



## Defending Criminal Regulatory Prosecutions

Royal College of Surgeons, London

31<sup>st</sup> January 2007



**9.30: COFFEE AND REGISTRATION**

**10.00: INTRODUCTION**  
Michael Spencer QC

**10.15: INQUESTS**  
Dominic Kay will discuss the recent developments in law and procedure relating to inquests.

**10.45: 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 Antrobus examines both in the context of recent developments in the Court of Appeal and a new approach being advanced by regulatory enforcement agencies.

**11.25: BREAK**

**11.45: CORPORATE KILLING**  
John Cooper 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.

**12.25: 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 try 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.

**12.55: QUESTIONS TO THE PANEL FOLLOWED BY LUNCH**

**Accredited for 2.5 hours CPD**