

# Dead wrong

**The government promised to bring the corporate safety criminals to justice. It promised a corporate killing law. It promised a safety bill. We are still waiting. Why are Britain's companies and their directors still getting away with murder?**

**A** campaign launched in January by the Trades Union Congress and the Centre for Corporate Accountability is pressing for new safety and corporate killing laws.

The move comes after latest official statistics showed a 32 per cent increase in workplace fatalities.

The figures show that 438 people who were killed in work-related activities in the year ending March 2001; 291 died at work, the 147 other deaths involved members of the public.

But these figures tell only part of the story. According to a new TUC/CCA campaign guide: "Each year, the total number of work-related deaths is likely to be over 1,500, and the number of people who die as a result of work-related illnesses such as asbestos-related disease is likely to be over 10,000." Tens of thousands more are seriously injured at work.

TUC/CCA adds that whilst the true number of work-related deaths and injuries is unclear, "one thing is certain. This toll of death and injury must stop. Everyone has the right to life and the right to work in a safe environment."

TUC general secretary John Monks told *Hazards*:

"A strong framework of laws is the hallmark of a civilised society, and nowhere more than in health and safety.

"Two hundred years after the first health and safety law was introduced in Britain, we need those laws more than ever to protect the vulnerable and prevent cowboys from dragging health and safety standards down to the lowest or cheapest level.

"It is time for the government to take action that will improve workplace health and safety, increase law enforcement and promote corporate accountability."

The government has promised on many occasions to introduce both corporate killing and new safety laws (*Hazards* 71). It just hasn't yet found the time.

It has however found time to introduce many new laws including The Country and Rights of Way Act 2000, which allows for jail sentences of up to two years for wildlife crime.

And courts can already impose custodial sentences for breaches of food safety and environmental laws.

But TUC/CCA say even on the rare occasions when company directors are convicted under health and safety law, the courts do not have the power to sentence them to imprisonment, however serious the offences

may be (*Hazards* 65).

Many of the TUC/CCA demands have broad-based support. "The British Safety Council, famed for its black tie dinners and its 'Sword of Honour' safety awards to its corporate pals, has become a vocal supporter of a corporate killing law," reports the new year 2002 edition of *Building Worker*, the magazine of construction union UCATT.

It adds that in November the Industrial Society, solid, respectable and business friendly, said the "rise in workplace deaths could be blamed squarely on 'corporate complacency' with too many companies operating under the 'fine words in filing cabinets' syndrome. It called for the introduction of corporate killing legislation 'without delay' and for 'directors to really make health and safety a board-room issue.'"

David Bergman, director of the Centre for Corporate Accountability, told *Hazards*:

"There is no point in having health and safety laws unless they are enforced. And worker and public safety requires that companies and directors are held to account when their negligent or reckless conduct endangers workers or causes death or major injury."

The campaign maintains that only significant reforms in law and policy will "ensure that dangerous companies are made safe and that those companies and directors who negligently or recklessly cause death,

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injury or disease or who place others at unacceptable risks are held to account."

According to TUC's John Monks: "Health and safety is a mix of advice and enforcement. Unions and employers working in partnership can do so much better than the law lays down, but we don't want anyone to get away with less, because that means more injuries, more illness, and more lost opportunities for families and the economy.

"Deaths at work are always an emotive subject and no employer wants to be tarred with the brush of criminality - but enforcement can't be designed only with good, honest employers trying to do their best in mind - it needs to catch the cowboys, the conniving and the criminal.

"Working people want justice and protection, and unions want a Safety Bill that will deliver both, as soon as possible."

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*HSC Health and Safety Statistics 2000/01* is available from HSE Books (see page 21) or free on the HSE website: [www.hse.gov.uk/statistics/hss0001.pdf](http://www.hse.gov.uk/statistics/hss0001.pdf)

The Centre for Corporate Accountability Workplace Death Advice Service Tel: 020 7940 4494. [info@corporateaccountability.org](mailto:info@corporateaccountability.org), [www.corporateaccountability.org](http://www.corporateaccountability.org) TUC, Congress House, Great Russell Street, London WC1B 3LS, tel: 020 7636 4030, fax: 020 7636 0632. [www.tuc.org.uk/h\\_and\\_s](http://www.tuc.org.uk/h_and_s)

## Write, right?

TUC and CCA are asking you to write to **Stephen Byers**, Secretary of State at the Department for Transport, Local Government and the Regions, at Eland House, Bressenden Place, London SW1E 5DU and to **David Blunkett**, Home Secretary at the Home Office, 50 Queen Anne's Gate, London SW1H 9AT in support of the TUC/CCA safety crimes campaign priorities.