



CROWN OFFICE
& PROCURATOR
FISCAL SERVICE

SCOTLAND'S PROSECUTION SERVICE

HEALTH AND SAFETY INVESTIGATION UNIT

THE ROLE OF THE HEALTH AND SAFETY INVESTIGATION UNIT

ALISTAIR DUNCAN
HEAD OF HSIU

MY COPFS ROLES

- Joined COPFS in 2003
- PF Depute in Glasgow from 2003 – 2007
- Principal Depute, Stirling, Alloa and Falkirk 2007 – 2008
- Head of Proceeds of Crime Unit 2008 - 2011
- Head of Mutual Legal Assistance, International Cooperation Unit 2011 – 2012
- HSD Principal Depute 2012 – 2014
- Assistant PF, South Strathclyde, Dumfries and Galloway and District PF Hamilton and Lanark 2014 - 2015
- Depute Head of Serious and Organised Crime Division 2015 – 2017
- Helicopters – 2017/2018
- Assistant PF with responsibility for Health and Safety and Wildlife and Environmental Crime 2018

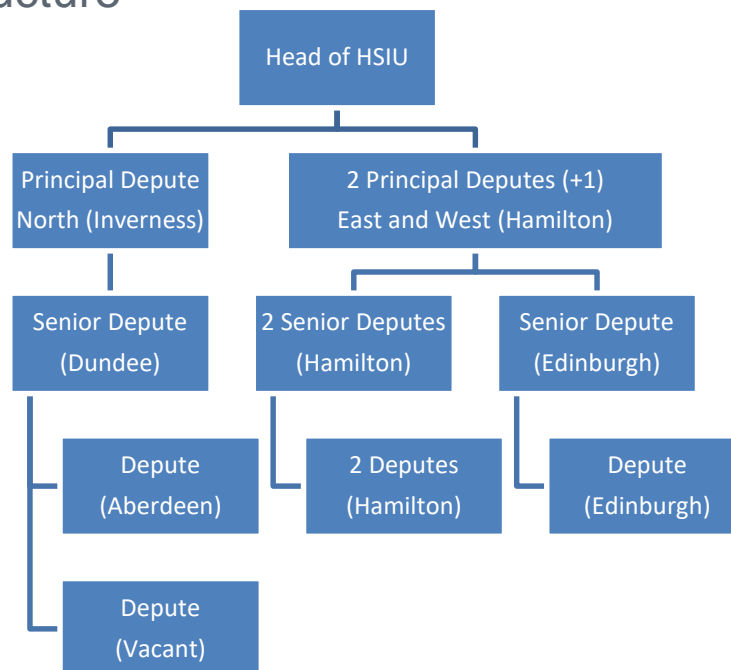


COPFS AND HSIU

- COPFS – criminal investigations and deaths
- COPFS specialist units
- Role of HSIU in COPFS
- Engagement and collaboration
- Experience and Expertise
- Journey times

STRUCTURE OF HSIU

- Current Structure





CURRENT WORKLOAD

- 160+ Reported cases
 - 80% HSE reported cases
 - 10% Maritime and Coastguard Agency (MCA)
 - 7% Local Authority Cases
- c.50 cases under investigation
- Reported cases
 - 35% Deaths
 - 65% Injured persons



REPORTING AGENCIES

Police

Health and Safety Executive

Local Authorities

MCA

ORR

Scottish Fire and Rescue Service

*MAIB



PRE-REPORTING OVERSIGHT

- Death reported to SFIU
- HSIU advised of death/significant incident by relevant reporting agency
- Joint Investigation with the application of the Work Related Death Protocol
- Early multi-agency engagement on evidence, offences and potential accused
- Understanding of roles and actions
- Submission of an Initial Report
- Regular updates and engagement



HSIU ENGAGEMENT

- Reporting Agencies
- Pathologists / Drs
- Experts
- Nearest relatives and Injured Parties - VRR
- COPFS and Law Officers
- Ministerial Correspondence
- Media enquiries
- Solicitors / Counsel



HSIU PROSECUTIONS

- HMA v Macfarlan Smith Ltd & Ashland Industries
Trial – 6 November 2019, Edinburgh Sheriff Court
- M & D's amusement park rollercoaster derailment –
 - M&D (Leisure) Ltd - £65,000
 - Craig Boswell - 160 hours Community Payback Order
- Marathon Oil - £1.16 m
- Arcadia Group Ltd – Top Shop - £450,000
- Allenbuild - £600,000
- Balfour Beatty Civil Engineering Limited - £600,000
- HC One Ltd - £270,000



HSIU CASES UNDER INVESTIGATION

- Cameron House fire
- Nancy Glen sinking
- Louisa sinking
- QEUH deaths – Cryptococcus
- Death of Marco Cavola

THANK YOU - ANY QUESTIONS

**WHEREVER YOU WORK;
WHATEVER YOUR JOB...**



**USE THE RIGHT PERSONAL
PROTECTIVE EQUIPMENT!**

CONTACT DETAILS

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