No justice for families 10 years after New Zealand's Pike River mine disaster

Tom Peters
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November 19 marked the 10th anniversary of the 2010 Pike River coal mine disaster. Twenty-nine miners died after a series of underground explosions in a mine located on the remote West Coast of the South Island. Their bodies have never been recovered.

More than 100 family members of the victims gathered yesterday at the entrance to the mine. They observed a minute's silence at 3:44 p.m., the time of the first explosion, and read out the names of the dead.

The Labour Party-led government held an event at parliament in Wellington, with 34 people from six families taking part. Anna Osborne, who lost her husband Milton in the mine, and Sonya Rockhouse, whose son Ben died, gave speeches calling for greater enforcement of workplace safety and justice for the victims. Osborne said: "WorkSafe NZ's investigations have remained weak, their enforcement poorly resourced, and they most often simply choose not to prosecute. In New Zealand you can, rightly, go to jail for killing a kitten… but not for killing a worker."

Prime Minister Jacinda Ardern declared that the Labour Party government "stands with you and the Pike 29" and was "very close to fulfilling the commitment" to re-enter the mine to gather forensic evidence and reopen the investigation into the disaster. She stated that the families had "suffered because no-one was held accountable at the time." In fact, to this day no charges have been laid against Pike River Coal's (PRC) managers and executives.

The entire New Zealand ruling elite, including successive National Party and Labour Party governments, big business, government departments, police, sections of the judiciary and trade unions have carried out a decade-long cover up of the causes of the tragedy and denied justice to the families of the deceased miners.

The disaster was an industrial crime, caused by gross negligence and cost-cutting by PRC, which placed production and profit ahead of workers' safety and their lives. The mine had inadequate ventilation, faulty methane gas sensors and no suitable emergency exit as required by law.

A 2012 royal commission of inquiry found that there were at least 21 times in seven weeks when methane levels were in the explosive range. The mine was a death trap that could have blown at any time and there were many warnings, which management ignored. Those responsible include not only the company, but also the Department of Labour (DoL, now called WorkSafe), which knew about the blatant safety violations but did not shut down the mine.

Complicit throughout has been the Engineering, Printing and Manufacturing Union (EPMU), now renamed E Tu, which suppressed opposition by workers to safety breaches. After the explosion EPMU leader Andrew Little defended PRC, telling the media there was "nothing unusual" about the company and it had "a good health and safety committee that's been very active." Little subsequently became a Labour Party MP and in 2017 was made "Minister Responsible for Pike River Re-entry."

Successive National Party and Labour Party governments had slashed regulations and gutted the DoL's specialist mines inspectorate, which had just two inspectors in 2010. Labour MP Damien O'Connor later admitted that he had been warned about the increased risk of a mining disaster because of deregulation, but took no action.

The DoL charged PRC chief executive Peter Whittall for safety breaches, but the charges were dropped in a sordid deal in 2013 between Whittall and the government agency. The Supreme Court later found the deal was unlawful, but charges were not reinstated.

Seeking to prevent any further investigations, the previous National Party government planned to permanently seal the mine without recovering the bodies. This was only stopped when the miners' families protested in 2016 along the road to the mine, gaining widespread support in the working class.

The Labour Party and its allies, the Greens and New Zealand First, campaigned in the lead-up to the 2017 election promising to re-enter and re-investigate the mine. Ardern's government then established a Pike River Recovery Agency (PRRA).

Three years later, however, there have still been no prosecutions. Crucial physical evidence has gone missing or been destroyed by police, who never treated the mine as a crime scene and allowed PRC management to remain in charge of the site following the disaster.

The re-entry only began in May 2019 and is proceeding slowly. In March 2020, Little stated that the PRRA would not excavate into the workings of the mine beyond a rockfall at the end of the 2.3-kilometre drift tunnel. Little told a parliamentary committee in June: "There is always a limit to these things and I have no intention of returning to Cabinet for any further resources." He said it was "just impractical" to go beyond the rockfall, even though that is where the miners' bodies are most likely to be.

The government intends to seal the mine by the end of March 2021.

Dean Dunbar, whose son Joseph had just turned 17 and was on his first day underground when he died at Pike River, told the *World Socialist Web Site*: "Here's how I look at it. It's very simple: in a modern society you don't wipe out 29 men and boys, entomb them and walk away."

He added that if the government was "going to put a dollar amount on the recovery of Joseph and 28 others, then [they should] at least put a couple of bore holes on the other side of the rockfall to make sure our blokes aren't all sitting there together, which is where we think

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they are." If there was no attempt to investigate beyond the rockfall, "then that just tells us they don't really want to know what happened."

Dunbar said, "I now understand the phrase: the cover-up becomes worse than the original crime." Evidence that was blown out the mine's ventilation shaft—a door to a control panel on an underground fan—could identify the cause of the first explosion. It had been photographed but then "mysteriously went missing."

Bernie Monk, whose son Michael died at Pike River, said the families had waged a decade-long battle for the truth. Former National Party Prime Minister John Key and Police Minister Judith Collins falsely claimed that the mine could not be re-entered and the force of the first explosion meant "everyone died straight away, it was a burning inferno, everyone was ashes and there was nothing to recover."

Richard Healey, an electrical engineer who independently investigated the disaster on behalf of some of the families for 18 months, told the WSWS: "We now know that actually parts of the mine are remarkably undamaged." Images taken in 2011 by cameras lowered through bore holes, some of which were made public six years later, showed intact bodies, along with items such as rubber hosing and a wooden pallet.

Monk, Dunbar and Healey say the evidence strongly suggests there were survivors after the first explosion on November 19, 2010, and potentially after the second explosion five days later, shielded by the rockfall. "We have an image of an open self-rescue canister lying on the floor with the self-rescuer [emergency breathing apparatus] removed. That pretty much tells me that someone was in there and accessed that equipment," Healey said.

In 2011, when the mine site was in the hands of receivers who still employed managerial staff from PRC, hundreds of cubic metres of concrete were poured down a slim-line ventilation shaft into the underground "fresh air base" where self-rescuers were stored. Healey feared that this would have "destroyed any possibility of recovering evidence" from the area.

Healey also strongly criticised the PRRA's investigation, saying it was "destroying" the crime scene. Those gathering evidence were mining professionals, not forensic investigators or police photographers. They were using "ancient" equipment including "a camera which has about the performance of a very old cell phone," instead of LiDAR technology used by police to create detailed 3D images.

In response to claims by the media and politicians that the mine re-entry has become too expensive, Monk pointed out that there had been an $80 million insurance payout to PRC's major shareholders NZ Oil & Gas and the Bank of New Zealand. He asked, "Why wasn't that used to do the job we're doing today?"

Monk said the record of the police gave him no confidence that the current investigation would result in successful prosecutions. He added: "We didn't have to go down the mine to bring charges against people because the royal commission stated that there were [multiple] times in the seven weeks leading up to the explosion that mine could have blown up."

He described the 2012 royal commission as "a farce" because Whittall and Doug White, PRC's general manager, were told by their lawyers not to answer questions that could incriminate them. In an extraordinary decision, the commission placed a 100-year embargo on all the evidence it looked at, hiding it from public scrutiny.

Monk and Dunbar also criticised Little and the EPMU. The union had never made any criticisms of PRC before the explosion and never organised any strikes over health and safety, even after a group of miners protested the lack of emergency gear underground. It ensured that there was no further interruption to operations.

Monk noted that the EPMU had not supported the families' 2016 protests against the attempt to seal the mine, despite 11 of the dead miners being union members. He approached a union leader at a memorial service last year to ask them to push for an investigation beyond the rockfall. "He said to me: 'Bernie, you know they're never going through that rockfall.'" Monk replied: "You want us to come up here every year and put our fists in the air and say 'solidarity' when there's 11 of your men sitting buried in Pike River and you haven't got off your arses."

The story of Pike River, both the preventable deaths and the ongoing cover-up, mirrors similar tragedies internationally, including the 2010 Upper Big Branch mine explosion in West Virginia, which also killed 29 people, and the Grenfell Tower fire in London where 72 people died.

In New Zealand, it was followed by the collapse of the CTV building in the 2011 Christchurch earthquake, which killed 115 people. Police decided it was not in the "public interest" to prosecute anyone for its multiple dangerous construction flaws. Likewise, no one has been held accountable for 21 deaths caused by the White Island/Whakaari volcanic eruption last year. Despite numerous warnings, tourism companies had profited from dangerous excursions to the island.

The chief political lesson Pike River and all these disasters is that workers cannot rely on any of the established political parties, police, government regulators or trade union bureaucracies to protect their safety. All these organisations are loyal to the profit system and seek to subordinate workers to the demands of big business. This fact has been underscored by the COVID-19 pandemic: in one country after another, unions are collaborating with governments and corporations to force workers to risk exposing themselves to the deadly coronavirus by returning to workplaces before it is safe and without proper precautions.

To defend themselves, working people need to form their own organisations: rank-and-file committees controlled by workers themselves and politically independent of Labour and unions. Above all, the fight for justice for the Pike River 29, and for safe workplaces, must be connected with a political struggle to reorganise society along socialist lines, so that it is run on the basis of human needs, not private profit. For masses of people throughout the world, this is a life and death question.

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