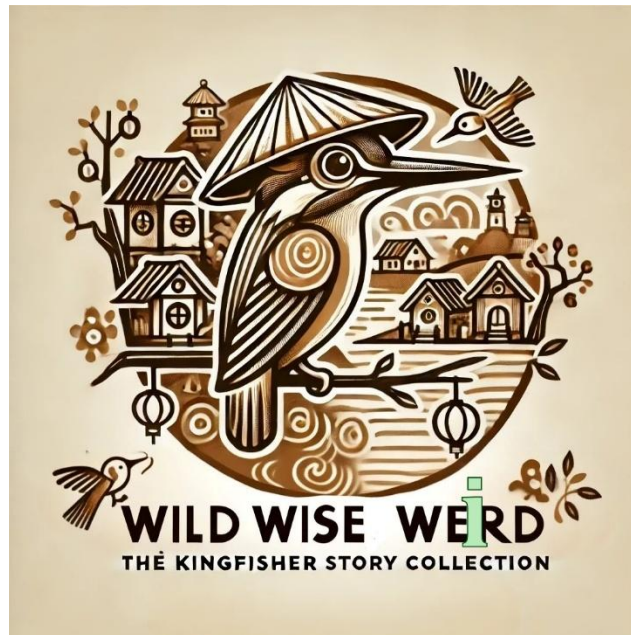


Corporate Manslaughter: Lessons from the UK for Safer Workplaces in Australia

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“– The memos are done, but we need to listen to the four reps!

He goes looking for the four reps but cannot find any. There is nothing left but scattered feathers everywhere.”

In “Rules”; *Wild Wise Weird* [1]



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In 2008, the United Kingdom introduced the Corporate Manslaughter and Corporate Homicide Act (CMCHA) to hold companies criminally accountable for preventable workplace deaths. Over a decade later, this legislation has fallen short of expectations. In their 2025 study, Phelps et al. [2] critically examine the CMCHA's effectiveness and draw key lessons for Australia, which has recently enacted similar industrial manslaughter laws across most states and territories.

The UK's experience highlights major limitations in enforcing corporate accountability. Since the CMCHA's introduction, most prosecutions have targeted small to medium-sized enterprises, while large corporations have largely escaped scrutiny. Complex corporate hierarchies make it difficult to identify a clear "controlling mind," a legal requirement for conviction under earlier frameworks. Although the CMCHA aimed to bypass this barrier, it has not significantly improved outcomes. Only one large company was convicted in the first decade, and penalties have often been inconsistent and lenient [3,4].

Australia's recent industrial manslaughter convictions mirror the UK's trend—small businesses and individuals have borne the brunt of prosecution, while larger firms remain untouched. Phelps et al. warn that without stronger enforcement and consistent penalties, Australia risks repeating the UK's shortcomings. More than just punitive action is needed; fostering a proactive workplace safety culture and ensuring that accountability reaches senior executives are essential.

Ultimately, the authors argue, criminal prosecution alone may not deter unsafe practices. For meaningful change, Australia must go beyond symbolic legislation and ensure that laws are applied fairly, consistently, and effectively—regardless of a company's size [2,5].

References

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