

# **The Corporate Manslaughter and Corporate Homicide Act 2007: A Symbolic Response**

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## **Abstract**

A wide range of business enterprise is now subject to the new law on Corporate Manslaughter (the Corporate Manslaughter and Corporate Homicide Act 2007). The bulk of the legislation came into force in April this year. The Act has had a long and turbulent gestation period and is a response to widespread concern that 'corporate killing' was escaping the reach of criminal law.

The legislation introduces an offence of corporate manslaughter in England, Wales and Northern Ireland and corporate homicide in Scotland. While the title of the Act suggests that the new law is aimed at incorporated bodies, the range of the legislation is extensive. The broad range of organisations caught by the Act extends from companies and local authorities to NHS bodies and specified government departments. The new law has attracted a mixed response, with some commentators viewing it as a largely symbolic exercise which will have a limited impact, whilst others express concern that the legislation only adds to the pressure on the business community at a time of economic crisis.

The paper examines both the background to the Act and the main provisions and attempts a consideration of the way in which the legislation is likely to work in practice.

## **I. Introduction**

The UK's Corporate Manslaughter and Corporate Homicide Act 2007 (hereinafter the CMCH) has been a long time in coming. The Bill's often contentious journey to the statute books was almost halted by arguments over

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