

The sentencing guidelines have elevated penalties for OSH regulatory breaches and corporate manslaughter offences. On 1st February 2016 new sentencing guidelines issued by the Sentencing Council will become effective in all Courts. The implications are far reaching for offenders (organisations and individuals) prosecuted for breaches of health and safety law.

- Fines will range from £50 up to £10,000,000 and will be proportionate to the means of the offender.
- There are two major factors that Courts will consider – Harm and Culpability
- Harm – The balance of likelihood and severity (Death = Category 1).
- Culpability – Very High = deliberate breach OR flagrant disregard

Since their introduction on 1 February this year, there have been as many £1m-plus penalties as there were in the previous 20 years.

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