

New Zealand: Pike River Coal charged over miners' deaths

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The third phase of the New Zealand government's Royal Commission of Inquiry into last November's Pike River mine disaster began last month in the Greymouth District Court. The bodies of the 29 men who died in an underground methane gas explosion have still not been recovered. On November 10, days before inquiry hearings resumed, the Department of Labour laid 25 charges against Pike River Coal (PRC), which is currently in liquidation, its former chief executive Peter Whittall, and mining contractor VLI Drilling Limited for alleged breaches of health and safety regulations. Each of the charges carries a maximum fine of \$250,000. A police investigation into the disaster is ongoing.

Whittall denied the charges and said he was being "scapegoated" for the disaster. In reality, since it began hearings in July, the commission has heard detailed evidence revealing that he and the company sacrificed workers' safety in order to extract highly profitable coking coal as quickly as possible. PRC's production was running 18 months behind schedule and the company was under considerable pressure from investors. It mined without sufficient safety equipment, failed to properly train staff and had no adequate emergency exit.

While Whittall and PRC are culpable, it is equally true that the conservative National Party government and the opposition Labour party—which was in office when Pike River mine first opened—have been complicit in PRC's negligence. For weeks, and even months, after the disaster, both parties tried to portray it as a natural event for which no one was responsible. The entire political establishment, including the Greens, heaped praise on Whittall for his supposed

"leadership" in the aftermath of the explosion.

The Department of Labour had, in fact, been repeatedly warned about unsafe conditions at the mine but did nothing. Last month former health and safety inspector Kevin Poynter admitted to the commission that workers had raised concerns about the lack of an emergency exit seven months before the explosion. The department failed to compel PRC to stop production until a suitable egress was built.

Poynter said the Department of Labour was under-resourced and mine inspectors had an "impossible task" policing safety. He was one of only two mine inspectors in the country, and said he had no time to conduct exhaustive safety checks. Over the past two decades, successive governments have undermined working conditions in the mining industry, effectively allowing companies to self-regulate safety. The number of coal mine inspectors dropped from seven in 1998 to just one by 2011.

Evidence given to the commission in recent weeks by former Pike River mine employees described how, free of regulation, the company sped up production and cut corners on safety.

Masaoki Nishioka, a Japanese geologist employed by PRC to commission its hydraulic mining system, said that shortly after arriving at the site last July he urged mine manager Doug White and chief executive Whittall to stop sending miners underground. He warned that the ventilation system needed major improvements and a second exit to the mine was essential. The company did not act on his warning. Nishioka said mining was occurring too close to the Hawea fault, a conduit for

methane gas, and gas often built up to explosive levels while miners were underground. In October 2010 he left his job “because I felt the mine would explode at any time.”

Albert Houlden, who worked as a tunneling contractor during the mine’s development, told the inquiry on Tuesday that he left after just six months, also fearing it would explode. He said young and inexperienced miners were poorly trained and “hardly supervised” by PRC management. When PRC offered a \$10,000 bonus to meet production targets, the miners worked at “100 miles an hour”, leaving no time for training. Ventilation was so bad that Houlden’s health suffered and he often finished work with a “splitting headache” caused by carbon monoxide from machinery.

Bernie Monk, whose son Michael died in the disaster, told Radio New Zealand he was shocked by Houlden’s evidence. “Michael often came home and he was always ill, always had major headaches,” he said. “Not being of mining background we just didn’t understand.”

On Monday, Adrian Couchman, former safety training organiser at Pike River told the inquiry that management only paid “lip service” to safety. Supervisors told him “they couldn’t afford to release staff for Friday training because they didn’t have enough on shift and they needed to focus on production.”

While several workers were not afraid to speak out about their safety concerns, PRC management was able to ignore and isolate them, in large part due to the complicity of the Engineering, Printing and Manufacturing Union (EPMU). A number of pseudo-left commentators have claimed that the mine could have been safer had more workers joined the union, which collected dues from 65 of PRC’s 120 employees. Daphna Whitmore, a Unite union organiser and former leader of the so-called Workers Party, declared in a blog post: “A safe workplace is one where every worker is an active union member.”

In reality, the EPMU, New Zealand’s largest private

sector union, serves as an adjunct of the corporations and actively works to suppress workers’ struggles. At Pike River the union did not once launch industrial action or criticise the company’s safety record prior to the explosion—even after a group of workers spontaneously walked off the job to protest the lack of adequate safety gear. Immediately after the disaster, then-EPMU national secretary Andrew Little, who is now a Labour Party member of parliament, defended the company. He told Radio New Zealand that it had taken “great care” going into production and “had a good health and safety committee that’s been very active.” He told the *New Zealand Herald* that there was “nothing unusual” about the mine.



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