencing Guidelines, the consequences of health and safety failings are greater than ever, but what trends have we seen since they came into force?

Click here to read the full alert.

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