

Australia: Coroner's findings whitewash Beaconsfield mine death

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13 March 2009

In a further blow to the family of miner Larry Knight, who was killed at the Beaconsfield gold mine in Tasmania in April 2006, the coroner's inquest into his death has exonerated the company and the state government of any responsibility.

Knight, 44, a father of two, died and his two work companions, Brant Webb and Todd Russell, narrowly missed death when tonnes of rock collapsed onto an underground vehicle they were operating. Knight, who was outside the vehicle, was crushed. Webb and Russell were shielded by a steel cage but remained trapped underground for 14 days.

The inquest was the third inquiry into the disaster—yet not one company or government figure has been held to account. Coroner Rod Chandler stated: "The evidence does not permit me to make a positive finding that any person, corporation or other entity, by their conduct, directly contributed to Mr Knight's death."

The verdict outraged Knight's family and other members of the mining community who had hoped for a result that would help change the unsafe conditions in the mining industry.

Knight's brother Shane said the "actions of the mine were responsible for Larry's death" because the "owners had ignored warning signs of all the falls prior to the April fall, and they should have been addressed". Knight indicted "the system" that "was not prepared to stand up and penalise those companies and people when they do wrong," adding "for us that means the system is a waste of time".

Webb declared: "Someone should have been held accountable, because the mine was responsible for what happened. They knew it was unstable and they sent us down into that s...hole." Kamal Farouque, a lawyer representing the Knight family, said Knight was denied the protection of a "properly resourced workplace health and safety inspectorate and a proper system of workplace health and safety laws".

The scathing condemnations are entirely justified. The findings fly in the face of testimony to the inquest by miners and mining experts that clearly demonstrated the culpability of the mine owners and the government.

The evidence revealed that to satisfy the demands of major stakeholders—notably Macquarie Bank—for rapid returns, the company ignored the danger signs and put miners under pressure to ignore safety regulations, in order to achieve production targets.

The mine was co-owned by Allstate Explorations and run by the Perth-based administrator Michael Ryan, but Macquarie Bank had first draw on profits, having bought Beaconsfield Gold's intercompany debt of \$77 million for just \$300,000 in 2002.

Particularly damning was evidence that despite a major rock fall in October 2005 in the same work tunnel (stope 925) where Knight was killed, the company failed to carry out a satisfactory risk assessment and rejected the advice of geotechnical consultants called in to assess how the mine might operate safely.

Of six consultants, only one agreed with the continued use of the "compressive arch theory" that underlay the ground support regime in the mine. The objections of the other five were brushed aside.

The inquiry also heard that one expert warned after the 2005 collapse that the potential existed "for further large and damaging events and a large rock structure around the 915 and 925 levels could move further". Another expert recommended that the 915 and 925 levels should never be mined simultaneously. That advice was ignored as well.

Coroner Chandler conceded that the mine owners failed to respond to a "very real risk for worker safety" by not adopting "a systematic, comprehensive, rigorous and properly documented risk-assessment process before it permitted mining to resume".

The coroner also admitted that the "mine's rockfall history up to and including October 2005 made it glaringly obvious that the ground support system... was not performing satisfactorily" and "required a comprehensive and independent reassessment". He further stated the company's decision to resume mining without the reassessment had not been "satisfactorily explained".

Nevertheless, Chandler concluded that he could not "positively" find that "Knight's death would have been avoided had the mine undertaken an adequate risk assessment following the 2005

rockfalls," even though the likelihood of Knight's death "would have been reduced, perhaps significantly".

Such reasoning is an affront. What was "glaringly obvious" was that the company avoided a risk assessment, ignored expert recommendations and resumed production in stope 925 because it contained one of the richest and high yielding veins in the mine.

As one supervisor testified, production in stope 925 was "flat out" in April 2006 because the ore yielded a "filthy" 1,200 grams of gold per tonne. As for the support system in the stope, he said the pillar of rock left to provide ceiling support was "too small" and "not worth two bob".

Evidence to the inquiry by miners confirmed that production concerns overrode safety considerations as the company struggled to meet the demands of its financial backers. Webb testified that miners were constantly pushed to increase production and told by management, "we are under the pump from Macquarie Bank".

The investment bank had the right to withdraw finance if the mine's budget or cash shortfalls blew out by more than 15 percent for two consecutive months. The miners were shown a production chart and warned that if yields fell below a red line on the graph they would lose their jobs.

Minutes of a shift supervisors' meeting just five days before Knight's death showed that the supervisors were told the mine was "behind in production" and that work in stope 925 was "priority one" to meet tonnage targets.

All the evidence leads to one conclusion—the company put concern for profit above the safety of its employees and this produced conditions that caused Knight's death.

The coroner's remarks on the state's mine inspectorate, Workplace Standards Tasmania (WST), pointed to the state Labor government's role in producing the disaster. Chandler admitted that the number of inspectorate staff was "grossly inadequate" and that WST "was incapable of carrying out its core functions of inspecting and enforcing best safety practices within the mining industry". He said the inspectorate's "non-participation in the investigation of the October rockfalls" constituted, "an abrogation of its statutory duty".

Government budget cuts over the years had left the WST with only two inspectors at the time of the rock fall, well below the required number of five specified at the inquest by Chief Inspector of Mines Fred Sears.

Evidence by inspectors showed that the self-regulation laws introduced by the Labor government in 1998 hampered the WST's investigations because they permitted mine management to decide whether rock falls were serious enough to report. The self-regulation system was introduced to attract investment, as Tasmania competed with other states to reduce costs for mine

operators.

To protect the millions of dollars it receives in mining royalties, as well as its own political neck, the Tasmanian government has been involved in a cover up from the start. Its own closed-door Melick inquiry into the Beaconsfield disaster prevented any real probing of the underlying causes and excluded any examination of the self-regulation system. Like the coroner's inquest, it exonerated the company and government.

Equally responsible are the mining unions—in particular the Australian Workers Union (AWU)—that supported the Melick inquiry and the reopening of the mine 12 months after the fatal rock fall. Over the past 25 years the unions have worked to make mining enterprises "internationally competitive," resulting in a sharp deterioration of safety standards.

Following the coroner's verdict, AWU federal secretary Paul Howes declared: "I'm not comfortable that I could say that any single mine in Australia is 100 percent safe." But the AWU has no intention of waging a campaign to dramatically improve safety conditions in the mining industry.

The string of official cover-ups is a grave warning to miners that if matters remain in the hands of the Labor governments, the trade unions and the employers all the conditions exist for further catastrophic events, possibly with greater losses of life.

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