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Melissa Hughes

Western University, melissalynhughes@live.ca

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The Westray Mine Incident: Corporate Violence and
Governmental Crime as the Roots of Disaster

Melissa Hughes

Western University

Abstract

This paper addresses the catastrophic Westray mine disaster that rocked the East Coast of Canada in Plymouth, Nova Scotia, in May 1992 and outlines the causes and factors of the deadly explosion that resulted in the death of 26 miners. From a perspective of white-collar crime, particularly governmental crime and corporate violence, this paper asserts that the negligent actions of inspectors from the Nova Scotia Department of Labour and managers from Curragh Resources Inc., the corporation in charge of the Westray mining operation, led to the conditions in the mine that caused the explosion to occur. Despite there being no convictions in the criminal trial that followed the disaster, the report from the Westray Mining Inquiry clearly indicates numerous incidences in which the failure of Curragh managers to implement provincial health and safety regulations created an unsafe work environment for the Westray miners, and because of which a methane explosion was only a matter of time. A comprehensive analysis of the disaster, including theoretical explanations for the negligent actions of government inspectors and mine managers and the structural conditions that may have contributed to a criminogenic environment within the agency and corporation is also included, followed by an analysis of legislation that has been enacted by the Canadian government in the aftermath of this event.

Keywords:

criminal negligence – governmental crime – corporate violence – criminogenic – Westray bill

Introduction

While the workplace may generally be thought of as an area in which workers' rights are protected and their well being ensured, a myriad of cases demonstrate that in fact the workplace can be the site of dangerous practices and safety omissions that threaten not only the health of workers, but also their lives (Payne, 2012, p. 356). Failing to implement safety regulations can cause physically harmful, if not deadly circumstances for workers, and the negligence exercised in the omission of such regulations can be accurately purported as being acts of white-collar crime. Frank and Lynch have expanded upon Edward Sutherland's (1941) definition of white-collar crime, and conceptualized these crimes as "socially injurious and blameworthy acts committed by individuals or groups of individuals who occupy decision-making positions in corporations or businesses"; these acts are committed for the benefit of said individuals against the corporation or business for which they are employed (Frank and Lynch, 1992, p. 17). The concept of white-collar crime has been typified in many ways, now having many different facets.

The Westray mine disaster provides for an analysis of governmental crime and corporate violence in the negligent actions of the Nova Scotia Department of Labour, which is a department of the provincial government, and Curragh Resources Inc. (hereinafter referred to as "Curragh"), the corporation that operated the Westray mine at the time of the disaster (Fthenos, 2014; Glasbeek and Tucker, 1993, p. 16). Together, the acts of negligence of the Department of Labour inspectors and Curragh managers in failing to properly enforce and comply with provincial health and safety regulations arguably contributed to the death of 26 Westray miners (Bittle, 2012, p. 5). Despite neither the Nova Scotia government nor employees of Curragh being formally convicted as responsible for the deaths of the Westray miners, this paper argues that the extent of negligence executed by both the government and Curragh employees

demonstrates a unique synthesis of governmental and corporate crime, wherein the disregard for existing safety regulations, on the part of both actors (in the pursuit of economic growth for the province, and in profits for the corporation) contributed to the explosion.

The Event and Resulting Harm

Tragedy rocked Canada's East Coast on the fateful morning of May 9, 1992. Located in Plymouth, Nova Scotia, the Westray mine was the site of a deadly underground explosion that tore through its southwest section and killed all 26 miners who were working in it (Hynes and Prasad, 1997, p. 608). In the aftermath of the explosion, frantic relatives waited as emergency rescue personnel searched the mine, becoming decreasingly hopeful that survivors would be found throughout the duration of the search. The ten-day search and rescue operation resulted in the retrieval of the bodies of only fifteen men, the remaining eleven never being found before the termination of the rescue process (Davis and Verberg, 2011, p. 31; Glasbeek and Tucker, 1993, p. 14).

The Nova Scotia government acted immediately to investigate the particulars of the explosion. Within five days of the deadly event, the Premier appointed Justice Richard to launch a public inquiry into the disaster (McMullan, 2007, p. 21). Five years later, in 1997, the Westray Mining Inquiry report was published, importantly titled "The Westray Story: A Predictable Path to Disaster" (Bittle, 2012, p. 5). The report confirms that the head of a continuous mining machine caught spark, igniting methane gas and producing a large flame that traveled through the mine, leaving behind a noxious stream of carbon monoxide as it used up all of the oxygen in its path (McClung and McMullan, 2006, p. 67). The fire continued to grow in size as it ravished through the mine, and it quickly erupted into a methane explosion, which subsequently caused the coal dust located on the floor of the mine to explode; the combined forces of these explosions

blew off the entire mine entrance, located one mile above the blast center (McClung and McMullan, 2006, p. 67). The blast was so powerful that houses in nearby communities felt their shock, as homeowners reported their houses shaking and windows breaking at the time of the explosion (Bittle, 2012, p. 4). The sheer magnitude of the explosion, causing a collapse of the mine itself, along with the poisonous gases suffocating the breathable air in the mine, ensured that no workers could possibly survive, and that all were probably killed immediately (McClung and McMullan, 2006, p. 67).

The Legal Response

In the aftermath of the Westray mine disaster, extensive investigative measures were undertaken and allegations of corporate wrongdoing shortly hit the media waves and infiltrated the Canadian legal system. The report of the public inquiry takes numerous shots against both Curragh and the Department of Labour, citing the deaths as the unfortunate result of greed and expedience (McMullan, 2007, p. 40). Indeed, plentiful accusations against Curragh and the government were expressed, the Westray incident repeatedly being referred to as “a disaster waiting to happen” through a combination of missteps and oversights (Davis and Verberg, 2011, p. 24). The Department of Labour initiated its own internal investigation, and the RCMP launched a criminal investigation (McMullan, 2007, p. 21).

Although Curragh tried tirelessly to manage the media’s accounting of the Westray disaster, this task became impossible as information was continuously released suggesting that numerous systematic failures triggered the explosion (Tucker, 1995, p. 92). Curragh adopted an “accident narrative” in defending itself against accusations of negligence and corporate wrongdoing, suggesting the explosion was random and unavoidable, and that “mother nature cannot always be predicted or controlled” (Davis and Verberg, 2011, p. 29). Furthermore, the

government explicitly rejected any responsibility for the incident, and insisted upon blaming the miners themselves as being liable for their own deaths (McMullan, 2007, p. 36). In the interim of publication of the report, various regulatory agencies filed 52 violations of the *Occupational Health and Safety Act* against Curragh (McClung and McMullan, 2006, p. 68). These charges dealt with fifteen separate components of the operation of the mine and included severe allegations of encroachments of safety codes; however, all 52 charges were quickly dropped in order to avoid the abrogation of the right to a fair trial of anyone later charged criminally by the RCMP (Hynes and Prasad, 1997, p. 609). In 1993, as a result of its criminal investigation, the RCMP did charge Curragh, as well as two of its managers – Gerald Phillips, the former manager of the mine, and Roger Parry, the former underground manager – with manslaughter and criminal negligence (Gomery, 2006 p. 790; Tucker, 1995, p. 92-93).

The road to conviction was not an easy one, and much debate circulated throughout the course of the trial regarding who was to blame for the disaster. The trial began in February 1995, and cost approximately \$4.5 million to execute (McClung and McMullan, 2006, p. 68 and Tucker, 1995, p. 93). Bittle (2012) points to “prosecutorial mishaps” as partially contributing to the failure of convictions against the accused (p. 4). McMullan (2007) further supports Bittle’s claim by citing numerous state failures in the legal realm, including an incomplete police investigation resulting in inaccurate evidence to be presented at trial and a state prosecution that was explicitly denied the appropriate resources and legal expertise to present a sound criminal case (p. 36). Additionally, the difficulty in convicting the Curragh managers was partly due to a lack of legislation holding employees in a supervisory role criminally responsible for disregarding safety warnings (Johnson, 2008, p. 355).

In the end, no convictions were laid against Curragh Resources Inc., nor Phillips or Parry, as the charges of manslaughter and criminal negligence could not be proven (Johnson, 2008, p. 355). The Crown stayed proceedings due to an apparent lack of evidence to proceed with the trial, despite the four volume Westray Mining Inquiry report that detailed numerous incidences of managerial missteps and regulatory violations (McGillivray, 2004, p. 39). Civil actions against the Department of Labour were also not pursued in full, as the Supreme Court of Canada decided that the Nova Scotia government could not be held responsible for the deaths at the mine despite its negligence in licensing and directing a mining business it knew to be unsafe (McClung and McMullan, 2006, p. 68). The Nova Scotia Workers' Compensation Board paid an estimated \$15 million to the families of the deceased miners, which has done little to satisfy them as they remain disappointed that no criminal convictions were reached (Tucker, 1995, p. 93).

Rationale for Topic Selection

The negligence exercised by Curragh managers and by inspectors from the Department of Labour constitute corporate crime, specifically corporate violence, by the former and governmental crime by the latter, as typified by various scholars (Frank and Lynch, 1992; Kramer, 1984; Payne, 2012). Frank and Lynch (1992) conceptualize "corporate violence" as a facet of corporate crime, including those acts that are "socially injurious and blameworthy...committed by corporations and businesses against their workers...that cause physical injury to workers..." (p. 17). As with corporate crime, the benefactor of corporate violence is the corporation itself (Frank and Lynch, 1992, p. 17). In this regard, the concept of white-collar crime becomes extended to include violations of regulatory law, as the willful violation of health and safety regulations under the *Occupational Health and Safety Act* by

managerial employees of Curragh undoubtedly contributed to the deaths of the 26 miners on that fateful morning (Hochstetler and Shover, 2002, p. 2; Payne, 2012, p. 40).

The public inquiry also indicates wrongdoing on the part of the Department of Labour in allowing this mining enterprise to continue operating despite knowing the dangerous conditions of the mine (McClung and McMullan, 2006, p. 68). Since the Department of Labour is an agency of the Nova Scotia government, the actions of the Department of Labour should be considered a form of governmental crime (Fthenos, 2014). As inspectors of the Department of Labour arguably carried out negligent actions, it is appropriate to delineate these actions as a form of white-collar crime (Fthenos, 2014). This section of the paper will outline the crucial findings of the Westray Mining Inquiry that indicate numerous incidences of negligence on the part of Curragh managers, as well as by inspectors of the Department of Labour, to support the claim that acts of corporate violence and governmental crime respectively were committed. Particular factors will also be considered in terms of their influence on the economic and political climate in which the Westray mine was constructed and operated, which may have had an influence on decisions made by the corporation and by the government.

The Westray Mining Inquiry report, as well as other special reports that consolidate its findings, provide a detailed timeline of safety omissions and red flags leading up to the disaster that, if properly attended to by the Nova Scotia government and addressed by managers at Curragh, could have quite possibly prevented the explosion. In December 1987, Curragh Resources Inc. purchased Suncor's interests in the Pictou coalfield of Nova Scotia, after completing its feasibility study of the area the preceding month (Glasbeek and Tucker, 1993, p. 16). Unfortunately, while the provincial government enjoys jurisdiction over mine safety, hopeful mine operators do not need the permission of the government to develop a mine;

Curragh therefore did not have to clear their decision to mine with the provincial government, thus avoiding any legal obligation to consider the health and safety of workers when determining whether or not to mine (Glasbeek and Tucker, 1993, p. 17).

Arguably, this lack of governmental control over the decisions of a private corporation has its roots in a system that favors the creation of private wealth over government intervention in the economy (Tucker, 1995, p. 99). Herein lies a crucial cultural factor that may have contributed to the oversight on the government's part in not considering fully the potentially dangerous consequences that could arise out of building a mine in this particular coalfield. The existence of geological faults leading to the potentially dangerous roof and floor conditions of any mine that is built, the "dangerous presence of methane", and the capability of spontaneous combustion were cited in a 1987 feasibility report undertaken by Placer Development Ltd. (Glasbeek and Tucker, 1993, p. 16). Indeed, while numerous feasibility studies were conducted by various agencies – including the Canada Centre for Mineral and Mining Technology, an institution of the federal government – the noted dangerous conditions of the Pictou coalfield were never seen as an issue for worker health and safety, but rather as problems of technical and economic feasibility (Glasbeek and Tucker, 1993, p. 16). This suggests that neither government agencies nor Curragh considered seriously the potential dangers to the health and safety of miners, further implying that the political view at the time was more concerned with the value of coal and money than that of human life (Tucker, 1995, p. 101). The political economy of Nova Scotia at the time of the development of the Westray mine contributed to the unsafe work conditions that led to the disaster in this regard (Ross, 2001, p. 79).

An additional structural issue was present in terms of the time crunch that Curragh was placed under to complete the construction of the mine once the decision to start the Westray

project was confirmed. While construction of the mine began in April 1989, it became delayed until 1990 due to a lack of financial backing from the federal government; this delay made it more difficult for construction to be complete by September 1991, the date by which the first order of Westray coal was to be delivered to Curragh's first customers (Glasbeek and Tucker, 1993, p. 21). It has been suggested that the pressure to build the mine within this shorter period of time was linked to safety issues (Glasbeek and Tucker, 1993, p. 21).

The Westray Mining Inquiry report produced further evidence of corporate wrongdoing with respect to the failure of Curragh managers to address violations of safety regulations that were brought to their attention by the Department of Labour while the mine was in operation. The report indicates more than 50 incidences of which the managers of the Westray mine were warned about violations of workplace health and safety regulations, and that all 50 warnings were effectively ignored by Curragh (Bittle and Snider, 2011, p. 375). Perhaps most importantly, the managers of the Westray mine had been warned intermittently about the level of methane concentration in the air in the mine as well as the dangerous levels of coal dust on its floor (Glasbeek and Tucker, 1993, p. 22). Department of Labour inspectors had repeatedly reminded the Westray management team that as a legal precaution, limestone dust must be placed on the bottom of the mine floor to cover the vast amount of coal dust present – during the construction of the mine, between February and April 1991, they pointed out the need for more limestone on approximately nine occasions (Glasbeek and Tucker, 1993, p. 22). After a cave-in at the mine in May 1992, ministry officials conducted an investigation at Westray and noticed that the air sample taken in the mine was four percent methane, coming extremely close to the threshold for disaster, as methane gas explodes if ignited when it reaches a five percent concentration in the air (Glasbeek and Tucker, 1993, p. 22).

Production in the mine was not halted on either of these occasions; the Nova Scotia Department of Labour felt satisfied that the Westray mine managers had developed a coal dust plan to be enforced by the end of September 1991, and that they were effectively controlling the methane situation (Glasbeek and Tucker, 1993, p. 22). However, in April 1992 it was clear that Westray had not been taking the appropriate steps to eliminate the dangers as identified by the Department of Labour. Ten days before the explosion, on April 29, a Department of Labour inspector served the Curragh management with a written direction to clean up the mine site in order to prevent a coal dust explosion within fourteen days, or risk prosecution (Bittle, 2012, p. 5; Glasbeek and Tucker, 1993, p. 22). Unfortunately, the order did not have a chance to expire before inspectors could take action, with the explosion occurring due to the high levels of coal dust (Bittle, 2012, p. 5). A special report of the disaster uncovered numerous occasions on which managers at Curragh could have taken action to make the Westray mine a safer work environment for its miners, and these officially recorded health and safety violations make it clear that these violations preceded the disaster (Glasbeek and Tucker, 1993, p. 22).

While the display of Curragh's indifference towards numerous safety warnings since the beginning of the construction of the mine have been cited in the allegations of negligence and manslaughter against the corporation, the Nova Scotia Department of Labour must also be considered as having some responsibility for the deaths of the miners. While the provincial government did not have to give permission to Curragh to begin the mining process in the Pictou coalfield, the government is necessarily given notice when a company begins work on a new mine, and from that point on, the Department of Labour is charged with the responsibility to ensure that mine operations are conducted in a manner consistent with provincial health and safety laws (Glasbeek and Tucker, 1993, p. 17). Serious deficiencies in the management

practices and operational methods of the Nova Scotia Department of Labour were found in an investigation conducted on behalf of the Auditor General (Tucker, 1995, p. 93). In particular, although the Department of Labour sent inspectors on numerous occasions to the Westray mine and issued orders to Curragh to enact changes to make the mine safer, the Department of Labour did nothing within its power to ensure compliance with these orders (Wicks, 2001, p. 674). Inspectors did not ever shut down the mine during construction or while miners were working despite their recognition of unsafe working conditions, nor did they conduct follow-up visits to the mine after issuing orders to confirm that Curragh was complying with provisions of their orders (Wicks, 2001, p. 674). The Department of Labour inspectors did not utilize their authority over the Curragh managers in terms of enforcing provisions of the *Occupational Health and Safety Act*, and instead were just as negligent as Curragh managers in allowing the commission of safety code violations to continue, unhalted.

Theoretical Explanations

When analyzing the purported wrongdoings committed by individuals within a corporation or government agency, it is necessary to do so through a theoretical lens to further explain any factors that might exist within the organizational and bureaucratic structure of the corporation that encouraged the commission of injurious behavior. James Coleman's notion of the "culture of competition" as facilitated by the rise of industrial capitalism situates itself nicely in the case of the Westray mine disaster (Coleman, 1987, p. 416). Coleman states that economic struggle is characteristic of life in capitalist society, and "the pursuit of economic self-interest" is seen as a positive activity through which individual actors (or corporations) seek to surpass their competitors in the accretion of wealth (1987, p. 416). Coleman's theory can be accurately

applied to the Westray case in terms of explaining the existence of cultural and economic pressures and the resulting actions of Curragh employees.

From its very first days of operations, the mine had trouble meeting the production quotas as set out by Nova Scotia Power, as per its fifteen-year contract with this entity; this threatened the continued contribution of Nova Scotia Power's financial resources to Curragh for future development operations (Hynes and Prasad, 1997, p. 608). There were many violations of safety regulations by Curragh that may be explained by the need to enhance coal production, such as making adjustments to methanometers to keep equipment working when high levels of methane would have otherwise caused it to shut off (Hynes and Prasad, 1997, p. 608). Additional documents uncovered by the Westray Mining Inquiry indicate that the financial situation for Westray worsened over time, which led to the eventual disregard of safety regulations altogether for fear of jeopardizing the relationships between Curragh and its best customers and lending institutions (Hynes and Prasad, 1997, p. 610).

In a similar manner to that of Coleman, Gephart (1984) suggests that corporate managers, in acting as "agents of capital", interpret production requirements as more important than safety requirements (p. 213). Furthermore, corporations situated within the context of a culture of competition and acting as agents of capital are less likely to meaningfully assess the physical risks of organizational members, which may be enhanced further through the prioritization of production over safety (Hynes and Prasad, 1997, p. 613). In combining the theory of Coleman with other supporting theoretical perspectives surrounding the influence of capitalism on corporate actions, the safety omissions on the part of Curragh can be explained in a more comprehensive manner, taking into account not only individual actions of its managers but the systemic pressures that exist in the broader social system to justify such omissions.

Furthermore, Vaughan's theory of organizational offending can be used as a framework for analyzing the misconduct of both Curragh employees and inspectors from the Department of Labour (Payne, 2012, p. 461; Vaughan, 1992). Understanding wrongdoing on the part of corporate actors during the course of their occupational activities depends upon linking "individual choice and the structural determinants of those choices" (Payne, 2012, p. 461). According to this theory, there are three features of this link between individuals and the organizational context in which they work that promote misconduct in the organization: organizational processes that provide opportunities for misconduct, a competitive environment that encourages the violation of organizational regulations, and a relationship with regulators that diminishes the probability of prosecution (Payne, 2012, p. 461; Vaughan, 1992, p. 125).

Arguably, all three of these features were present within the organizational structure of Curragh Resources Inc. preceding the disaster. In terms of organizational processes within Curragh, the bureaucratic structure of the corporation created a situation in which miners were essentially powerless against the tyranny of the managerial staff; the fact that the miners were not unionized meant they lacked a concerted voice with which to address safety concerns (Hynes and Prasad, 1996, p. 614). Moreover, Westray possessed a health and safety policy that prevented workers from speaking about problems within the mine to anyone not employed at the mine – such as mine inspectors – a policy that, in fact, directly violated the *Occupational Health and Safety Act* (Hynes and Prasad, 1996, p. 612). As previously explained through the theories of Coleman (1987) and Gephart (1984), the competitive capitalist environment provided incentive for the violation of workplace safety regulations in exchange for economic prosperity in the form of increased coal production. The processes and policies within Curragh Resources

Inc. arguably suppressed the contention of workers to unsafe working conditions, thus facilitating misconduct to occur without many barriers.

Finally, there has been evidence unearthed to suggest that Westray enjoyed a “particularly cozy relationship” with Nova Scotia’s politicians, due to the dependence of the province on the mine for improving the region’s general economic well-being (Glasbeek and Tucker, 1993, p. 26). Important politicians under the auspice of the Premier and the federal Minister of Public Works provided Westray with federal and provincial funding, as well as with their own political capital (Glasbeek and Tucker, 1993, p. 26). Furthermore, it can be purported that provincial government involvement with the mine owner occurred through the offering of political favouritism and guaranteeing public loans and tax incentives in exchange for high coal extraction, and at the expense of the enforcement of safety regulations (McMullan, 2007, p. 36). While these allegations are supported only by circumstantial evidence, the possibility that the Westray project was viewed so fondly by the government bears well for its inclusion of Vaughan’s final factor of organizational offending.

It could be inferred that the Nova Scotia Department of Labour refrained from enforcing provincial health and safety laws as harshly as is necessitated by those laws due to the relationship between Westray and the provincial government (Glasbeek and Tucker, 1993, p. 26). Vaughan’s theory suggests that when all of the aforementioned elements of the interaction between individuals and the organization are present, the chances of corporate misconduct increase (Payne, 2012, p. 462). It is arguable that these features were indeed present within Curragh Resources Inc. and that the Department of Labour also may have had a role in the disaster through its lackluster enforcing of provincial laws.

Policy Changes

Although the explosion of the Westray mine was catastrophic, it also led way to new legal developments in the realm of corporate responsibility in situations of workplace harm. The Canadian government introduced Bill C-45, appropriately dubbed “the Westray bill,” on November 7, 2003 (Bittle, 2012, p. 4). Resulting from pressures by trade unionists and relatives of the deceased miners, the Westray bill was produced to “extend liability to both the corporation and anybody in a supervisory role within the corporation” if they are aware that a crime is being committed by employees (Johnson, 2008, p. 355). The Westray bill represents the first time the Canadian government presented amendments to the *Criminal Code* that included provisions relating to corporate criminal liability, and the Westray disaster provided an exemplary catalyst for the government to seriously consider reforms to corporate crime law (Bittle, 2012, p. 4). The motivation for the Westray bill was found within one of the Westray Mining Inquiry’s 74 recommendations to the Nova Scotia government to prevent the occurrence of a similar incident; this particular recommendation called for an amendment to the *Criminal Code* to make corporate officials accountable for workplace safety (Bittle, 2012, p. 5).

While the Westray bill represents an extensive reform to the *Criminal Code* by stating the ways in which an organization may be considered a party to an offence, the government rejected the entering of “corporate manslaughter” as an official offence into the provision, as well as any other offence that specifically targets organizations (Clough, 2007, p. 285). Despite its hesitancy in allocating specific offences to corporate acts, the Westay bill was developed to transform corporate criminal liability and end the lenient treatment that had been so often awarded to corporations through its enhanced enforcement mechanisms and firmer penalties (Bittle and Snider, 2006, p. 471). Additionally, the bill applies not only to corporations, but also to “unions,

municipalities, partnerships, and other associations of persons”, creating an entirely revolutionized regime of criminal liability (Archibald, Kenneth, and Roach, 2004, p. 368).

There are theoretical reasons to believe that greater reliance on criminal liability imposed through the Westray bill may act as a deterrent to prevent corporate negligence and provide reparation of harm where it occurs, but scholars continue to question whether it will be effective in this regard (Archibald, Kenneth, and Roach, 2004, p. 369-370; Bittle and Snider, 2006, p. 471). Corporations can arguably find ways to remove themselves from the grips of the law, such as by declaring bankruptcy in the face of serious criminal charges and invoking certain protections under the *Charter of Rights and Freedoms* (Archibald, Kenneth, and Roach, 2004, p. 369). Additionally, it is important to address the emergence of “professional risk managers” since the inception of the Westray bill into Canadian law, which are organizations that provide training and information on the bill to companies to ensure that their practices are not punished criminally (Bittle, 2012, p. 170). While these businesses may have a legitimate interest in ensuring workplace safety, the message they employ to corporations is to avoid criminal responsibility rather than improve the safety of the work environment (Bittle, 2012, p. 176). Therefore, although the Westray bill is a policy response to the failure of the legal system to produce convictions in the case of the Westray mine disaster, the legislation is fraught with loopholes and as long as risk management, not the elimination of risk, is prioritized by corporations, the bill may have little effect on future cases of corporate negligence.

Conclusion

The Westray mine disaster was a Canadian catastrophe that has sparked legislative change and thus a new awareness of corporate criminal responsibility in this country. The case has been analyzed by numerous scholars from a variety of perspectives, and this paper has

argued that through a review of the literature it is clear that the actions managers at Curragh Resources Inc., and Department of Labour inspectors constitute acts of corporate violence and governmental crime respectively. True to the nature of these crimes, the underlying motivations for violating provincial health and safety regulations in the Westray mine project were arguably to produce more coal and thus improve the profitability of the corporation; for the government, the lackluster enforcement of these regulations was related to its desire to see the corporation bring wealth to the province. Although no criminal convictions were made in the legal proceedings of this case, the evidence presented by the Westray Mining Inquiry clearly indicates corporate wrongdoing and governmental oversight in the commission of white-collar crimes.

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