

HSLA Annual Conference 2026

HSLA Annual General Meeting 2026

Proposed amendment to the HSLA Rules

- Explanatory note for amendments sent in email dated 27 April 2026

Amendment 1

Rule 8(a) of the HSLA Rules shall be removed and replaced with:

- *a) The Officers of the Association shall be:*
 - *(i) a Chair;*
 - *(ii) a Vice-Chair;*
 - *(iii) a Secretary;*
 - *(iv) a Vice-Secretary;*
 - *(v) a Treasurer;*
 - *(vi) at least one Junior Officer but no more than three Junior Officers;*
 - *(vii) 7 HSLA Officers whose role and function will be determined and allocated from time to time by the committee so as to take account of the needs and objectives of the HSLA at any particular time.*
 - *(viii) a Scotland Officer.”*

Amendment 2

Rule 11 of the HSLA Rules shall be removed and replaced with: “11.
DELETED”.

Amendment 3

Rule 19 of the HSLA Rules shall be removed and replaced with:

19. If there shall be a vacancy in any office the Committee shall either: (i) appoint one of the other members of the Committee to fill the vacancy; (ii) shall co-opt a member to fill the vacancy; or (iii) wait until the next elections to fill the vacancy.”

Amendment 4

Rule 20 of the HSLA Rules shall be removed and replaced with:

“20. Co-Opted members of the Committee shall hold office for the term that they would have held had they been elected to the committee in that role”.

Big thank you to outgoing committee members

Simon Belfield – DWF



Nina Dhillon - Keoghs



Congratulations to elected committee members

Sailesh Mehta – Red
Lion Chambers



Ashley Borthwick –
Womble Bond
Dickinson



Mariella Leeman –
Kingsley Napley



**Christopher
Adams** –
Henderson
Chambers



Katherine Metcalfe –
Pinsent Masons



Phil Newton – Pinsent
Masons



Saba Naqshbandi K.C.
– Three Raymond
Buildings



Gordon Menzies – Six
Pump Court



What You Don't Know Can Hurt You



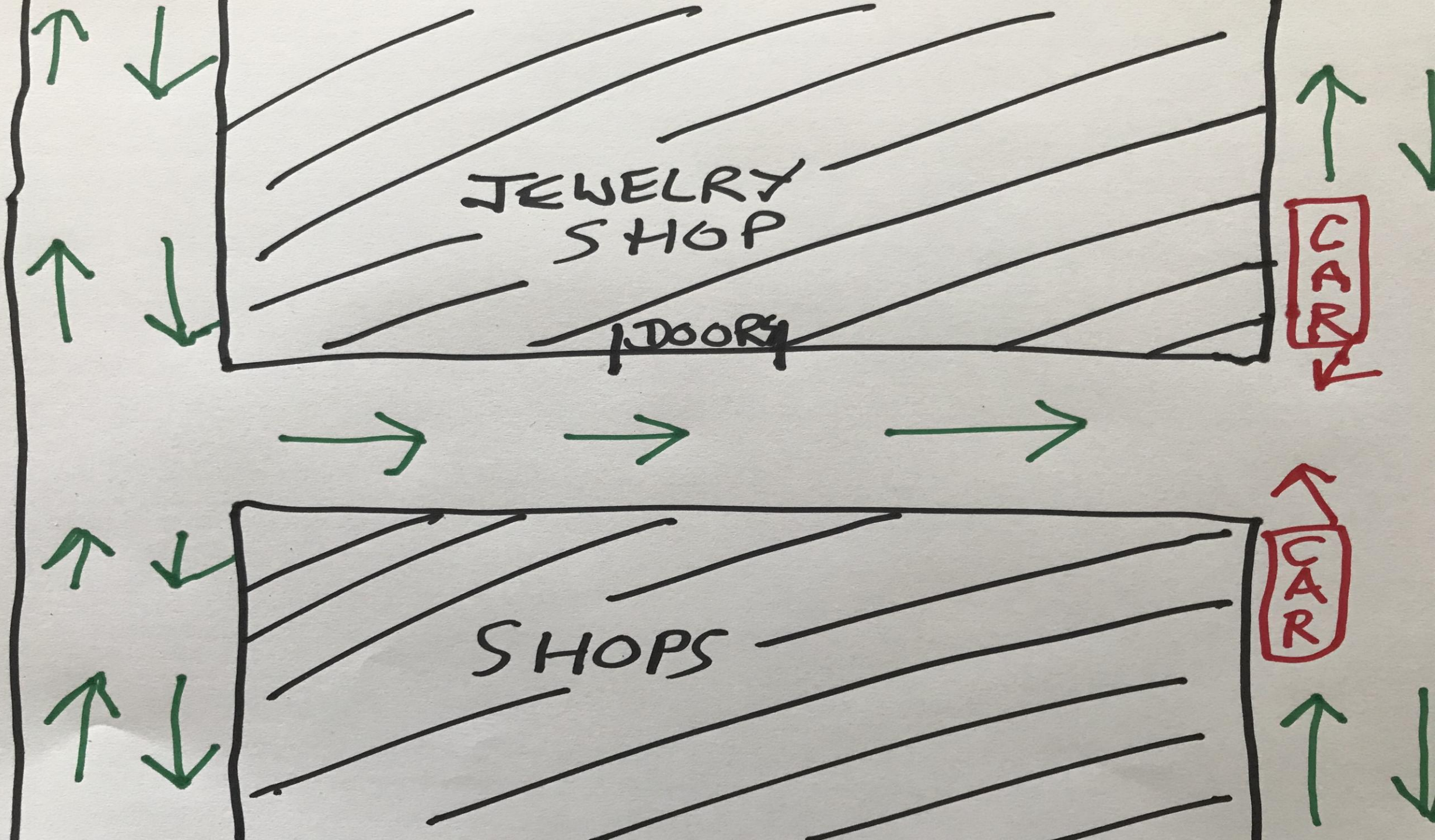
JEWELRY SHOP

DOORS

CAR

CAR

SHOPS

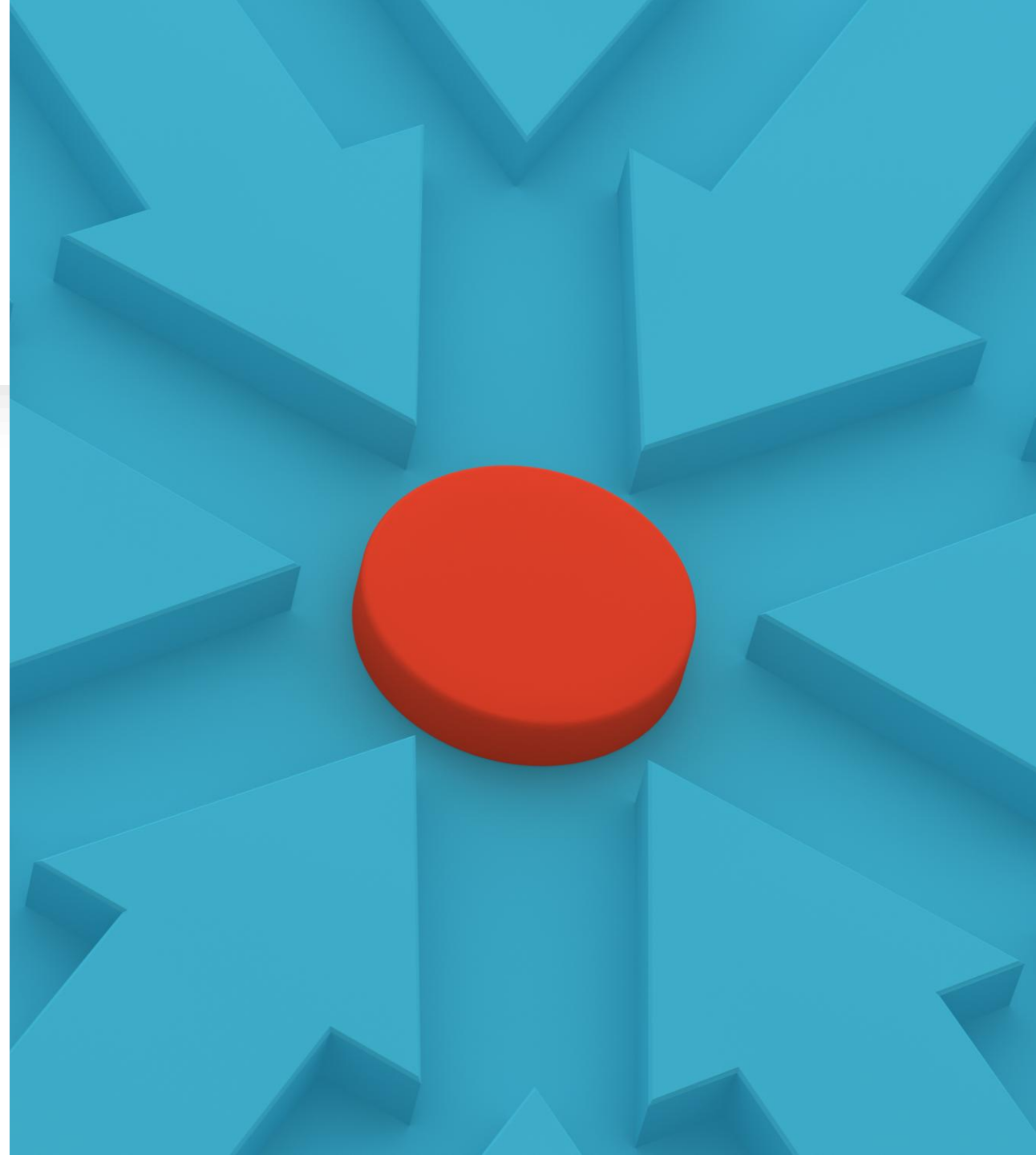


What makes us the people we are?

Nature v Nurture

*Choice choose
your mindset*

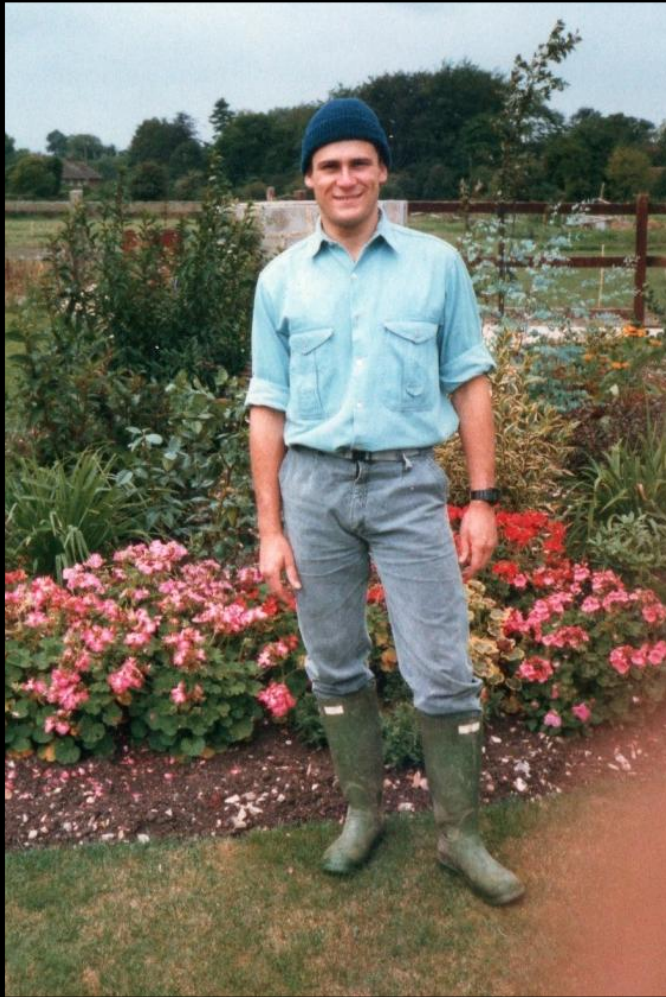
Chris Moon
Step_Beyond



Effects of an Accident:

6

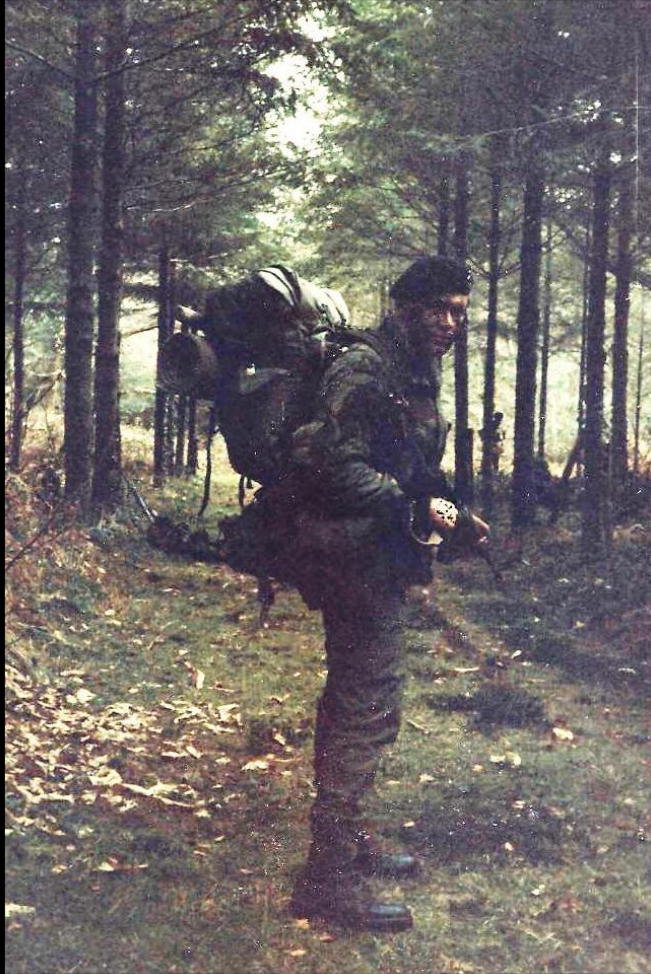




Get your head in
the right place

When I start my day what can I do to get my head in the right place and keep it there?





Royal Military Academy Sandhurst

Don't take things personally

Have a sense of humour

Take ownership

Chris Moon
Step_Beyond

Clearing anti-personnel
landmines and UXO for a charity
Cambodia and Mozambique

Keep an open mind

Shape the future set goals



*Ambushed taken
prisoner, interrogation
and threatened
execution*

*Khmer Rouge
Cambodia*



- Never assume the role of victim
- Take ownership

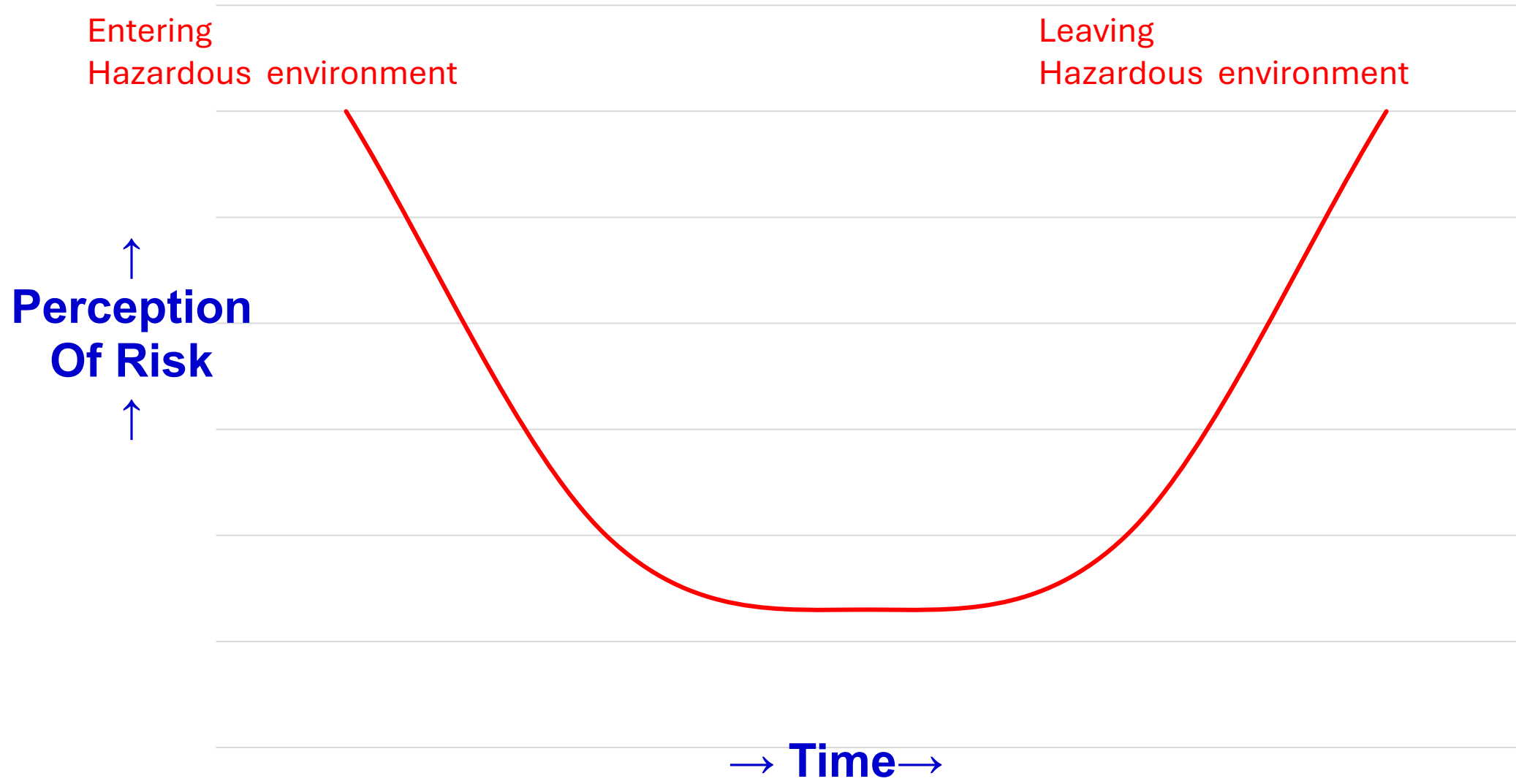
Between a stimulus and a response there is a slight pause - Own the pause



Understanding risk- A Psychological Perspective-



Chris Moon
Step_Beyond



- Blown up walking in safe area
March 1995
- Hospital said they'd never seen
anyone live with such a small
amount of blood
- Recovered in record time

**What can we do to maintain a
sense of humour?**



**A thankful heart finds
many blessings**

**All the things I have
to be thankful for ...**



Chris Moon
Step_Beyond

- Completed London Marathon less than a year after leaving hospital 1996
- Don't get blown off course by negative people



- 1997 Became World's first amputee ultra-distance runner
- Completing Marathon des Sables 240 km (known as the world's toughest footrace, it's not it's Badwater)



- Badwater 220 km race
 - Hottest place on earth
 - Continuous - Must finish
 - Under 48 hrs
- (six times finisher)



What's The Point of Life?



What I'm Going To Do To Be More Enthusiastic...



What can I do to be more mentally and physically healthy?



- Never underestimate the power of belief
- How can I use the power of belief?



Develop personal positive talk

“

*I can do this I can do this
One step One Step
I can do this I can do this
One step One Step*

”

Ownership



Where do you see yourself on a scale of 1 to 10 in terms of being lucky?



Chris Moon
Step_Beyond



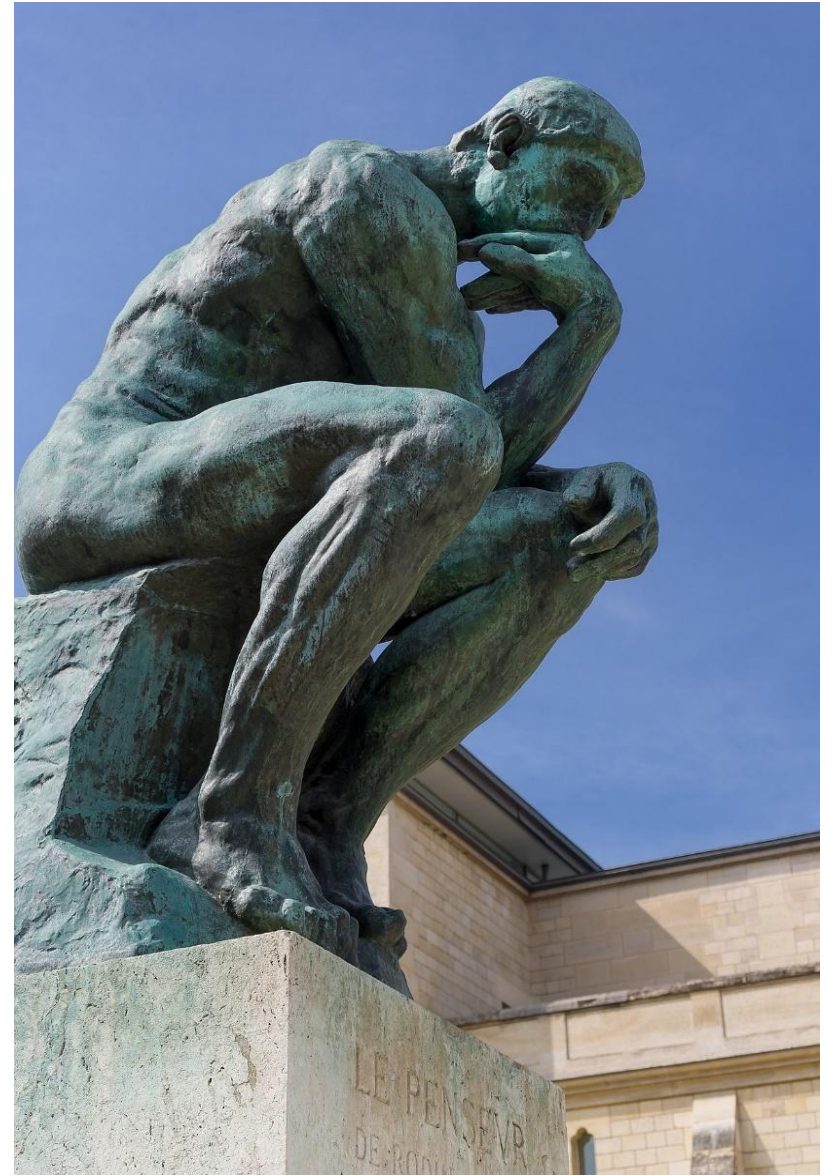
PROFESSIONALISM & DISCIPLINE

WHAT CAN WE DO
TO MAKE OUR
OWN LUCK?

Chris Moon
Step_Beyond

We choose the way we think

The way we think determines
the way we feel



Unhelpful Thinking

- Thoughts that are down on self our world and our future
- Rigid and inflexible thinking
- Thoughts that are not reality tested- Assumptions
- Personalisation- Making everything about self
- Goal blocking and fearful thoughts



Helpful Constructive Thinking



- Thoughts that are accepting of self, others, the world and our future
- Flexible open thinking
- Thoughts that are reality tested –
- Do we know 100% our thoughts are true?
- Goal facilitating - A can do way of thinking

What can we do to aim high and smash the ball out of the park?



Chris Moon
Step_Beyond

**Things constantly change
Be aware of 'creep'**



The price of negativity is too high to pay

- Negative emotions are like weeds- When conditions are right, they'll always germinate
- No one wants to be near a bitter and negative person
- How can we be positive when we might not feel like it?

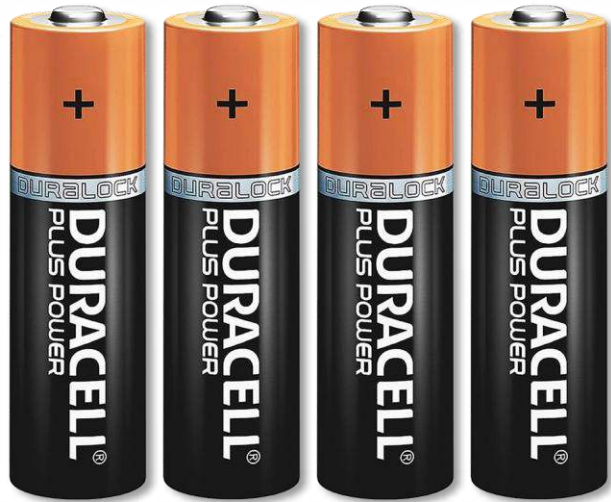


Face reality:

- Assess and Understand
- Focus on the positives and the possible
- Choose a positive attitude
- Use imagination to find solutions



**Things I can do
to recharge my
psychological
batteries...**



How can we help each other?





Chris Moon MBE

www.chrismoon.co.uk



07802768217





Animating the Jury

The use of animations as an evidential tool in health & safety prosecutions



**Incident
Films**



CROWN
OFFICE
CHAMBERS



**Health & Safety
Executive**

**Incident
Films**

Animating the Jury

The use of animations as an evidential tool in health & safety prosecutions



Animations authorities

- *Metcalfe* [2016] EWCA Crim 681
- *Moore* [2017] EWCA Crim 1304

- *Atkins* [2009] EWCA Crim 1876
- *Reed* [2009] EWCA Crim 2698



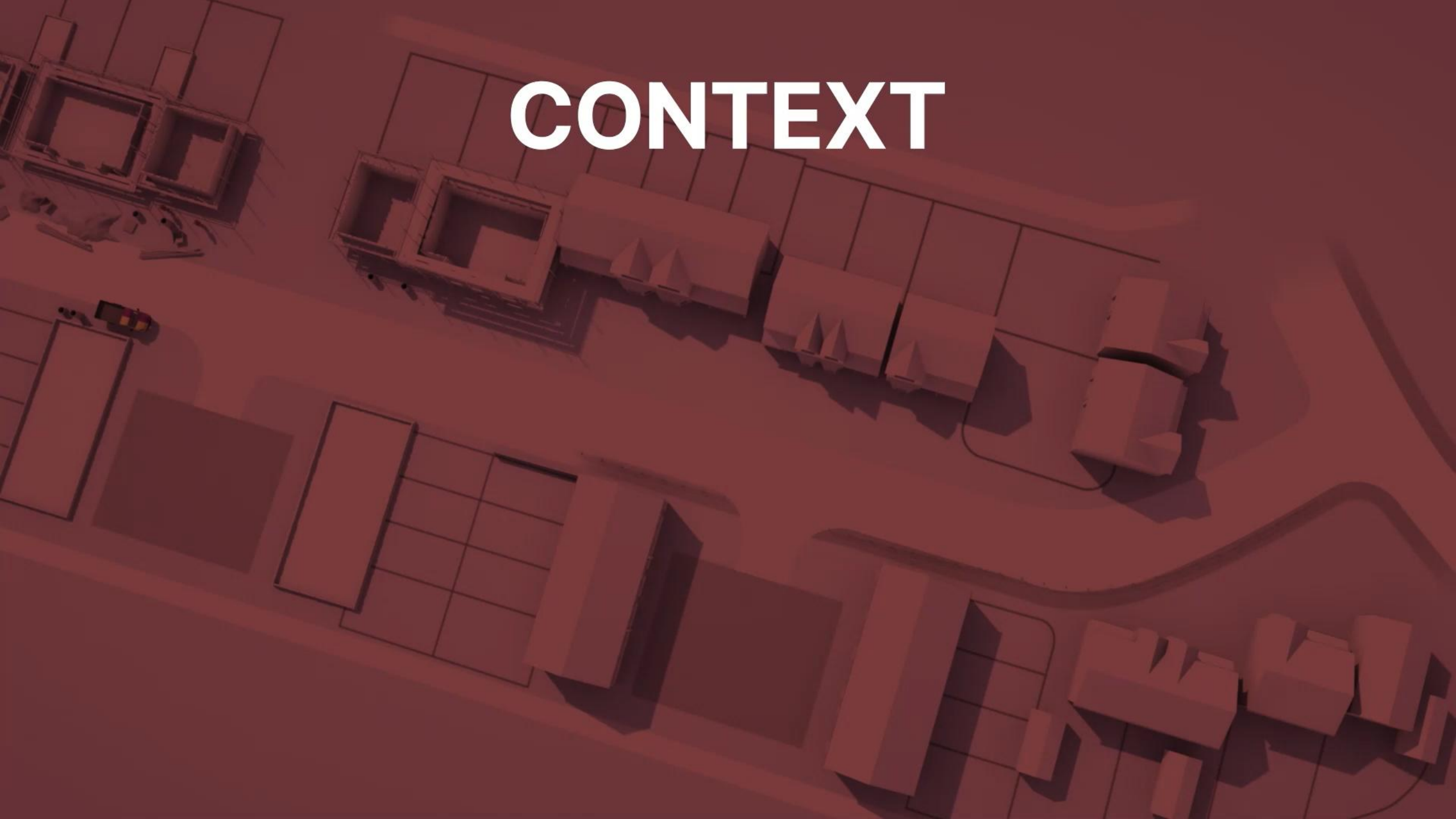
Cognitive Process

- Where?
- When?
- How?
- Why?

- *Rolf Zwaan & G.A. Radvansky*: Situation models in language comprehension and memory (Psychological Bulletin (USA), 1998)
- *Dr David Errickson* (Reader in Forensic Archaeology and Anthropology at Cranfield University): 3D imaging in forensic science and the courtroom (2019/2020)



CONTEXT



COMPONENTS

CONTROL
PANEL

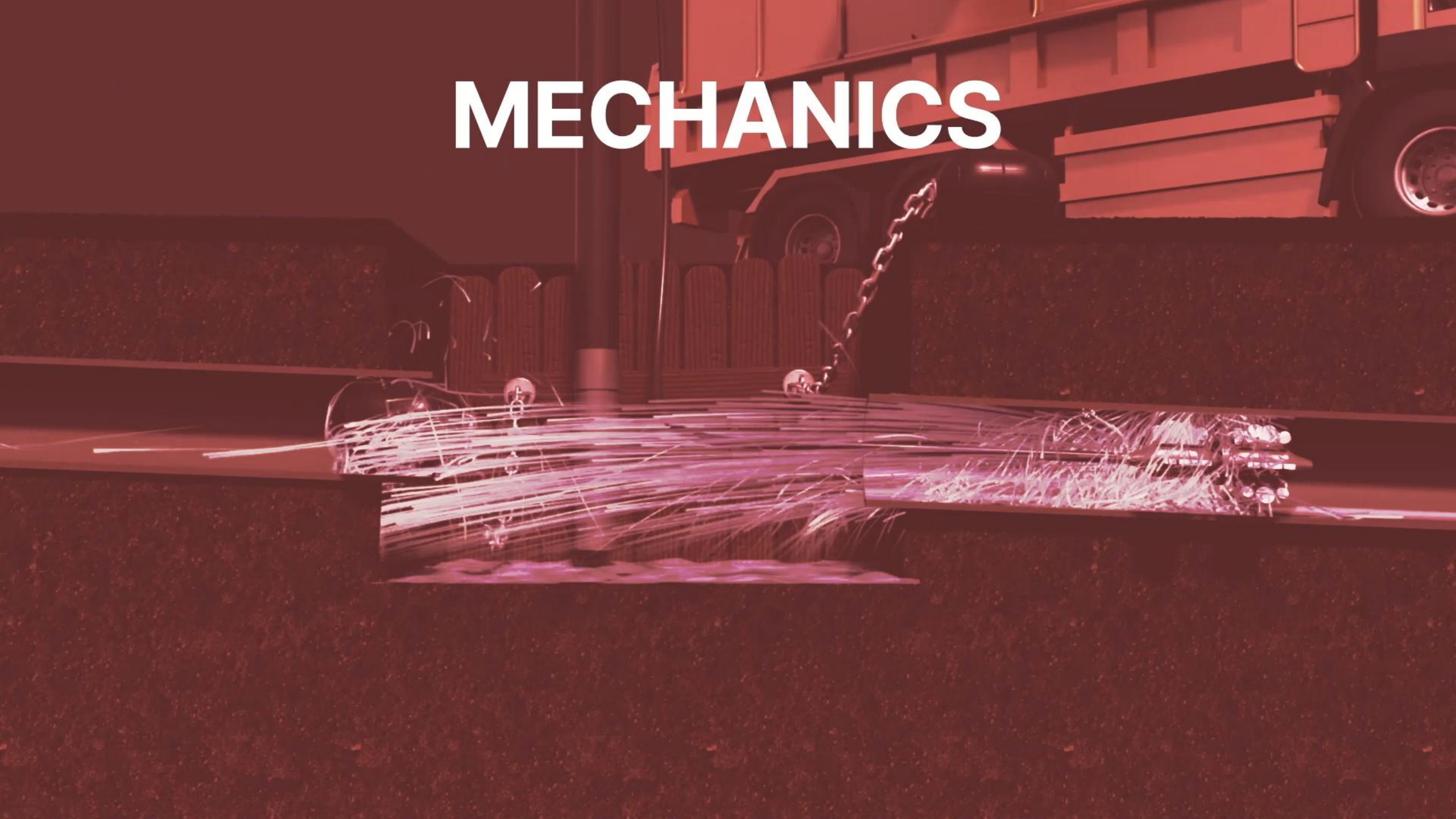
KILL SWITCH

FRONT WIRE
SPOOLS

REAR WIRE
SPOOLS



MECHANICS



RECONSTRUCTIONS



Incident Films



The future...



Gaussian Splatting

15 MAY 2026

Burness Paull

Health and Safety Lawyers Association Conference 2026:

Mental Health in Health & Safety Law

Practice, pressure and protection

LYNNE GRAY, NICKY LLOYD & EMMA WILLIAMS

Common Mental Health Challenges Reported by Lawyers

- Chronic stress and burnout
- Anxiety and hyper-vigilance
- Secondary trauma
- Perfectionism and self-criticism
- Reluctance to talk or ask for help

WHY THIS CONVERSATION MATTERS

- Mental health is a growing issue across the legal profession
- Health & safety work carries unique emotional and ethical pressures, and triggers
- Talking openly is part of professional responsibility
- Discussions help normalise these experiences and share positive solutions and strategies
- The HSLA conference is the ideal medium to bring this important conversation to the table

SESSION PURPOSE

- Explore mental health challenges in health & safety legal practice
- Share professional, institutional and support perspectives
- Encourage open, stigma-free discussion
- Highlight support and available resources

INTRODUCTIONS: YOUR PANEL

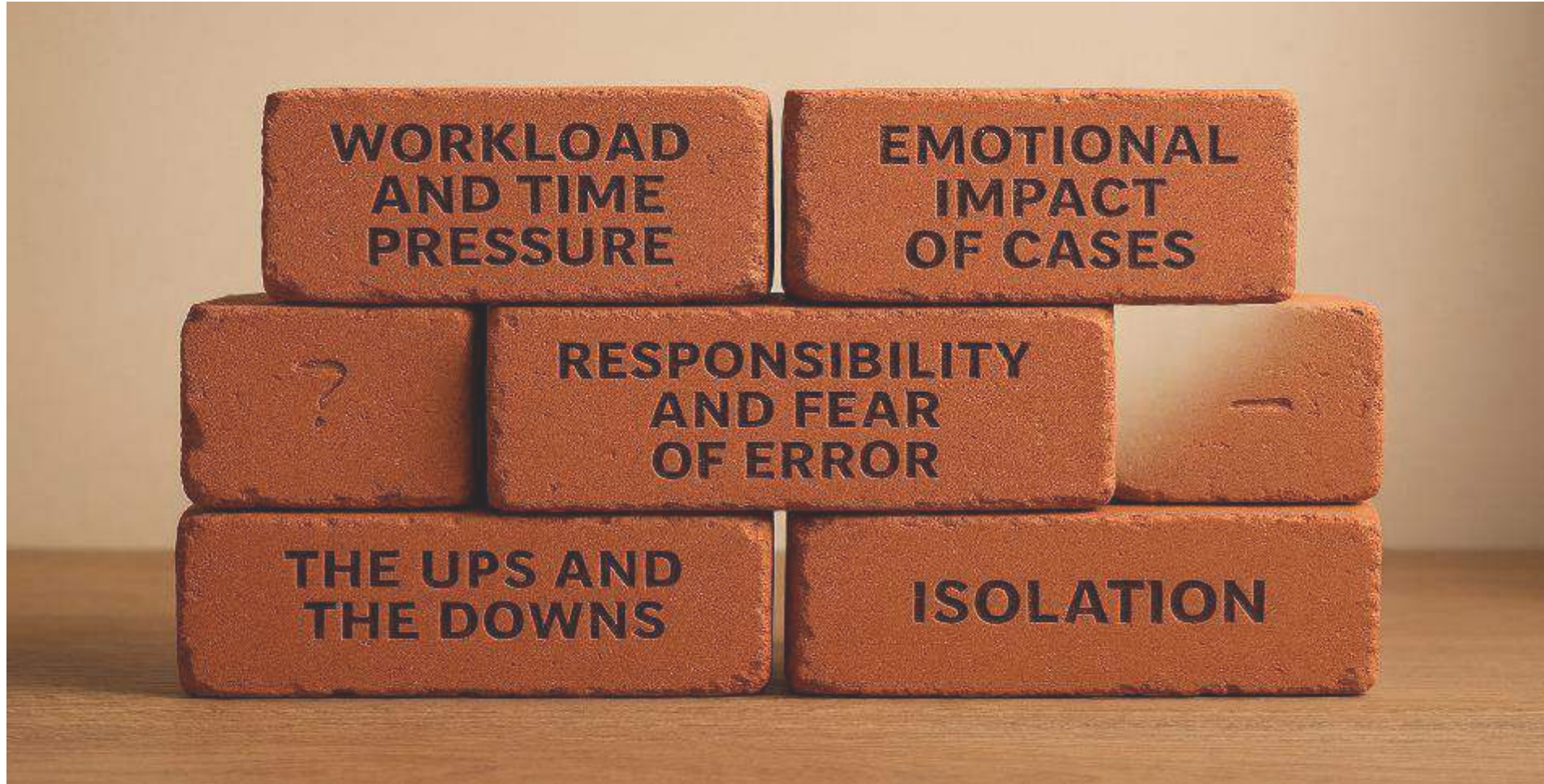
- **Nicky Lloyd**
 - *COO, Streathers Solicitors*
 - *Law Society Advisory Committee on Leadership and Management*
- **Emma Williams**
 - *Chair, LawCare*

Today's voices represent:

- Front-line health & safety legal practice
- Professional leadership and standards
- Independent support and insight

But we also want to hear from you...

WHAT DO YOU FIND MOST CHALLENGING IN YOUR ROLE?



**Panel Perspective: Mental Health
Challenges for H&S Practitioners**

A Health and Safety Practice

- Crisis driven/ intensity
- Trauma exposure to serious injury, fatalities and harrowing events
- High-stakes advice and regulatory scrutiny
- Public and media attention following incidents
- Emotional burden alongside technical legal work
- Pressure to be “calm, competent and resilient” always

The Law Society Perspective

Mental health as a professional and cultural issue

- Managing workloads
- Managing stress
- Importance of wellbeing

The LawCare Perspective

- What lawyers seek help for most often
- Importance of wellbeing
- Importance of intelligent responses from law firms
- Barriers to accessing support

Structural Pressures in Law

Beyond the Individual: Systems and Culture

- Workplace expectations and the billable hour
- Organisation size and ability to educate, supervise and provide peer support
- Dealing with and responding to mistakes and adverse outcomes
- Designing a sustainable legal practice (when everyone is not in the same place)

Protection in Practice

What Actually Helps: Early Support and Protective Factors

- Recognising early warning signs
- Creating space for wellbeing conversations (EAPs/ networks/ psychological safety)
- Healthy boundaries and recovery time
- Knowing when and where to seek help

(NOTE: NOT clinical advice – it is professional awareness)

**Are Health and Safety Lawyers
Falling Short?**

**Questions, experiences or
observations for the panel?**

SUPPORT & RESOURCES

- [LawCare](#)
- [Law Society Stress and Mental Health Support](#)
- [Lawscot Wellbeing](#)
- [Trauma informed training | Law Society of Scotland](#)
- Internal workplace support / EAPs
- [Contact Us | Samaritans](#)



This material does not constitute legal advice, it is intended for general information only. For specific advice on the topics covered and how they apply to your business or your circumstances, please get in touch with your usual Burness Paull contact.



5 PAPER BUILDINGS



BLACKFORDS LLP

INTERVIEWS UNDER CAUTION? WRITTEN REPRESENTATIONS? NO COMMENT!

When should your client answer questions?

Are prepared statements ever ok?

Who's afraid of an adverse inference?

Why bother with written representation?

Presented by Miles Bennett, Emma Toner KC and Gary

Rubin

May 2026

34—(1) Where, in any proceedings against a person for an offence, evidence is given that the accused—

(a) at any time before he was charged with the offence, on being questioned under caution by a constable trying to discover whether or by whom the offence had been committed, failed to mention any fact relied on in his defence in those proceedings; or

(b) on being charged with the offence or officially informed that he might be prosecuted for it, failed to mention any such fact; or

(2) Where this subsection applies—

(b) a judge, in deciding whether to grant an application made by the accused under paragraph 2 of Schedule 3 to the Crime and Disorder Act 1998;

(c) the court, in determining whether there is a case to answer; and

(d) the court or jury, in determining whether the accused is guilty of the offence charged,

May draw such inferences from the failure as appear proper.....

(4) This section applies in relation to questioning by persons (other than constables) charged with the duty of investigating offences or charging offenders as it applies in relation to questioning by constables; and in subsection (1) above “officially informed” means informed by a constable or any such person.



Trial by jury is more than an instrument of justice and more than one wheel of the constitution: it is the lamp that shows that freedom lives.

— Lord Devlin

Zoe Betts

Valerie Charbit

Mark Balysz KC

James Maxwell-Scott KC

Impact, Implications and the Future of Workplace Safety Justice

Courts and Tribunals Bill 2026 — Key Proposals (Introduced 25 Feb 2026 · Committee Stage)

Remove right to elect jury trial

Defendants charged with 'either-way' offences will no longer be able to choose Crown Court trial — the court alone will decide the forum.

Judge-only for complex/lengthy cases

Crown Court judges gain a new power to order judge-only trial for cases that are particularly complex or lengthy.

New Crown Court Bench Division

Judge-only trials introduced for either-way offences where the likely custodial sentence is assessed at up to 3 years.

Status & controversy

Bill passed 2nd Reading 10 Mar 2026 (304–203). 3,200+ lawyers oppose it. Still subject to amendment in committee.

Courts and Tribunals Bill 2026

What Changes

- Defendants lose right to elect jury trial
- Judge-only trials for either-way offences
- Custodial tariff threshold: up to 3 years
- New Crown Court Bench Division
- Judges can order judge-only in complex cases
- CM/GNM: jury trial unchanged

Status

- Introduced: 25 February 2026
- 2nd Reading passed: 304–203
- 101 Labour abstentions
- Now at Report Stage

Opposition

- 3,200+ lawyers write to PM
- Bar Council and Law Society opposed
- Former CPS heads and retired judges
- "Unpopular, untested, poorly evidenced"

The Case Against Abolition

“ *Trial by jury is more than an instrument of justice and more than one wheel of the constitution: it is the lamp that shows that freedom lives.*

— Lord Devlin

- Jury = citizen's shield against the state
- Ancient right — Magna Carta 1215
- Backlog is a resource problem, not a rights problem

- State regulator + state judge = no independence
- Jury nullification: democratic safety valve
- Public confidence requires visible fairness

Can Objection to Abolition be Justified in H&S Cases?

Technical Complexity

- Risk assessments, industry standards and guidance
- Competing expert evidence
- Dense regulatory frameworks

Document Overload

- Thousands of pages per trial
- Method statements, risk assessments, emails
- Juries absorb in weeks; judges in days

Inconsistent Verdicts

- Unreasoned and unreviewable
- Identical facts, different outcomes
- Undermines regulatory deterrence

THE ANOMALY — Other regulators impose huge penalties without a jury. Why not H&S?

FCA (formerly FSA)

FSMA 2000

- Unlimited fines — no jury
- Barclays, HSBC, RBS: nine-figure penalties
- Internal tribunal — appealed, not tried

Information Commissioner (ICO)

UK GDPR / DPA 2018

- Fines up to £17.5m or 4% turnover
- BA, Marriott, Met Police all fined
- No criminal prosecution. No jury.

Impact on Practice (1): The Advocacy Shift

The skills premium is shifting — jury craft ↓ technical rigour ↑

Under Pressure

- Jury narrative & storytelling
- Reading and managing a jury
- Controlled emotion in the courtroom
- Defendant sympathy appeals
- Lay-friendly expert presentation

Rising in Value

- Forensic technical advocacy
- Written skeleton arguments
- Expert cross-examination in depth
- Regulatory framework mastery
- Pre-trial legal submissions

Impact on Practice (2): Solicitors

Paradox: solicitors become more central as the centre of gravity shifts to pre-trial

What Changes

- Case won or lost before trial begins
- Disclosure battles now decisive
- Written argument > oral performance
- Technical specialism essential
- Generalists under pressure

New Opportunities

- Solicitor-advocates can displace the Bar
- Deep technical knowledge rewarded
- HSE interview advice even more critical
- Early fine modelling under 2015 Guidelines
- Expert selection and preparation

The Fusion Question

- Does the Bar retain its Crown Court role?
- Solicitor-advocates already in the detail
- Judge-only = less need for jury performers
- Two professions — one skill set?
- Commercial pressure accelerates change

Impact on Practice (3): The Plea Calculus

No jury sympathy = a different cost-benefit calculation for everyone

Defence

- Jury sympathy option disappears
- Earlier guilty pleas more rational
- Fine now more predictable — model it early
- Crown Court election no longer a tactic
- Advise on risk from first HSE contact

Prosecution / HSE

- Marginal cases now worth pursuing
- Regulator's hand stronger in negotiation
- Consistent sentencing = greater certainty
- Technical breach cases more viable
- Pre-charge leverage significantly increases

Impact on Practice (4): Two-Track & Access to Justice

The Two-Track Problem

- CM/GNM: mandatory jury trial remains
- HSWA offences no jury trial, unless on manslaughter indictment
- Where will the advocates of the future develop skills of jury narrative AND H&S expertise

Access to Justice

- | | |
|---|---|
| <ul style="list-style-type: none">■ Generalist firms feel the pressure■ Specialist vs generalist gap widens■ Technical demands increase costs | <ul style="list-style-type: none">■ Directors, managers, sole traders at risk■ No matching increase in legal aid rates■ Quality representation = corporate privilege? |
|---|---|

Skills premium shifts

Technical depth and written rigour replace jury craft

Solicitors more powerful

Pre-trial becomes the decisive battleground

Plea calculus changes

No jury sympathy — earlier pleas, stronger HSE hand

Two-track demands more

How will future advocates hone their skills?

Access to justice at risk

Reforms may price individual defendants out of quality advice if not insured