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Health and Safety

CMS Newsletter

May 2014

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Foreword

CMS Cameron McKenna LLP is recognised as a leading firm in the area of Health and Safety. We provide specialist advice on regulatory compliance, prosecutions, investigations and corporate governance.

Emergency Response Service

The steps a company takes immediately following an incident can be pivotal and can significantly increase or decrease the likelihood of a subsequent conviction. Health and Safety Inspectors have substantial powers to enter and examine premises, remove articles and demand documents necessary for them to carry out their investigations. Immediate, on the spot advice and support can therefore prove to be invaluable in the event of an emergency.

Our dedicated team is on call 24 hours a day to provide assistance and respond to incidents on site. Our lawyers are qualified to practice in England, Wales and Scotland; but we also regularly advise clients in relation to health and safety matters in other jurisdictions and can draw on the expertise of our CMS network of European offices.

We are available for health & safety emergencies and advice; along with any other related urgent matters. In the event of an emergency the team will ensure a swift and efficient response to client queries, irrespective of the time of day or day of the week.

If your company has a health and safety emergency, you can contact us on:

Emergency Response Hotline: 0333 20 21 010 (available 24 hours a day, 7 days a week)

London: 020 7367 3000

Edinburgh: 0131 228 8000

Aberdeen: 01224 622 002

Out of hours: 07811 362 201 (Ask for Jan Burgess)

Kelvin TOP-SET

A number of our team are qualified as approved Senior Investigators under the Kelvin TOP-SET incident investigation system. They are also able to assist in conducting an incident investigation itself, in order to ascertain the 'root cause' of an incident with a view to future preventative measures and improvements to health, safety and welfare.

Offshore Environmental Issues

Our team has considerable experience in advising in relation to offshore oil & gas issues – ranging from defending prosecutions by DECC to appealing enforcement notices – along with general advice in drafting of OPEPs and complying with the extensive range of offshore environmental regulation.

News

HSE open consultation on proposed replacement of CDM regulations

The HSE began a 10 week period of consultation on 31 March regarding their proposals to replace the Construction (Design and Management) Regulations 2007 (CDM 2007). The regulations currently establish a foundation for managing health and safety in construction projects from the design stage onwards and provide minimum health, safety and welfare standards during construction. Under the proposal these would be replaced by a new set of regulations which are intended to be far easier to understand and comply with but retain vital safety protection.

The proposals are the result of the Construction Industry Advisory Committee (CONIAC) working alongside the HSE for two years. Heather Bryant, HSE Construction Chief Inspector, stated "The proposed changes are aimed at ensuring more people come home safe and well from their work and making the law simpler and clearer for employers to understand, particularly small businesses."

The most significant changes included in the proposals are:

- The CDM co-ordinator role being replaced by a principal designer role within the project team;
- Removal of explicit competence requirements and replacing with a specific requirement for appropriate skills;
- Application of the Regulations to domestic clients in a proportionate way
- Approved Code of Practice (ACoP) being replaced by tailored guidance.

The consultation period closes on 6 June 2014.

HSE ACOP consultations continue

We reported above on the HSE consultation on changes to the CDM Regulations. In the meantime the HSE continues with their consultation agenda, which includes the revision of the Approved Codes of Practice (ACOP) on the Provision and Use of Work Equipment Regulations 1998 (PUWER) (L22); Safe Use of Power Presses (L112) and Safe Use of Woodworking Equipment (L114).

The Löfstedt review recommended that the Health and Safety Executive ("HSE") should review all of the ACOPs, and an initial consultation for the review of 30 ACOPs was undertaken in 2012.

More than 92% of respondents to the Löfstedt consultation agreed the ACOPs relating to the Provision and Use of Work Equipment Regulations (PUWER) - Provision and Use of Work Equipment (L22), Safe Use of Power Presses (L112), and Safe Use of Woodworking Equipment (L114) – needed to be revised and updated. This led to the HSE launching a consultation on the L22, L112 and L114 on 31 March 2014.

The HSE have stated that the ACOPs have been revised with a "light touch" and most of the changes are simply removing outdated material, and where appropriate, simplifying the content.

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One of the suggestions made in the 2012 consultation was that the three ACOPs could be combined into one single document, however the HSE have decided that a single document would be “long and unwieldy”. The 2012 consultation also highlighted that L114 dealt with safety, but not health, despite dust being produced in woodwork being a significant health risk. The revised version of L114 deals with health issues arising from woodworking machinery.

The consultation period closed on 25 May 2014.

New appointments at HSE

The Health and Safety Executive have announced two new senior appointments into key positions. Susan Mackenzie, the current head of the HSE’s Energy Division has been promoted to become the HSE’s director of Hazardous Installations Directorate (HID). HID oversees the regulation of major hazard industries, where failures in risk management can cause catastrophe to both workers and the public.

David Snowball, current regional director for Scotland and Northern Ireland, has been appointed Director of Field Operations (FOD). FOD regulates a wide range of sectors, including construction, agriculture, general manufacturing, engineering, food and drink, quarries, entertainment, education, health services, local and central government and domestic gas safety.

New guidance for the docks industry

A new Approved Code of Practice and corresponding guidance has been produced by the Health and Safety Executive for the docks industry. The ‘Safety in Docks: Approved Code of Practice and guidance – L148’ (“ACoP”) replaces the Approved Code of Practice (COP25), which has been withdrawn as part of the revocation of the Docs Regulations 1988.

The new ACoP aims to be more concise in an attempt to make it easier for dutyholders to comply with the Health and Safety at Work etc. Act 1971, and other relevant legislation, and also applies to activities occurring in both large and small docks.

Supplementary guidance prepared by Port Skills & Safety with assistance from Unite, is also available at the following location:

<http://www.hse.gov.uk/pubns/books/l148.htm>

Cases/Incidents

Salvage firm prosecuted after half tonne car drops on mechanic

North End Salvage Services Limited, a company based in Stalybridge, has been fined following a HSE investigation after a man was seriously injured when a car fell onto him from a forklift truck in September 2012. The man suffered extensive injuries including broken bones in his back, a fractured pelvis and a collapsed lung.

The HSE investigation found the company had failed to carry out annual servicing of the forklift, and it had numerous faults. The investigation determined the forklift was not safe to use, and that the injured man had been allowed to climb underneath a car while it was being lifted by the forklift to drain the fuel tank.

North End Salvage Services Limited was fined £5,000 and ordered to pay £6,000 in costs, following a guilty plea to breaches of the Health and Safety at Work Act 1974, Provision and Use of Work Equipment Regulations 1998 and the Lifting Operations and Lifting Equipment Regulations 1998.

Further information on preventing injuries caused by workplace vehicles is available at the HSE website: www.hse.gov.uk/workplacetransport

Firm fined after worker killed by concrete beam

Bouygues UK Ltd, the principal contractor for a hospital construction project in Essex, has been fined £175,000 and ordered to pay £80,000 in costs after a worker was killed by a concrete beam.

The man was working as a banksman, and was fixing beams across supporting towers to form part of the new concrete structure of the building. These beams were lifted from ground level by tower crane with the man climbing the supporting towers to unhook the lifting chains from the seven metre long beams.

The man was crushed to death between the beam and an adjacent tower when wind speeds reached unsafe levels and the cranes slew brakes slipped, causing the crane to swing the beam around.

The HSE investigation found that wind speeds had reached in excess of 72km/h, with each crane at the site being fitted with a wind speed sensor – an amber warning is issued at 50km/h and a red warning at 72km/h wind speed. A computer in the site office was linked to the sensors, however these were not being monitored at the time of the incident and the crane operators were responsible for their own wind speed displays.

The HSE found that there was inadequate planning and supervision of the lifting activities and, had one been in place, the deteriorating weather conditions would have been considered and the crane operation postponed.

The company pled guilty to breaching Regulation 8 of the Lifting Operations and Lifting Equipment Regulations.

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Sixth Corporate Manslaughter Conviction

A cleaning company has been found guilty of corporate manslaughter following the death of a worker in March 2012.

The man died when he was crushed by a road sweeper, whilst carrying out repairs to the machine. It is said that he was not trained in mechanics, there was no protection available and the light on site was poor. A joint police and HSE investigation was carried out following the incident highlighting extensive failings on the part of the company.

The company, Mobile Sweepers (Reading) Ltd pled guilty to a charge under section 1 of the Corporate Manslaughter and Corporate Homicide Act 2007 and the company director admitted failing to discharge duties under the Health and Safety at Work Act 1974. The company director was fined £183,000 and the company was fined £8,000 and ordered to pay £4000 costs. It has been reported that payment is to be made within 12 months, failing which a three year custodial sentence will be imposed.

The company director has also been disqualified from being a company director for five years. This followed evidence heard by the judge, that the director had started an almost identical company when the original company ceased trading on the day of the accident. Further, a publicity order was also imposed on the company. Notices worded by the judge are to be placed in various local newspapers.

The judge further commented that had the company been a larger corporation, the fine imposed would have been closer to £1 million.

Building contractors expose workers to asbestos dust

A building contractor based in Bath has exposed two workers to asbestos dust while carrying out work on a residential property. Geoff Thomas and Son Ltd pled guilty to two breaches of the Control of Asbestos Regulations 2012 and were fined a total of £5,000 and ordered to pay costs of £637.

The company had been contracted to replace the basement ceiling of the building, and allowed the two workers to demolish the basement with hand tools without performing adequate checks for the presence of asbestos. When the possibility of asbestos in the roof was detected by the company, the workers were sent on other jobs without decontaminating their clothes or tools.

Regulation 5 of the Control of Asbestos Regulations 2012 states: "An employer must not undertake work in demolition, maintenance or any other work which exposes or is liable to expose employees of that employer to asbestos in respect of any premises unless that employer has carried out a suitable and sufficient assessment as to whether asbestos, what type of asbestos, contained in what material and in what condition is present or is liable to be present in those premises; or if there is doubt as to whether asbestos is present in those premises, that employer assumes that asbestos is present, and that it is not chrysotile alone, and observes the applicable provisions of these Regulations."

The HSE investigation found the company had failed to perform sufficient assessment for the presence, and failed to prevent the spread of, asbestos.

A demolition firm based in Aberdeen has pled guilty to breaching Regulation 29 of The Construction (Design and Management) Regulations 2007, after a worker was severely injured by falling cast iron guttering. The man suffered a broken right arm, seven ribs and one vertebrae – his lung was also punctured.

The HSE investigation found Lawrie (Demolition) Limited did not have in place a suitable procedure to identify hazards that might arise as the demolition works progressed, nor did they adequately plan and implement exclusion zones in locations whereby materials could fall.

More information about safe construction work can be found at: <http://www.hse.gov.uk/construction/>

An animal disease research facility has been prosecuted by the Health and Safety Executive for breaching the Specified Animal Pathogens Order (SAPO) 2008, the first time the legislation has been used.

Two incidents occurred in November 2012 and January 2013 at the Pilbright Institute in Surrey, within a contained facility housing animals infected with FMD. The two incidents occurred when a ventilation system, which was designed to create a 'negative pressure', was operated in a

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different manner to usual. The usual practice for such a facility involves maintaining differential negative pressures, allowing air containing FMD to be drawn from 'clean' areas into 'dirty' ones, before being filter-cleaned – this would prevent FMD escaping from the facility into the air.

Any changes to the way such a facility operates must be agreed in advance with both the HSE and the Department for Environment, Food & Rural Affairs ("DEFRA"). In these two incidents, this did not take place, and as a result, the protective measures were compromised and the negative air pressure was compromised. In November 2012, there was no effective alarm system in place to warn staff of the loss of negative air pressure, and this incident only came to light after investigation into the January 2013 incident.

There was no evidence FMD was released into the outside environment, however due to the shortcomings in control and non-compliance, the nature of the facility and the highly contagious nature of FMD, the decision was taken to prosecute.

The facility was fined a total of £22,350 and ordered to pay £50,000 in costs after pleading guilty to 8 breaches of the 2008 Order, including breaches of the licence granted under the Order.



Focus on: North Sea Helicopter Accident FAI

The findings of the Fatal Accident Inquiry into a 2009 helicopter crash in the North Sea were announced on 13 March 2014, following a six week inquiry in January, heard in Aberdeen.

On 1 April 2009, the Super Puma helicopter AS332 L2 G-REDL crashed into the North Sea while returning to Aberdeen from the BP Miller platform, causing the deaths of all 16 men on board. Prior to the accident the helicopter flew from Aberdeen to the Miller Platform. Most passengers described the flight as normal however a few thought they heard a strange noise 5-10 minutes before landing but did not consider it sufficiently abnormal to report it.

In March 2013, Crown Counsel took the decision that criminal proceedings would not take place due to insufficient evidence. The Crown Office have clarified that the evidence presented during the Fatal Accident Inquiry has not altered the insufficiency of evidence and so this decision remains the correct one. This decision has been criticised by the families of the deceased who have called for a public inquiry into the findings of the Fatal Accident Inquiry.

In October 2011, the Department of Transport's Air Accident Investigation Branch (AAIB) published an extensive report into the accident following a thorough investigation with assistance from the European Aviation Safety Agency (EASA) and the UK Civil Aviation Authority (CAA). The catastrophic failure of the Main Rotor Gearbox following fatigue fracture of a second stage planet gear in the epicyclic module was found to be the causal factor. In addition three additional contributory factors were identified:

1. Upon the discovery of a magnetic particle on the epicyclic module chip detector on 25 March 2009, 36 flying hours prior to the accident, the particle was not recognised as an indication of degradation of the second stage planet gear, which subsequently failed.
2. After 25 March 2009, the existing detection methods did not provide any further indication of the degradation of the second stage planet gear.
3. The ring of magnets installed on the AS332 L2 and EC225 main rotor gearboxes reduced the probability of detecting released debris from the epicyclic module.

On the basis that no party to the Inquiry questioned the technical data within that report, the Inquiry was limited to two key questions: (1) why did the accident happen; and (2) what has been done and, if appropriate, what more can be done to avoid such an accident happening again? Having heard all the evidence, Sheriff Principal Derek Pyle, presiding over the Inquiry concluded that on the balance of probabilities the spalling in the gearbox was the probable cause of the accident.

Bond Offshore Helicopters Ltd, owners of the helicopter, admitted to three maintenance and inspection failures prior to the crash:

1. Failure to follow the maintenance manual procedure upon discovery of a metal particle on the helicopter's epicyclic chip detector.
2. Failure to ensure communications with the manufacturer were carried out in a manner complying with protocol, causing a misunderstanding between the parties.
3. Failure to identify the nature and substance of the metal particle on 25 March 2009 which may have prevented the failure to follow the maintenance manual.

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The Sheriff Principal concluded that though it had not been proved that the accident would not have occurred in absence of one or more of these failures, it remained a possibility that it “might have been avoided.”

The following recommendations were also made:

- The European Aviation Safety Agency’s proposals to improve the ability to avoid catastrophic failures of primary structures should be introduced as soon as possible.
- Alternative methods of oil analysis of Super Puma helicopters should be considered.
- Research and development into reducing the risk of spalling in helicopter gearboxes should be considered.



Focus on: 'Too Wide for Windows'; Implications of CAA Helicopter Recommendations

The UK's offshore environment can be exceptionally demanding, perhaps nowhere more so than in relation to helicopter traffic. There are more than 25,000 people working offshore and over a million passengers flying by helicopter in the North Sea in any given year.

Between 1976 and 2013, the UK alone experienced 73 offshore helicopter accidents, with 13 associated fatalities. In the past four years alone, there have been five accidents involving helicopter operations, two of which resulted in fatalities.

Aberdeen, as the 'oil capital of Europe', is regrettably familiar with these kind of incidents, including the recent 'Super Puma' tragedy on the 23rd of August 2013 in which a helicopter crashed off the coast of Shetland with the loss of 4 lives. As a result of this incident, the Civil Aviation Authority (the regulator of the UK's aviation industry) announced a review, known as CAP 1145, which was published on the 20th of February 2014.

The recommendations from June 2014

The report made several recommendations:

- From June 2014 helicopter operations will be limited when sea conditions at the helicopter's destination reach 'sea state 6' – a wave height of 4-6 metres.
- From September 2014 passengers will only be able to fly if they are seated adjacent to an emergency exit. This was originally scheduled for June 2014, but has been delayed following consultation with the industry.
- From September 2014 helicopters will be limited from flying where sea states exceed the helicopter's certified ditching limits.
- From January 2015, all passengers must have improved Emergency Breathing Systems (EBS). This was originally scheduled for April 2016, but has been brought forward by the CAA.
- From April 2015 helicopters may not carry passengers whose size, including the relevant survival equipment, is too large in comparison with the size of the push-out window emergency exit.

The implications

These measures will effectively reduce the seating capacity of some types of helicopter by around 40%. Less capacity may necessitate businesses operating offshore chartering more flights. If there are more flights on one of the riskiest areas of the offshore process, we wonder whether actually reducing the number of passengers travelling could increase risk. The oil and gas industry already suffers a high amount of 'no fly' days and this will only increase with the introduction of these rules, especially in winter, resulting in potential operational, cost and workforce implications.

It is not too farfetched to believe some fields may even be decommissioned earlier than they would have otherwise, as they will be simply uneconomical to operate given an increase in transportation costs.

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Notably the restrictions on the number of passengers per aircraft (due to the requirement to sit next to an emergency exit) can be avoided, provided all passengers are issued with new emergency breathing apparatus and the aircraft is fitted with Emergency Floatation Devices ("EFDs"), which allow it to float on its side in the event of a ditching. At present, most offshore aircraft are fitted with EFDs, however fitting EFDs which allow a helicopter to float on its side poses additional challenges – the technology is still at the development stage and it could take months, or even years until this technology is implemented.

On the employment aspects of these changes, many companies operate a "2/3" rota system but given that aircraft are already at a premium, this restriction in combination with the prohibition on flying in 'bad' weather conditions could lead to longer rotations being proposed for offshore workers (or at least, equal time rotas).

Furthermore, there are around 25,000 offshore workers in the industry – even if companies do purchase equipment for every person (which would be an expensive exercise), it would take a huge amount of time to train 25,000 people to operate the equipment safely and effectively.

If employees, from April 2015, are too big to fly, employers will of course have to act in accordance with employment laws. Clearly the employee will be unable to carry out his substantive role whilst he is oversized as he will be prevented from flying offshore.

Having been kept off the platform, employers will be expected to work with those employees to reduce their size, with a view to reducing to an appropriate level. However this potentially results in financial loss for the employee whilst the process is ongoing and productivity loss for the employer.

Ultimately if such reduction is not possible or forthcoming, employers will be required to look into alternative roles, either offshore but not involving helicopter flights, and/or onshore roles (at the appropriate salary and benefits attached to that role). These can be offered to the employee but whilst he will be under no obligation to accept a different role from that he was employed in the consequences of not being able to do his offshore role, coupled with a refusal to do an alternative may, in the end, lead an employer to have to make a tough decision regarding the future employability of that individual.

In all these areas, the best thing that employers can be doing at this stage is to prepare. Employers should review the logistics provision, what they intend to do with regard to re-breather equipment, examine training on that equipment, consider rota systems and start having what will inevitably be, difficult conversations with their workforce.

Oil and Gas News

Updated blowout preventer guidelines promote industry best practice

Oil and Gas UK have released the second issue of the Blowout Preventer ("BOP") guidelines for offshore wells within the UKCS in an attempt to improve cross-industry understanding of well-related issues.

Issue one included guidance for operators, drilling and well service companies for operating sub-sea BOPs. Issue two also includes guidance for offshore surface BOPs.

Oonagh Werngren, Oil & Gas UK's operations director, said: "The publication of this document is an excellent example of what can be achieved through collaborative work across the industry. It demonstrates the commitment of Well Life Cycle Practices Forum ("WLCPF") members, together with the Department of Energy and Climate Change to continually reviewing and improving safety and performance in all aspects of well practices."

WLCPF is a permanent body co-ordinated by Oil and Gas UK, which emerged as the UK's response to the Deepwater Horizon incident. WLCPF will outline the evolution of well practices and highlight the latest updates on both BOP and well integrity guidelines at the Oil and Gas Industry conference on June 11 and 12 at Aberdeen's Exhibition and Conference Centre.

Control of Major Accident Hazards Regulations 2015

The Health and Safety Executive have opened a consultation on the draft Control of Major Accident Hazard Regulations 2015 ("COMAH Regulations").

The proposed new COMAH Regulations would replace the existing 1999 COMAH Regulations from 1 June 2015 – the date by which the Council Directive 2012/18/EU ("Seveso III Directive") must be implemented within the UK. The COMAH Regulations aim to ensure risks are managed and controlled in a safe and sustainable manner.

The COMAH Regulations cover a variety of industrial facilities which may pose major risks to their workers, the environment or to neighbouring facilities due to a) the nature; and b) the quantity of substances present at the facility. Examples of facilities include water treatment facilities and oil and gas refining and storage facilities.

The proposed COMAH Regulations would implement the Seveso III Directive completely (except the Land Planning aspects). One of the more significant changes involves a move from the Chemicals (Hazard Information and Packaging Supply) system currently in place, to the new UN Classification, Labelling and Packaging (CLP) regime. Further, all sites to which the COMAH Regulations apply must make certain information about their sites and hazards permanently and electronically available to the public.

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The consultation opened on 2 May 2014 and will run until 27 June 2014. Those interested in responding should do so to the below address:

Karen Tollet

Health and Safety Executive
552
Redgrave Court
Merton Road
Bootle
L20 7HS

The Wood Review: Maximising recovery in the UKCS

On 10 June 2013 Edward Davey MP, Secretary of State for Energy and Climate Change, announced a review of UK offshore oil and gas recovery and its regulation, led by Sir Ian Wood. The final report was published on 24 February 2014, making several core recommendations to maximise recovery of hydrocarbons within the UKCS, including:

- A new shared strategy for “maximising economic recovery (of oil and gas) for the UK”, with commitment from the government (HM Treasury and a new Regulator) and the oil and gas industry;
- The creation of a new arm’s length regulatory body to oversee and develop this programme of change and growth; and
- A greater collaboration and commitments by industry in areas such as development of regional hubs, sharing of infrastructure and reducing the complexity and delays in current legal and commercial processes.

Sir Ian Wood believes that if these recommendations are implemented, an additional £200bn could be generated for the UK economy over the next 20 years, stemming from an additional 3-4 billion barrels of oil and gas recovered from the UKCS.

Since oil and gas was first discovered in the North Sea, 42billion barrels have been recovered. But, while the short-term prospects are good, with investment at record levels, the UK Continental Shelf faces unprecedented challenges. Tax revenues from oil and gas in 2012-13 were £4.7bn lower than the year before – a drop of more than 40%, according to the UK Government

Health and Safety - what we do

CMS Cameron McKenna is recognised as a leading firm in the area of Health and Safety. We provide specialist advice on regulatory compliance, prosecutions, investigations and corporate governance. We have specialised knowledge of the offshore and energy sector in particular, which faces greater challenges and regulation than most. However, our client base and expertise spans a broad range of sectors, including:

- Construction
- Health and Healthcare
- Energy
- Global Health and Safety Advice
- Hotel and Leisure
- Manufacturing
- Renewables
- Transport

Regrettably, accidents at work can be serious and sometimes result in fatalities. Our clients appreciate the high level of attention and support we are able to offer during what can be a difficult time for any organisation. We are able to provide assistance with every aspect of incident response, including incident investigations, dealing with witnesses, defending prosecutions and advising senior management on relations with the Health & Safety Executive.

Emergency Response Team

Our specialist team is on call to provide assistance and respond to incidents 24 hours a day, every day of the year. Our team is qualified to practise in England, Wales and Scotland but also regularly advises clients in relation to international working practices and health & safety matters in other jurisdictions.

Our clients come to us for advice on:

- Emergency Response
- Health and Safety prosecutions
- Crisis Management
- Accident Inquiries
- Formal interviews and investigations undertaken by inspectors
- Corporate Manslaughter investigations
- Inquests and Fatal Accident Inquiries
- Appeals against Improvement and Enforcement Notices
- Compliance with UK and European regulatory requirements
- Drafting corporate Health and Safety policies and contract documentation
- Safety aspects of projects and property management

- Due diligence in corporate acquisitions/disposals
- Directors' and officers' personal liabilities
- Management training Courses
- Personal injury defence
- Risk management and training

Recent Experience

- Defending Health and Safety prosecutions of client companies.
- Appealing other types of enforcement action against companies (e.g. Prohibition Notices).
- Conducting numerous Coroners' Inquests and Fatal Accident Inquiries - including some of the most high-profile and complex Inquiries to have taken place in relation to offshore incidents.
- Obtaining the first ever award of expenses against the Crown in favour of a client company following a Fatal Accident Inquiry.
- Taking Appeals to the High Court of Justiciary.
- Taking Appeals on human rights issues to the Privy Council.
- Defending Judicial Reviews.
- Advising on forthcoming Health & Safety legislation.
- Assisting clients in consultations with the Health and Safety Executive and other regulatory bodies, including the Department for Energy and Climate Change.
- Advising clients in relation to Safety Cases, Corporate Governance issues and Directors' duties and liabilities.
- Undertaking transactional due diligence in relation to Health and Safety matters.
- Carrying out Health and Safety audits.
- Advising clients on incident investigation, legal privilege and dealing with HSE inspectors.
- Preparing and drafting incident investigation reports.
- Advising clients on media, public relations and reputational issues following incidents.
- Advising clients in the immediate aftermath of an incident and providing emergency response services.
- Advising clients in relation to protestor action and possible responses thereto.
- Successfully defending environmental prosecution.

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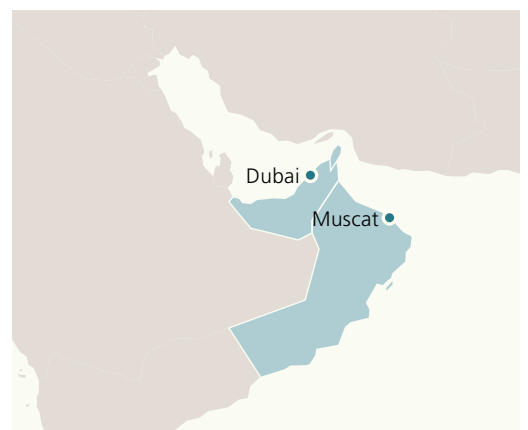
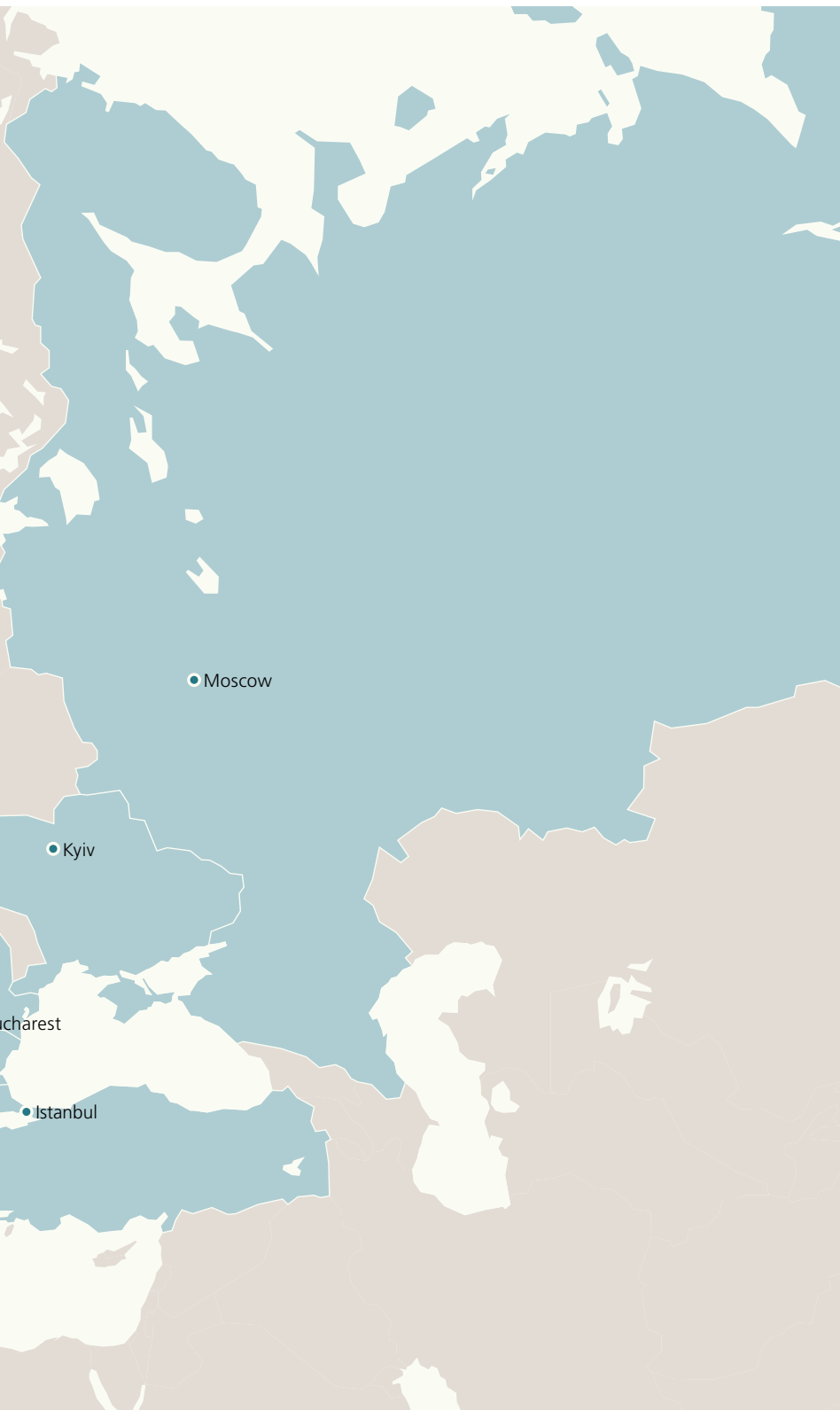
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