

# Mock trial training

In 2022/23 there were 216 successful Health and Safety Executive (HSE) criminal prosecutions with an average fine of £145,000 representing a 94% conviction rate. This included five fines that exceeded £1 million.

We have already seen a number of high profile cases in 2023 suggesting that the figures in relation to fines for 2023/24 are likely to increase significantly. Added to this, businesses continue to face the prospect of paying substantial damages from civil liability claims which can have a significant financial impact on business performance.

Marsh Advisory have developed a number of mock trials with real judges and specialist practising barristers to help you understand the risks arising from a HSE prosecution or civil liability claim.

Our mock trials cover the following areas:

- HSE prosecution of a business.
- HSE prosecution of a director.
- HSE contractor management.
- Public liability claim.
- Employers' liability claim.

During the interactive mock trial training attendees will:

- Be taken through the trial process to see how evidence is presented.
- See witnesses providing evidence under cross examination.
- Hear arguments from the barristers and see how the Court approaches the issues.
- Be fully involved throughout the trials with the consideration of evidence.
- At the end of the case be involved in a discussion before reaching a decision and verdict based on the evidence you have heard.

The mock trial will conclude with a post-trial discussion in which the judge and barristers will discuss the important points arising from the case and the key learnings individuals and organisations can take from the process.

## BENEFITS

Attendees will gain experience and knowledge in the following areas:



An appreciation of the weight and admissibility of evidence when a case goes to court.



The importance of documentary evidence.



Pressures on witnesses giving evidence in a courtroom environment.



The importance of capturing evidence and undertaking detailed accident investigations.



Understanding individual responsibility for health and safety and the potential consequences.



Improving defensibility within your organisation and avoiding a regulatory investigation or prosecution.



Reducing the cost of claims and regulatory fines.

The Marsh Defensibility and Regulatory team are all former practising solicitors, and will provide practical advice and assistance during the session to help you maximise the learnings from the training.

The training is aimed at those involved in the creation, implementation, and funding of the health and safety strategy within your organisation, which can include directors, senior managers, health and safety, insurance, human resources, and anyone involved in claims and accident investigations.

Mock trials are usually delivered at your work location/offices, or alternatively can take place at a Marsh office if more convenient.

“**The HSE Regulatory Mock Trial highlighted the importance of documentary evidence and the problems many businesses would face in a similar situation. The training is interactive and ideal for senior leadership teams as it helps to demonstrate why responsibility and accountability for health and safety within an organisation is so important.**”

FTSE 100 Company - Consumer Staples Sector

This is a marketing communication. The information contained herein is based on sources we believe reliable and should be understood to be general risk management and insurance information only. The information is not intended to be taken as advice with respect to any individual situation and cannot be relied upon as such. Statements concerning legal, tax or accounting matters should be understood to be general observations based solely on our experience as insurance brokers and risk consultants and should not be relied upon as legal, tax or accounting advice, which we are not authorised to provide. Marsh Advisory is a trading name of Marsh Ltd. Marsh Ltd is authorised and regulated by the Financial Conduct Authority for General Insurance Distribution and Credit Broking (Firm Reference No. 307511). Copyright © 2023 Marsh Ltd. Registered in England and Wales Number: 1507274, Registered office: 1 Tower Place West, Tower Place, London EC3R 5BU. All rights reserved. Copyright 2023. 23-113092

## Contact

For more information, please speak to your usual Marsh representative or contact Paul Clark via the below:



**Paul Clark**

Head of Proposition  
Marsh Advisory

**+44 (0)7585 803 478**

**[paul-michael.clark@marsh.com](mailto:paul-michael.clark@marsh.com)**

## About Marsh

[Marsh](#) is the world's leading insurance broker and risk advisor. With over 45,000 colleagues operating in 130 countries, Marsh serves commercial and individual clients with data-driven risk solutions and advisory services. Marsh is a business of [Marsh McLennan](#) (NYSE: MMC), the world's leading professional services firm in the areas of risk, strategy and people. With annual revenue over \$20 billion, Marsh McLennan helps clients navigate an increasingly dynamic and complex environment through four market-leading businesses: [Marsh](#), [Guy Carpenter](#), [Mercer](#) and [Oliver Wyman](#). For more information, visit [marshmclennan.com](https://marshmclennan.com) and follow us on [LinkedIn](#) and [Twitter](#).