



Site security comes under renewed scrutiny

Builders to review policies after second crane-climbing incident in as many years

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By Michelle Ervin

Construction site security is under renewed scrutiny after, for the second time in as many years, a member of the public gained access to a downtown property and scaled a crane.

The latest incident unfolded in the Lake Shore Boulevard West and Bathurst Street area around sunrise on Aug. 16. That's when the Toronto Police Service said officers were dispatched to the scene of an unknown trouble call, where a woman is alleged to have climbed and caused enough damage to a crane as to leave it unusable. The 34-year-old arrested in connection with the incident was charged with mischief in relation to the damage and obstruction of property exceeding \$5,000 as well as failure to comply with a probation order.

The headline-making rescue effort by first responders recalled a crane-climbing incident that occurred a little more than a year ago.

“Anytime something like that comes to light and gets that much media attention, it’s natural for everyone to go back and revisit their policies and say, ‘Okay, this happened on one site. What are we doing to prevent it on our sites?’” said **Andrew Pariser, vice president of the Residential Construction Council of Ontario (RESCON)**.

Health and safety obligations

The potential for a worse outcome, such as injury or death, is almost certainly on the minds of high-rise builders after the latest crane-climbing incident. Pariser said the residential construction sector uses a continuous-improvement model, which calls for the examination of near misses such as this in an effort to prevent them in the future.

The Occupational Health and Safety Act serves as a baseline for builders, spelling out requirements for public safety around construction sites. In particular, the construction projects regulation calls for measures to protect passersby from such hazards as falling debris.

“The public way protection sections are not intended to prevent the public from trespassing on private property where no expressed or implied invitation to access the property has been provided by the landowner or the owner of the project,” a Ministry of Labour spokesperson said via email. “The recent crane-climbing incidents are a police matter.”

The spokesperson said ministry inspectors may investigate if a crane-climbing incident were to result in the injury or death of a non-worker. However, she added that their involvement would be limited to looking at whether there had been any violations of the Occupational Health and Safety Act, which deals primarily with protecting workers from on-the-job hazards.

A matter for police

In both recent crane-climbing incidents, the alleged perpetrators were charged with mischief, for which convictions carry the possibility of imprisonment. Mischief in relation to property is among the most serious charges a person could face in connection with this type of incident, said Constable David Hopkinson. He said other potential charges could include break and enter and theft — also serious — and trespassing, a minor offence.

Pariser noted that builders could also be held criminally responsible in connection with a crane-climbing incident if an injury or a death occurred and serious gaps in security were identified.

“For example, let’s say they left a big spotlight on the crane, the gate’s open, there’s a red carpet to the crane,” said Pariser. “Obviously this builder is extremely negligent because they’ve not mitigated risk in the way that they should.”

However, this extreme, hypothetical scenario doesn’t reflect the reality of construction site security today. Nor does the pop-culture caricature of a security guard snoozing through a night shift, said Pariser. Construction site security has become increasingly sophisticated, and a combination of electronic and physical security is now standard, he said.

Fear of inspiring copycats

If the residential construction sector appears to be quiet as it discusses how to prevent future incidents, it may be because there is a fear of inspiring copycats by giving past incidents too

much public attention. Crane-climbing is considered to be a permutation of [roof-topping](#), which refers to the act of scaling of tall structures to take photos and videos — typically to post on social media.

“It is a world-wide phenomenon and Toronto is no stranger to it,” said Constable Hopkinson. “There have been a few deaths world-wide resulting from this dangerous practice.”

Constable Hopkinson encouraged builders to make every effort to secure their sites, at the same time recognizing that it’s challenging. He recommended considering alarms, barricades, fences and motion-activated lighting.

“Some of these things may appear expensive, but given that in both crane-climbing incidents the site was closed for the day the expense may be justified,” said Constable Hopkinson.

Pariser echoed this sentiment, citing the loss of productivity as an added, financial imperative to prevent this type of incident. High-rise builders also have an interest in securing the expensive building materials and equipment that may be stored on residential construction sites, he said.

Side effect of success

In some ways, the emergence of crane-climbing incidents may be a side effect of the residential construction sector’s success. Toronto topped Rider Levitt Bucknall’s January 2018 North American Crane Index, thanks in no small part to the 70 cranes that were in use on high-rise condo projects.

“The more cranes you have, the more opportunities are there to climb them,” said Pariser. “Because residential is such a large part of the market right now, especially in downtown Toronto, there’s a good chance that if they’re going to climb on any crane, it’s probably going to be a residential crane.

“That’s a sign of success of the market, but it’s an issue I think every high-rise builder has thought about,” he said. “We would globalize it and say: You need a security system for your site, and it needs to encompass a lot more than just protecting your crane, but the crane becomes a focal point when a situation like this arises.”