

New Trial Ordered on OHS Charge Due to Insufficient Reasoning by Trial Judge



A worker at an auto parts plant was re-arranging a 2,305 pound steel coil in a rack when it tipped over, struck him and pinned him to the ground. He suffered numerous serious injuries. The plant was charged with three OHS violations. The trial judge acquitted the plant on all charges, ruling the government didn't prove them beyond a reasonable doubt. The Crown appealed, arguing that the judge didn't provide sufficient reasons for his ruling. The appeals court found that the judge's reasoning was sufficient to support dismissal of two charges. But as to the third, 'there was no roadmap in any meaningful way to explain how' the judge arrived at the conclusion he did or how his interpretation of the law was consistent with 'the intent of this public welfare statute designed to provide protection for the health and safety of workers.' So it ordered a new trial on that charge [*Ontario (Ministry of Labour) v. Magna Closures Inc.*, [2017] O.J. No. 2055, April 24, 2017].