

Westray Anniversary & C-45



Almost 20 years ago, on May 9, 1992, the Westray mining tragedy occurred when methane gas and then coal dust exploded in a Nova Scotia coal mine, killing 26 workers.

In many ways, Bill C-45 is the lasting legacy of this disaster. The bill, which took effect on March 31, 2004, amended the *Canadian Criminal Code* to make it possible to hold a company or individual guilty of criminal negligence for failing to fulfill the duty to protect a person doing work if the failure to protect was the result of wanton or reckless disregard for life or safety and caused death or serious bodily harm to the worker or a person affected by the work.

When C-45 first took effect, many feared that there would be a flood of criminal prosecutions for serious safety incidents. However, those fears have proven unfounded, as only a handful of cases have been brought under the revised criminal law.

But don't think that the possibility of criminal prosecution for workplace fatalities isn't very real because it is.

To learn how to protect your company and its senior management from the risk of criminal prosecution for safety violations and incidents, attend our [webinar](#) on April 18, 2012.

The speaker, Norm Keith of Gowlings and one of Canada's leading experts on C-45, will tell you:

- How safety duties under Sec. 217.1 of the *Criminal Code* put your company in peril and what steps to take to

limit your risk

- Who can be charged for criminal negligence—and why top executives are especially at risk
- How to avoid crucial errors other companies and senior executives have made that led to criminal charges
- The kinds of sentences and fines the courts are handing down in criminal prosecutions
- How the courts have ruled in the latest wave of safety negligence cases
- And much more.

Attendees will also get a special report—Westray: 20 Years Later.

Click [here](#) for information on how to register or call 1-800-667-9300. And don't forget – OHS Insider Pro Members can attend for FREE!

C-45 Compliance Center

Click [here](#) to go to our C-45 Compliance Center, where you'll find a lot of information on criminal negligence, including the elements of a [criminal negligence charge](#) and how to protect your company and individuals, such as [officers and directors](#), [supervisors](#), [JHSC members](#) and even safety coordinators, from facing such a charge.