



Defending Criminal Regulatory Prosecutions

The Hyatt Hotel, Birmingham

30th June 2006



9.30am: COFFEE AND REGISTRATION

10.00am: INTRODUCTION
Michael Spencer QC

10.15am: INQUESTS
Andrew O'Connor will discuss the recent developments in law and procedure relating to inquests.

10.45am: DEFENDING REGULATORY PROSECUTIONS – THE CONCEPTS OF REASONABLE PRACTICABILITY AND DUE DILIGENCE
These two concepts are paramount to the defence of most regulatory prosecutions and yet they remain the subject of continued debate as to their status in light of divergent approaches being taken by the courts, stretching across criminal and civil law, and also the impact of European legislation. Simon examines both in the context of recent developments in the Court of Appeal and a new approach being advanced by regulatory enforcement agencies.

11.25AM: BREAK

11.45am: CORPORATE KILLING
John will examine the common law background to the offence of corporate manslaughter and consider the Government's proposals to change the law and introduce a statutory offence of corporate killing.

12.25pm: DETERMINING THE BASIS OF PLEA: PRACTICE & PROCEDURE
The majority of health & safety prosecutions end in a guilty plea. In this talk, John Williams examines the steps that need to be taken to agree a basis of plea; how to respond to the Prosecution's Friskies Schedule and the procedure where a Newton hearing is necessary before sentence is passed.

12.55pm: QUESTIONS TO THE PANEL FOLLOWED BY LUNCH