



Enforce the Westray Amendments to Canada's Criminal Code

WHEREAS it has been more than three decades since the Westray mine disaster in Nova Scotia and two decades since important amendments were made to the Criminal Code of Canada to hold corporations, their directors and executives criminally accountable for the health and safety of workers; and

WHEREAS more than 1,000 workers a year continue to be killed at work; and

WHEREAS police and prosecutors are not equipped to and are not utilizing the Westray amendments, and not investigating workplace fatalities through the lens of criminal negligence; and

WHEREAS a cultural shift is required in the way that workplace fatalities are addressed and investigated.

THEREFORE, BE IT RESOLVED that this Council support a campaign to urge the provincial/territorial government, specifically the Attorney General, Solicitor General and Ministers of Labour and Justice, to ensure that:

- Crown attorneys are educated, trained and directed to apply the Westray amendments;
- Mandatory training is provided for police and health and safety regulators to know how the Westray amendments apply;
- Resources are allocated to ensure training takes place at all necessary levels – training must not be voluntary;
- Mandatory procedures and protocols are instituted in every jurisdiction for police, crown prosecutors and health and safety regulators;
- Dedicated prosecutors are assigned in each jurisdiction and given the responsibility for health and safety fatalities;
- There is greater co-ordination among regulators, police and Crown attorneys so that health and safety regulators are trained to reach out to police when there is a possibility that criminal charges are warranted.

(As of May 2024)