

HEALTH AND SAFETY LAW TEAM

The Health and Safety team at Shook Hardy & Bacon International LLP has wide experience in the health and safety arena.

The team represents clients across a broad spectrum of industries including manufacturing, engineering, construction, transport, oil and gas, telecommunications, consumer products, leisure, retail and public sector.

We work in partnership with our clients to implement and update health and safety policies, strategies and procedures and to address all aspects of health and safety compliance at a national and European level.

The team can provide immediate and practical support when health and safety incidents occur. We are experienced in crisis management, assisting with internal and external health and safety investigations, working with the HSE, the Police and Coroners, advising as to interviews under caution, attending inquests and representing clients at both Magistrate and Crown Court level.

We recognise the importance of effective and sensitive management of the issues often surrounding health and safety incidents including directors' and officers' personal liabilities, employee and family liaison, media interest and management of fatal accident and personal injury claims.

There are a number of distinctive features in the way we conduct our health and safety practice which has helped us to maintain our leading reputation:

- Our case load regularly spans diverse sectors. We pride ourselves on understanding our clients' businesses and understanding what is important to them. We strive to apply our specialist skills to our clients' specific needs.
- We are not just specialists in litigation defence – we are also experts in UK and European health and safety regulations. We help our clients to create compliance strategies and help them understand the business implications of emerging legislation, litigation and prosecution trends.
- We retain a number of highly trained analysts and our own medico-legal consultant who are able to research technical and scientific issues, and provide input and guidance on the defence of claims.
- We have gained a profile as leading commentators through contributions to various well-known health and safety publications over many years, speaking at events for IOSH, RoSPA and other organisations and have an active involvement with major bodies such as the Confederation of British Industry.

High profile cases the team has worked on include both the Southall and Ladbroke Grove rail accident public inquiries, the BSE Inquiry, the Organophosphate chemicals group litigation, the South Kensington legionnaires disease cases, a major release from a chemical plant, a wide spectrum of workplace injuries and fatalities and several corporate manslaughter police investigations.

Investigations and Enforcement Action

We are experienced in handling Police, HSE, Fire Service and other Local Authority investigations and enforcement action, and we can assist with:

- Internal accident investigations
- Formal interviews and investigations undertaken by police and inspectors
- Defending health and safety prosecutions
- Corporate manslaughter investigations
- Inquests and fatal accident inquiries
- Responding to Improvement and Prohibition Notices

Our team has particular experience in the area of fatal accidents and our experience includes:

- Gathering contemporaneous evidence
- Assisting with documentary disclosure and admissibility of evidence
- Working with experts to assist with technical issues
- Providing witness familiarisation sessions for employees
- Representation at inquests
- Sensitive handling of family and colleagues
- Dealing with the press

Defendant Personal Injury

We also act regularly for companies, public bodies and their insurers defending employers' liability, public liability and product liability claims involving health and safety issues.

We recognise the important inter-relationship between criminal investigations and civil cases and work with all parties to ensure effective coordination and case management strategies.

Employment Issues

Employment issues often arise out of workplace injuries. We can assist with:

- disciplinary procedures
- payment of benefits
- rehabilitation
- long term absence

Specialist Advice

Examples of specialist areas of advice include:

- Compliance with UK and European regulatory requirements
- Drafting corporate safety policies and contract documentation
- Safety aspects of projects and property management
- Due diligence in acquisitions
- Directors' and officers' personal liabilities

Risk Management And Training

Our services include:

- Advice on corporate governance
- Legal compliance audits
- Crisis handling
- Accredited training for senior managers and in-house counsel
- Accident investigation and report writing courses
- Tailored in-house seminars

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