

# Australia: No charges for deadly explosion at Anglo American's Grosvenor mine

Terry Cook  
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Last month, Queensland's Workplace Health and Safety Prosecutor announced it would not bring charges against any officials of giant mining company Anglo American over the May 6, 2020 explosion at its Grosvenor underground coal mine in central Queensland. Five workers were left with horrendous injuries.

Prosecutor Aaron Guilfoyle declared: "Having assessed the brief of evidence against the guidelines of the Director of Public Prosecutions, I am not satisfied there exists a reasonable prospect of securing a conviction against any of the identified duty holders under the Coal Mining Safety and Health Act 1999."

It is some eight months now since the Queensland Board of Inquiry into the deadly incident brought down its finding. The inquiry was commissioned by the Queensland state Labor government of Premier Annastacia Palaszczuk as a damage control exercise to contain the widespread outrage over the May 6 disaster and to whitewash its own responsibility for the disaster, alongside that of the company.

Even in the official inquiry's highly-orchestrated proceedings, however, it proved impossible to completely suppress evidence that confirmed that Anglo's drive for production to maximise investment returns at all costs had created the conditions for the deadly methane gas explosion.

It is only necessary here to review the main policies implemented by Anglo at its Grosvenor mine in the lead up to May 6.

The key inquiry findings show that the mine's management:

- Enforced a rate of production that continually produced methane gas levels exceeding the capacity of the mine's gas drainage system, which at best could only handle gas levels generated from the mining of

10,000 tonnes of coal daily. Production from the mine's long wall 104 (LW104), where the five injured men had been working, was frequently in the range of 15,000 to 20,000 tonnes, and sometimes up to 28,000 tonnes a day.

- Did not cap production to a safe level when mining LW104 and then implemented a system known as bi-directional mining to yield even higher levels of production thereby contributing to a further elevation of gas levels.

- Abandoned a series of essential safeguards designed to manage gas levels before commencing work on LW104 that would have taken considerable time to implement and would have delayed the start-up of production on the seam. These included pre-gas drainage of the actual seam being worked and the development of an effective strategy to divert gas being generated from coal seams surrounding LW104 as cutting on the long wall proceeded.

- Did not carry out the required specific spontaneous combustion risk assessment, either prior to starting production on LW104 or at any time during its operation.

- Did not inform Queensland's Inspectorate of Mines, which supposedly enforces safety, of its failure to carry out these measures.

However, in relation to the last listed revelation it must be stated that the inspectorate's close working relationship with Anglo included its officials being in constant discussions. It is hardly credible that the inspectorate had no inclination of the company's failure to implement the required safety measures.

The damning revelations above were prominent in the 90,000 pieces of evidence handed to the state government's inspectorate at the conclusion of the inquiry last August to enable it to draw up a report for

the Work Health and Safety Prosecutor to consider charges against identified duty holders. This included Grosvenor's management team tasked with enforcing levels of production.

The six-month long period, during which the inspectorate was purportedly examining the evidence and deliberating, was dragged out to take the disaster off the public radar and to diffuse widespread anger.

The inspectorate's quashing of any prosecution is in line with the state Labor government's close collaboration with the mining companies.

Relying heavily on mining royalties, and all kinds of big business patronage, the government has backed the mining companies' drive to slash costs through jobs cuts and ever-greater casualisation, a major contributor to the undermining of workplace safety.

In response to the Safety Prosecutor's decision, Construction Forestry Maritime Mining and Energy Union (CFMEU) Queensland president Stephen Smyth declared: "It's deeply unfair that a management team that oversaw a mine blowing up should face no consequences whatsoever."

The union, however, was centrally involved in the various official maneuvers, which were clearly aimed at blocking any prosecutions and covering-up responsibility.

First, the CFMEU enthusiastically supported the fraudulent Board of Inquiry selling it as "an opportunity for a thorough, wide-ranging and independent examination of the shocking events." Then, the CFMEU hailed the inquiry's ineffectual recommendations as the basis for a "systemic improvements in the industry," even though they left safety in company hands and recommended no charges.

The union, in fact, went along with the fraud because it was as anxious as the government to prevent any exposure of its own role in undermining safety including overseeing massive casualisation.

Most tellingly, the union clearly knew of the dangerous conditions at Grosvenor, because it was told of them by workers. But it did nothing to prevent production from proceeding, thereby consigning workers to their fate.

This was because the CFMEU's main concern, as always, was to maintain its role as a labour bargaining agency. Through its positioning as a virtual arm of company management, the union's officialdom derives

lucrative privileges, including six-figure salaries for many of the top bureaucrats.

The decision that no charges be laid over the Grosvenor explosion will act as a green light for the continued undermining of workers' safety, and its subordination to profit interests.

To fight for an end to the carnage, workers must make a decisive break with corporatised unions and with Labor, both of which are instruments of big business.

New organisations of struggle, including rank-and-file committees independent of the CFMEU must be formed, to enforce basic safety conditions. This must be linked to the fight for a workers' government that would implement socialist policies, including placing the mines, along with the banks and major corporations, under public ownership and democratic workers' control.



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