

David Cameron's New Year's Resolution

Whilst many of us made the usual New Year's resolutions of going to the gym more often, spending more time with the kids or giving up some bad habit, the Prime Minister has started 2012 with a promise of a rather different kind. And, unlike so many New Year's resolutions most of us made, Mr. Cameron seems determined to make this one stick.

David Cameron has made no secret of his despising of the compensation culture that exists in the UK, and employers' fear of spurious litigation. He often cites the plethora of health and safety legislation as being an important factor behind the problems we have. So, his New Year's resolution is to "kill off the health and safety culture for good" adding "I want 2012 to go down in history not just as Olympics year or Diamond Jubilee year, but the year we get a lot of this pointless time-wasting out of the British economy and British life once and for all."

In showing that this New Year's resolution is more than a whimsical idea formed as the clock struck midnight on the 31 December, Mr. Cameron said that he had already asked the HSE to expedite its timetable for "cutting back the health and safety monster", as he described our current legal framework, by abolishing or consolidating up to half of all existing regulations."

Describing the current legal framework as an "albatross around the neck of British businesses", costing billions of pounds a year, Mr. Cameron said "You've got to look at the quantity of rules – and **we're cutting them back**; you've got to look at the way they're enforced – and **we are making sure that is more reasonable**; we're taking **self-employed people out of whole classes** of health and safety regulation.

Despite these headline grabbing political sound bites we know that the Government has also said it does not intend to dilute the protection of employees in the workplace. It's perhaps a little odd that this commitment is so rarely featured in the either the Prime Minister's speeches or the press reporting surrounding this topic.

Whilst such a one sided message continues to be branded by many committed towards improving safety at work as reckless and unhelpful, and rightly so, the truth of the matter is that there are too many sets of regulations, approved codes of practice, guidance notes and British Standards for well intended businesses to master and stay up to date with. There are many examples of rules that are superfluous to requirements because of the already strong goal setting duties contained in the 1974 Health and Safety at Work etc. Act, and examples of multiple duties covering the same activity, but with differing expectations.

Furthermore, we often today see regulators more determined to use the criminal courts and prosecute breaches rather than guiding businesses in the correct path, or helping businesses learn from mistakes made, despite promises that prosecution is a last resort.

So, rather than join those who are criticising the Prime Minister for his choice of New Year's resolution, we await with interest the results of the exercise to see what unnecessary regulations can be rescinded and merged, and how the enforcement of remaining laws will be made more reasonable.