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## **UNNOTICED HEALTH AND SAFETY RULES CARRY DRACONIAN PENALTIES**

John French, Solicitor in our Litigation Department has highlighted an important new piece of legislation that will affect every business, but that has largely missed the media spotlight thanks to the current preoccupation with the economy.

John says “This is the Health & Safety (Offences) Act 2008, which has been in effect since last January.

“There are two aspects that I would call ‘headline news’. First, it increases upper limits on fines for most health and safety offences in the Magistrate’s Court from £5,000 to £20,000. Second, it introduces the possibility of two years’ imprisonment for employees who commit or contribute to the most serious health and safety offences, while lesser infringements can be punished by up to 12 months in prison. This can affect anyone in a business, from the Board to the shop floor, and marks a new departure that makes prison a potential sanction for offences that used to be punishable by a fine.”

John continues “I believe that one result of these new more stringent penalties will be that organisations like the Police and the Health and Safety Executive (HSE) will carry out deeper investigations into serious breaches of health and safety rules. “People and businesses under investigation can expect greater intrusion into their affairs”. “This makes it even more important that all businesses and employees fully understand their responsibilities and abide by the rules.

“Anyone looking for advice on how the Act will affect their business and employees is very welcome to contact us on our Departmental Direct Line 024 7649 3114 and ask to speak initially to Keri Tucker.