

Will tourism companies be held accountable over New Zealand volcano disaster?

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Sixteen people are confirmed dead and another two are unaccounted for, presumed dead, after the eruption of White Island/Whakaari volcano on December 9. Twenty-six people remain in New Zealand and Australian hospitals, all with severe burns requiring complex surgery.

Tour operators and government regulators ignored expert warnings for years about the danger of a deadly eruption on the uninhabited island, so that millions of dollars could be made from guided tours. One volcanologist, Ray Cas, described such activities as “Russian Roulette” given the island had erupted on numerous occasions. Unlike other volcanoes in New Zealand, White Island is distant from emergency services and there was no easy means to escape an eruption.

Without the heroic efforts of first responders, who used helicopters and boats to rescue the injured, the death toll would have been even higher.

Questions are being raised about whether any businesses who profited from the island will be held accountable. Thirty-eight of the 47 people caught in the eruption were passengers on the cruise vessel, *Ovation of the Seas*, owned by US-based Royal Caribbean Cruises. They were being guided by the company White Island Tours (WIT), owned by Ngati Awa Holdings, a Maori tribal-based corporation. The helicopter tour company Volcanic Air was also holding a tour at the time.

In a strange episode the day after the eruption, police announced a criminal investigation had begun, only to retract the statement hours later. Police Minister Stuart Nash told the media it was a “slip of the tongue.” A coronial inquiry is underway and WorkSafe, the government’s health and safety regulator, is also investigating.

On December 16, Labour Prime Minister Jacinda Ardern told the media that WorkSafe’s investigation, which would look at the possible liability of tourism companies, could take up to a year.

Ardern praised Ngati Awa for looking after the victims’ families and said the government would work with the tribe on a possible memorial service. One reporter asked: “Is it appropriate to be working with Ngati Awa on a memorial when they could potentially be under investigation as an owner of White Island Tours?” Ardern replied that “regardless of their commercial interests, they are local iwi [tribe], and they have been providing a very important role locally.”

Ngati Awa Holdings has more than \$151 million in assets. Its chairman Paul Quinn, who is also director of WIT, is a well-connected member of the Maori business elite. He was a member of parliament in the previous National Party government from 2008 to 2011 and drafted 2010 legislation which removed voting rights for prisoners.

WIT is likely to end its operations; its 45 workers have been told their jobs are only safe through to January. Two of the company’s guides died in the eruption.

On December 15, *Stuff* quoted a health and safety respirator supplier saying WIT’s gas masks provided to visitors to the island gave inadequate protection from the toxic gasses emitted from the volcano. Health and safety lawyer Bridget Smith said the efficacy of the masks and hard-hats worn by tourists needed to be investigated.

One previous visitor to the island told *Stuff* the risks had not been explained. “I think if I was told explicitly that there could be dangerous gasses on the island and the lack of a quick escape plan beforehand, I would not have gone,” she said.

Under New Zealand law, disaster victims can receive support from the state-owned Accident Compensation Corporation (ACC), but are not allowed to sue companies for damages. The decision to prosecute is in the hands of the police and WorkSafe.

Royal Caribbean, which is based in the US, could be sued there. *Stuff* noted: “Royal Caribbean has removed the White Island/Whakaari shore excursion page from its website but a cached version shows that it did not include any warnings about potential hazards... It charged adults \$US324 (\$NZ491) each for the seven-hour tour.” Jim Walker, a lawyer in Miami, said: “Sending families without a warning into the crater with virtually no way to flee when it was more likely than normal for the volcano to erupt is exceedingly reckless.”

WorkSafe itself is implicated in the lack of regulation in the tourism industry. It allowed three helicopter companies to operate at White Island without registering as “adventure tourism” operators, in breach of WorkSafe’s own requirements. Regulators never intervened to stop volcano tours, even when the government agency GNS banned its scientists from visiting for two months in 2013 due to heightened risk of eruption at that time.

The disaster bears some similarities to the Pike River mine explosion in 2010, which killed 29 people. No one has been held accountable despite evidence of gross safety breaches by Pike River Coal, which placed production and profit ahead of workers’ safety.

Dean Dunbar, whose 17-year-old son Joseph died at Pike River, told the WSWS he had followed the White Island eruption closely. While he did not know all the facts, Dunbar said: “If those unsuspecting people who were on holiday with their families were not told the risks, or didn’t go through a health and safety induction before landing on the volcano... [companies] need to be made accountable.”

At Pike River, workers trusted the company to keep them safe. Those who knew the extreme risks posed by no proper emergency exit, inadequate ventilation and methane drainage—management, government regulators and the trade unions—took no action.

Despite claims by successive governments that safety regulations were strengthened after Pike River, Dunbar noted that workplace deaths remained high. According to WorkSafe, 64 people died in the first nine months of

2019, the same number for all of 2018.

“The question I have is: how many of those companies were prosecuted for criminal acts or health and safety breaches? When you look into that, there are some that have been prosecuted, but it’s always the little guy, never the big companies, never the big CEOs and directors.”

He warned that WorkSafe could not be trusted to properly investigate disasters and take action. The Department of Labour—as it was previously called—was aware Pike River was “a ticking time bomb” but did not shut it down and effectively allowed the mine to self-regulate. The department then refused to prosecute company leaders, Dunbar said, because any trial would have exposed its own failure to enforce regulations.

“Money has become paramount over health and safety in New Zealand, and you’re not going to change that culture by changing the name of an agency,” Dunbar said.

The families of Pike River victims hope that a re-entry of the mine, currently underway nine years after the disaster, will uncover more evidence that could lead to prosecutions.



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