

# Accident Scene or Crime Scene?



**Malcolm Mackay Brodies LLP:**

6 December 2012 Airport Thistle Hotel



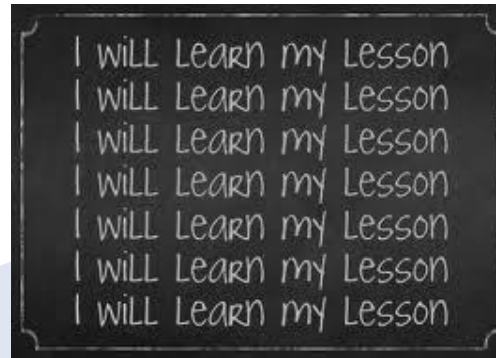
## Corporate Manslaughter and Corporate Homicide Act 2007

An organisation to which this section applies is guilty of an offence if the way in which its activities are managed or organised -

- (a) causes a person's death, and
- (b) amounts to a gross breach of a relevant duty of care owed by the organisation to the deceased

# Purpose of Investigations

- What is the purpose of an investigation?
  1. To work out what happened
  2. To learn lessons
  3. Blame



- What “evidence” are we talking about?

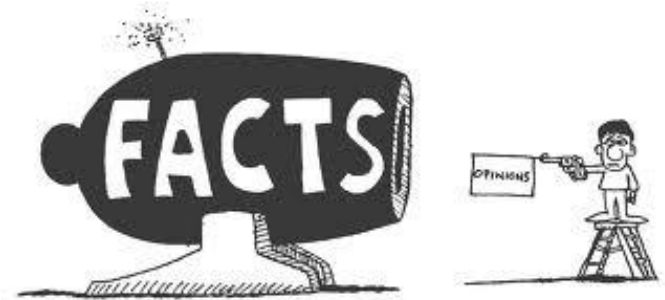


# Preservation of Evidence

- Cordons



- Noting the facts not conclusions



- The Elements



# Other Things to Consider

- Recording the Evidence



- Document Control



# What if Access is Required?

- Logs



- Protective Clothing



- Access Routes

# Final Thoughts...

- Once it's gone, it's gone
- Don't rush
- Maintain an open mind
- Record as much information as possible
- Keep your eyes and ears open

**MINDS ARE LIKE  
PARACHUTES**



Questions?



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