

# OHS Convictions Overturned & New Trial Ordered in Death of Well Worker



A worker at a well site was engaged in a process in which a drilling pipe is removed from the well and disconnected piece by piece. He was hit in the head by rotating equipment, suffering fatal injuries. The court convicted his employer of two OHS violations, ruling that the appropriate standard of care required an engineered solution to the problem of table torque induced by the driller. But an appeals court set aside the convictions and ordered a new trial. The trial judge made a 'palpable and overriding error' when he found that industry competitors had adopted an interlock device. In addition, although the Crown proved that the drilling rig had the capacity to endanger the safety of any person, it didn't prove that the employer committed any wrongful act. In addition, the appeals court found that the trial judge erred in concluding that the employer hadn't proven that it had done what was reasonably practicable to avoid the worker's death. In fact, the trial evidence established that it had met all industry standards and legislative requirements [[R v. Precision Drilling Ltd.](#), [2016] ABQB 518 (CanLII), Sept. 16, 2016].