

## **UK: Corporate manslaughter law to cover deaths in custody**

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Prisoners who are injured or killed while in custody will be covered by new corporate manslaughter laws, it emerged today.

The government has caved in to criticism and agreed to extend the new legislation to prisoners and youth offenders.

Ministers had previously insisted that the prison service should be exempt from prosecution if prisoners were injured or killed while, for example, being illegally restrained or if ethnic minority prisoners were placed in cells with white racists.

Peers and MPs cited the death of Zahid Mubarek in Feltham young offenders centre as a prime example of the need to change the law.

Mr Mubarek, 19, was bludgeoned to death by psychopath Robert Stewart in 2000.

The government yesterday agreed to introduce new protection for prisoners three years after the act comes into force.

As a result the bill will become law this summer.

Tory peer Lord Hunt of Wirral said: "It is sad that it has taken 12 debates over a period of almost six months for the government to concede that a duty of care is owed to those held in custody, and that all - including the government - should be subject to the same test of the law.

"The Lords are to be commended on their resilience in upholding this profound principle in a series of extraordinary and compassionate debates."

The TUC general secretary, Brendan Barber, and the Unite union, welcomed the new law.

Mr Barber said: "We are pleased that a sensible decision has been taken and the bill will now become law.

"Even though unions wanted the bill to make individual directors personally liable for safety breaches and penalties against employers committing safety crimes to be tougher, we hope it will mean the start of a change in the safety culture at the top of the UK's companies and organisations."

Bud Hudspith, Unite Amicus section's national health and safety officer, said: "Unite welcomes the legislation that will provide greater physical protection for people at work, especially after such a long wait.

"However, we will still press for individual duties for directors found guilty of serious breaches of health and safety to be included."

However, the general secretary of the Union of Construction, Allied Trades and Technicians (Ucatt) was disappointed.

Alan Ritchie said: "Ultimately any legislation involving corporate manslaughter is to be welcomed. However, this is a hollow victory.

"The legislation falls far short of Labour party policy, passed following Ucatt's motion at conference in 2006 which committed the party to campaign for director's duties and the possibility of imprisonment for negligent directors."

<http://www.guardian.co.uk/prisons/story/0,,2133491,00.html>