

Delays Didn't Justify Dismissing OHS Charges in Stage Collapse Case



On June 6, 2012, a stage collapsed before a Radio Head concert in Toronto, killing a drum technician. As a result, several defendants were charged with various OHS violations on June 6, 2013. But the trial isn't scheduled to end until Jan. 27, 2017. So two defendants asked the court to dismiss the charges due to unreasonable delay. The court noted that the case has taken a long time. But the charges are very serious and complex. And there has been no significant prejudice to the defendants. Thus, the court refused to dismiss the charges, ruling that the prosecution had proven a 'transitional exceptional circumstance' that justifies the significant delays [*R. v. Live Nation Canada Inc.*, [2016] ONCJ 735 (CanLII), Dec. 5, 2016].