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**Red tape ‘obsession’ to put Scottish safety law back by 100 years**

A last-minute addition to the Enterprise and Regulatory Reform Bill threatens to put workplace health and safety in Scotland back into the Victorian age, according to a not-for-profit campaign group.

A new clause was introduced to the Bill at the 11th hour, as it went into its final stages in the House of Commons, which effectively waters down workplace health and safety regulations across the board, according to Gordon Dalyell of the Association of Personal Injury Lawyers (APIL).

“At the moment, if a worker is injured and he can show his employer has breached health and safety regulations, he has a right to claim compensation,” he explained. “The law has been clear on this point since a landmark case was brought in 1898.

“But the Government is now seeking changes which will mean the injured person will no longer be able to rely on this right, but will have to start from scratch by proving that negligence has occurred.

The Bill is due to go to the House of Lords for further scrutiny tomorrow (November 14) where Mr Dalyell hopes peers will stop this clause in its tracks. He estimates that more than 5,000 Scottish cases could be affected if the new clause becomes law.

“Cases will become more complex and more expensive,” he said. “Most importantly, many legitimate cases could be lost in the future, leaving injured people having to rely on their families or the state to look after them rather than the person who injured them, or as currently happens in most cases, their employers’ insurers.



“It also sends a clear signal to bosses that the safety of workers is no longer to be considered a priority.”

“The cash-strapped Health and Safety Executive is carrying out fewer inspections and prosecutions are now few and far between,” he said. “If the civil law is weakened as well, there will be little incentive for rogue bosses to take the safety of their workers seriously.

“In its obsession with cutting what it sees as health and safety ‘red tape’, the Government is playing fast and loose with people’s safety. The workforce of this country deserves better.”

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Notes to editors:

- APIL (Association of Personal Injury Lawyers) is a not-for-profit organisation whose members are dedicated to campaigning for improvements in the law to help people who are injured or become ill through no fault of their own
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