Corporate Manslaughter and Corporate Homicide Act 2007

2007 CHAPTER 19

Corporate manslaughter and corporate homicide

1 The offence

(1) An organisation to which this section applies is guilty of an offence if the way in which its activities are managed or organised—
   (a) causes a person's death, and
   (b) amounts to a gross breach of a relevant duty of care owed by the organisation to the deceased.

(2) The organisations to which this section applies are—

   (a) a corporation;
   (b) a department or other body listed in Schedule 1;
   (c) a police force;
   (d) a partnership, or a trade union or employers' association, that is an employer.

(3) An organisation is guilty of an offence under this section only if the way in which its activities are managed or organised by its senior management is a substantial element in the breach referred to in subsection (1).

(4) For the purposes of this Act—

   (a) “relevant duty of care” has the meaning given by section 2, read with sections 3 to 7;

   (b) a breach of a duty of care by an organisation is a “gross” breach if the conduct alleged to amount to a breach of that duty falls far below what can reasonably be expected of the organisation in the circumstances;

   (c) “senior management”, in relation to an organisation, means the persons who play significant roles in—

      (i) the making of decisions about how the whole or a substantial part of its activities are to be managed or organised, or
(ii) the actual managing or organising of the whole or a substantial part of those activities.

(5) The offence under this section is called—
   (a) corporate manslaughter, in so far as it is an offence under the law of England and Wales or Northern Ireland;
   (b) corporate homicide, in so far as it is an offence under the law of Scotland.

(6) An organisation that is guilty of corporate manslaughter or corporate homicide is liable on conviction on indictment to a fine.

(7) The offence of corporate homicide is indictable only in the High Court of Justiciary.
Changes to legislation:
There are currently no known outstanding effects for the Corporate Manslaughter and Corporate Homicide Act 2007, Section 1.