

# Paltry fine against UK Coal for miner deaths

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A class judgement was handed down last month at Sheffield Crown when UK Coal, Britain's largest producer, was ordered to pay a mere £1.2 million after four miners died following safety breaches at two of its collieries.

Anthony Garrigan, 42, Paul Hunt, 45, and Trevor Steeples, 46, died in separate accidents at Daw Mill colliery, near Coventry, in 2006 and 2007. Paul Milner, 44, died after an accident at the now-closed Welbeck Colliery in Nottinghamshire, in 2007.

Even though UK Coal admitted four breaches of Section 2(1) and three breaches of Section 3 of the Health and Safety at Work Act 1974, Justice MacDuff pointedly told Sheffield Crown Court he would not impose a penalty so high it would “cripple” a firm that has been experiencing economic problems.

The fine ordered was £112,500 in relation to each death and a further £187,500 in costs relating to each case. Justice MacDuff warned family members watching from the public gallery this may mean the fines were lower than some may expect, but according to a BBC report, “urged the families of the dead men to focus on the total combined financial penalty”.

Justice MacDuff continued, “These were, of course, dreadful accidents. They were preventable accidents. However, unlike most criminal acts, there was no intention to kill or injure. ... Mining is and will remain a dangerous occupation. These accidents all occurred in the depths of the Earth.”

Offering balm to corporate Britain, he told Sheffield Crown Court he had a very “difficult exercise to perform” to provide justice for the men's families, yet not threaten a company which “provided energy to the nation, employment within the nation and a valuable service all round.”

UK Coal was, said the judge, “trading on the edge of viability” and it “would be in no-one's interest if the company ceased to trade or if it had to reduce further

the scope of its operations”.

The judgment should serve as a warning to Britain's remaining 4,000 miners and the entire working class. A man's life will not be judged on the basis of the 40 years he had the right to look forward to during his working life and the loss and needs of his family and loved ones. It will be determined by the financial “viability” of the capitalist company and the “scope of its operations”.

All four miners died in not only preventable, but horrific circumstances in the relentless pursuit of corporate profits.

Trevor Steeples, from Nottingham, was suffocated to death by a methane build-up at Daw Mill on June 19, 2006. Two pit managers at Daw Mill, Terence Davison and John Alstead, were cleared of safety breaches in relation to his death by a judge at Sheffield Crown Court in June.

Paul Hunt, from Derbyshire, died after he fell from an underground transporter—which was poorly maintained and had already been declared unfit for passengers—into the path of a train at Daw Mill on August 6, 2006.

Anthony Garrigan, from Thorne, near Doncaster, had been installing bolts into the wall of a tunnel which had a history of collapses when he was crushed by 100 tonnes of coal and stone at the same colliery on January 17, 2007.

Paul Milner, from Nottinghamshire, had been helping to install roof supports so equipment could be salvaged from a coal face where production had already stopped at Welbeck Colliery. He died when a roof fell in on November 3, 2007.

In an earlier hearing, the judge claimed to have read moving tributes from the dead men's families and patronised them for their comments which he said had avoided “railing or complaining”.

Steeple's mother said in a statement after the hearing that she was disappointed no individuals had been

successfully prosecuted over her son's death. She was "thankful Trevor doesn't know all we've been through since he was killed and how the system has let him down so badly".

Tragic incidents continue to occur. Two security guards are in critical condition after they were seriously injured in an explosion on New Years' Day at Welbeck Colliery. The explosion came from an electrical component in the single-storey sub-station building. Coal production ended at the colliery in May 2010.

A total of 17 miners have died in UK coal mines in the last five years. The rate of injuries and "near misses" has also increased during the same period. In 2011, antiquated conditions in Britain's remaining mines claimed the lives of an additional five miners. Philip Hill, 44, Charles Breslin, 62, David Powell, 50 and Garry Jenkins, 39, died when Gleision Colliery in the Swansea Valley flooded on September 15. That was followed, less than two weeks later, by the death of Gerry Gibson after a roof fall at Kellingley Colliery, North Yorkshire, on September 28.

Kellingley, known as a "super-pit", is one of the most productive collieries in Europe, with just 800 miners where it once employed 2,000. It supplies fuel to power stations between Leeds, West Yorkshire and Hull on the east coast, as well as household coal.

In September 2008, Don Cook, 50, was killed in a rock fall. On October 18, 2009, Ian Cameron, 46, died at the colliery after equipment fell on him.

In November, 2010, 218 workers had to be evacuated after an underground methane gas explosion.

The BBC ran a feature last month on Maltby colliery in South Yorkshire, where 70 miners have been recruited to facilitate a new shift pattern. Steve Mace, a coal face worker and National Union of Mineworkers (NUM) official, said that more than 500 workers had applied for the 70 positions.

The onset of the global economic crisis impacted heavily on firms such as UK Coal. At the recent court hearing, the judge stated that he was mindful of the fact that the firm was "under intense economic pressure" following the recession. Mark Turner, counsel for the firm, told the court that shares worth £5 five years ago were recently trading for 34p. He reiterated that UK Coal was in a "very poor way financially" and was implementing a survival plan.

According to *Coal News and Markets*, the price of

coal increased from around \$30.00 per short ton in 2000 to around \$150.00 per short ton as of September 2008. As of October 2010, the price per short ton had declined to \$71.25.

UK Coal, which employs about 2,700 people, reported losses of £124.6 million in 2010, following losses of £129.1 million in 2009 and £15.6m in 2008. In 2007, UK Coal reported profits of £69m.

An almost eight-fold increase has taken place in the deaths of miners in British coal mines during this economically fraught period. The legal judgment on UK Coal makes clear that these deaths are expected to be only the first of many such casualties.



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