



## Fire Safety

**"has a true regulatory practice and a strong grip on health and safety issues"** (Chambers UK)

The Regulatory Reform (Fire Safety) Order created for the first time a single legal framework regarding fire safety for commercial premises and communal parts of domestic premises.

The Order imposes strict, onerous and non-delegable duties on responsible persons and others to carry out suitable and sufficient risk assessments, take general fire precautions, keep records and have fire safety arrangements and fire fighting/detection equipment in place. Non-compliance is a criminal offence where one or more relevant persons was at risk of death or serious injury in case of fire.

To enforce the Order, the fire authorities have extensive powers. Even in the absence of a fire, they can make enquiries, enter and inspect premises, request copies of documents and issue enforcement notices (including prohibiting the use of premises). Where there are serious breaches, organisations or individuals may face a criminal investigation and prosecution in the criminal courts.

Experience has shown that fire authorities aggressively enforce the Order. Similarly, the Court has emphasised that, when it comes to fire, "one does not have to think too deeply in order to appreciate the potential for disaster" and made it clear that there need not be a death or even serious injury for the Court to deal harshly with breaches. Very high fines and severe reputation damage are not uncommon.

BCL has considerable expertise in relation to defending investigations and prosecutions arising out of fires and fatal accidents. We have an in depth understanding of the intricacies of the Fire Safety Order, as well as corporate manslaughter, and extensive experience of managing the relationship with the investigator, whilst protecting at all times the interests of the organisations and individuals concerned. We provide expert assistance throughout the process from the outset of an investigation to its conclusion.

**"Involved in many of the juiciest cases in the sector, often succeeding where others fail"**

(Chambers UK)

**"stands out for its focus on the gravest contentious cases ... and for doing it with real attention to detail"**

(The Legal 500)

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