

# New Zealand government seeks to contain outrage over Pike River mine disaster

By Tom Peters  
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On January 31 New Zealand's Labour Party-led government will formally establish the Pike River Recovery Agency. The new department is tasked with preparing a re-entry of the Pike River coal mine, on the South Island's west coast, to recover the bodies of 29 men who died in an underground explosion in November 2010.

For years the victims' families have demanded that the drift—the 2.3-kilometre tunnel leading into the main body of the mine—be re-entered to search for bodies and investigate the precise cause of the explosion. The former National Party government and state-owned mine company Solid Energy planned to permanently seal the mine's entrance, but were forced to back down following months of protests by the families, who gained widespread support in the working class.

No one has been held accountable for the disaster, despite a Royal Commission finding in 2012 that it was entirely preventable and a court ruling against the bankrupt Pike River Coal. The company sacrificed workers' safety, and ultimately their lives, by operating with no adequate emergency exit, faulty methane gas monitoring and inadequate ventilation.

The Labour-Greens-NZ First coalition government, which took office in October, is posturing as a friend of the Pike River families. It is undoubtedly concerned that continuing protests over the disaster could become a focal point for broader working-class opposition to poverty wages, dangerous working conditions, and a regulatory and judicial system rigged in favour of big business and the rich.

The courts, the Department of Labour (now WorkSafe) and the police have done everything possible to prevent Pike River Coal's directors from being brought to justice.

Three courts—the District Court, the High Court and

the Court of Appeal—dismissed the families' appeal against the Department of Labour's backroom deal in 2013 with Pike River Coal chief executive Peter Whittall to drop charges against him for safety violations in exchange for an unsolicited payment to the families.

In November 2017, the New Zealand Supreme Court ruled that the dropping of charges was “unlawful.” The ruling in the families' favour, however, does not oblige the department to reinstate charges. Whittall, along with other Pike River directors, now lives in Australia.

Former National Party Prime Minister John Key told the families, in the lead-up to the 2011 election, that he was committed to recovering the bodies “and nothing's going to change that.” The following year his government declared the mine too dangerous to enter.

Family members have expressed hopes that the Labour government will be different. Sonya Rockhouse, who lost her son Ben in the disaster, told the *World Socialist Web Site*: “I firmly believe that they will stick to their word.” She added that government ministers were speaking to the families and mining experts who support a re-entry.

She said the families were prepared to reinstate a picket line on the road leading up to the mine if Labour reneged on its promise. “We will never give up,” she said. “We will not hesitate to go up there and do it all again, we've been very clear about that.”

Rockhouse hoped that evidence could be found inside the mine drift that would allow new charges to be laid against management. While she was pleased with the Supreme Court's decision, she added: “We may never get justice or accountability, or truth, which is really sad.”

The WSWs warns that the government's pledges cannot be trusted.

Labour and its coalition partners campaigned in last September's election with a promise to "act immediately to safely re-enter, fully recover, make safe and comprehensively investigate the Pike River mine drift."

Rather than acting "immediately," however, the government has given the Pike River Recovery Agency until April 2019 to organise a possible re-entry.

On November 20, Prime Minister Jacinda Ardern stated that "any decision to re-enter will be based on a thorough technical assessment of the risks and advice on how the risks can be mitigated."

A November 22 editorial in the *New Zealand Herald* suggested that the agency may have to reconcile the families "to the impossibility of safely re-entering the mine." The *Dominion Post* echoed the message.

It is already clear that the drift is stable. In May 2017, Mines Rescue workers Harold Gibbens and Hayden Ferguson told the media they had explored 200 to 300 metres inside during the months following the disaster and believed it was safe to go further.

Video footage of the Mines Rescue workers inside the drift was kept secret by police for six years until it was leaked last April. In 2013, police announced they would not lay criminal charges over the disaster, claiming this was partly because the mine could not be accessed to gather evidence.

For seven years, everything has been done to prevent an investigation and shield Pike River Coal's management. Those responsible also include the Department of Labour, which knew about safety breaches at the mine but did not halt its operations.

The 1999–2008 Labour government was complicit in the disaster. It approved the construction of the mine in a thoroughly deregulated environment that allowed businesses to operate however they saw fit. The Department of Labour's specialist mining inspectorate had been dismantled in the 1990s. By 2010, just two inspectors remained, responsible for about 1,000 worksites, including tunnels and quarries.

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.

In a revealing decision, the new government appointed Andrew Little the Minister Responsible for Pike River Re-entry. At the time of the explosion, Little was national secretary of the Engineering, Printing and

Manufacturing Union (EPMU), which had about 70 members at Pike River. Despite being aware of workers' concerns about safety, the union did not organise an industrial campaign and remained silent about the life-threatening conditions at the mine.

The union worked hand-in-hand with the company to ensure its operations were not disrupted. For days after the disaster, Little defended Pike River Coal's safety record, telling the media there had been "nothing unusual" about the mine and it had taken "great care going into production."

The Pike River Recovery Agency's chief executive is Major General Dave Gawn, former chief of the NZ Army. Rob Fyfe, former chief executive of Air New Zealand, has been made an advisor.

In 2009, Fyfe offered a token apology for the national airline's callous treatment of families of 257 people killed in the 1979 sightseeing plane crash at Mount Erebus in Antarctica. A Royal Commission judge described Air New Zealand's claim that the crash was caused by pilot error as "an orchestrated litany of lies" to cover up the airline's failure to communicate navigational changes. Despite this finding, no one in the airline's leadership was prosecuted.

The appointments of Little, Gawn and Fyfe send a clear message that the Recovery Agency will be guided, above all, by the needs of big business and the political elite. Whether or not it decides to re-enter the drift, the Labour government, no less than its National predecessor, will continue to protect the corporate figures responsible for the mine disaster.

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