

# 14 years after New Zealand's Pike River mine disaster, no justice for victims' families

Tom Peters

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On November 19, New Zealand's Minister for Workplace Relations and Safety, the far-right ACT Party member Brooke Van Velden, moved a one-sentence motion in parliament acknowledging the 14th anniversary of the Pike River mine disaster, in which 29 miners were killed in underground explosions. Parliament expressed its "condolences to family and friends who will be forever impacted" by one of the country's deadliest industrial disasters, and thanked the emergency services and others for their work.

No further statements were made by anyone in the National Party-led coalition government or the opposition Labour Party and its allies. No politician questioned why nobody has been prosecuted, despite overwhelming evidence that the mine was a death trap and that management broke numerous laws and regulations.

A 2012 royal commission of inquiry found that Pike River Coal failed to install adequate methane gas monitoring and ventilation systems. The mine had no functional emergency exit as required by law. Its main fan was installed underground, despite the significant risk that it could spark an explosion.

The inquiry found that in the 48 days before the November 19, 2010 explosion "there were 21 reports of methane levels reaching explosive volumes, and 27 reports of lesser, but potentially dangerous, volumes." However, "the warnings were not heeded." Then Prime Minister John Key was forced to admit that "the company essentially put its profits and its production ahead of the safety and lives of those 29 workers."

Those in charge, however, were shielded from accountability. In 2013, the regulator WorkSafe dropped charges against Pike River chief executive Peter Whittall for breaches of health and safety laws, in exchange for an unsolicited payment to the victims' families. In 2017, the Supreme Court ruled that the deal with Whittall was unlawful, but charges were not reinstated.

No one at WorkSafe or in the Crown Law office has faced any consequences over the unlawful deal to drop the charges against Whittall. The government continues to refuse to provide information relating to the deal, including the source of the money paid by Whittall, which families of the Pike River victims have sought to uncover through court action.

WorkSafe (formerly the Department of Labour) was itself

implicated in the disaster. Its officials knew about the unsafe conditions at Pike River but did not shut down its operations. Since the 1990s, National and Labour Party governments had deregulated the mining industry and dismantled the former mining inspectorate within the Department of Labour.

The Engineering, Printing and Manufacturing Union (EPMU), now called E t?, was also aware of serious safety breaches at Pike River, but collaborated with the company to keep the mine running. It did not call any strikes or draw public attention to the life-threatening conditions workers faced. Three days after the first explosion, the union's then-leader Andrew Little falsely told Radio NZ the company "had a good health and safety committee that's been very active" and had taken "great care" going into production.

For years the Pike River families opposed the National government's plans to permanently seal the mine, entombing the 29 miners. The 2017-2023 Labour Party-led government—which included the Greens and, until 2020, the New Zealand First Party—made false promises to the victims' families that the mine would be re-entered to gather evidence for prosecutions.

In 2021, however, the Labour government reneged on its promise after only the mine drift (entry tunnel) had been explored. Andrew Little, the Minister for Pike River Re-entry—who had defended Pike River Coal as leader of the EPMU—refused to send investigators into the mine workings, where the 29 bodies and critical evidence, including the fan, were located. Ignoring the wishes of the majority of the 29 families and supporters, including numerous experts who explained that the mine workings could be safely re-entered, the government proceeded to permanently seal the mine.

The E t? union issued a hypocritical statement on the 14th anniversary of the disaster, calling on the current National Party-led government to "do more [to] honour the legacy of Pike River." It noted vaguely that safety regulations are being watered down. In fact, as part of a bipartisan austerity drive, the current government and the previous Labour government have cut about 140 jobs from WorkSafe in the last two years.

"The level of danger to workers is still far too high," E t? said, pointing to 43,200 serious injuries last year including 54 deaths. The union has never explained, however, why it did not

take actions that could have prevented the Pike River disaster, or why Little defended Pike River Coal in the immediate aftermath.

Bernie Monk, whose son Michael was killed at Pike River, told the WSWS that E t? had refused to support the families' campaign to stop the Labour government from sealing the mine and preventing the investigation of evidence in the mine workings.

Monk said there was no difference between the major parties on Pike River, noting that he had written to the current prime minister Christopher Luxon two or three times asking for a discussion and received no response.

Luxon's deputy prime minister, New Zealand First Party leader Winston Peters, stated in 2021 that the then Labour government was engaged in a "cover-up" by sealing Pike River mine. Peters has made no public statements on the issue, however, since joining the National-led coalition following the 2023 election.

Dean Dunbar, whose 17-year-old son Joseph died in Pike River, told the WSWS he was not surprised. "Politicians don't care; they care about themselves, everybody needs to understand that," he said.

Officially, police are continuing their investigation of the Pike River disaster, which was reopened in 2018. The initial investigation was shut down in 2013 on the pretext that there was no physical evidence from inside the mine to prove what caused the initial explosion.

In a statement to media outlets on November 19, police said they were working with the Crown Solicitor as they consider whether to lay any charges. "The matter is legally complex and at this point, police expect to have a decision around prosecution(s) in the first half of next year."

The investigation has been repeatedly extended. In March 2022, police said a decision on whether to prosecute would be made in a matter of months. The timeframe was later extended until the end of 2023, which meant that the issue did not receive any public attention during the October 2023 election.

Now, after nearly a year of silence, police have announced a further delay. Monk and Dunbar had not received any explanation for this.

Dunbar pointed out that in the immediate aftermath of the disaster, and for years afterwards, the police and the National Party government falsely told the families that "there was nothing left, that the remains of their children were ash," so there was no point in re-entering the mine to look for evidence. Police suppressed images taken by cameras lowered into the mine workings in 2011—later leaked to the media—which showed human remains and no evidence of a raging inferno.

If charges were laid against Whittall and other senior managers and directors at Pike River, Dunbar said, they would undoubtedly defend themselves by pointing to "damning evidence" of the complicity of the Department of Labour, as well as the conduct of police.

Dunbar also said police had bungled the abortive rescue attempts following the first explosion at the mine. Evidence suggests that a second explosion, five days after the initial one, may have been sparked when a conveyor belt into the mine was switched on. Police have admitted that they considered turning on the belt to help survivors escape the mine, but decided not to do so.

He said the justice system had been "politicised" and "weaponised" to drag out the investigation, which has hardly been mentioned in the media during the past year. "Time is the ultimate weapon," Dunbar said. "How many of the Pike River family members have already passed on? How many will be dead before this investigation is over?"

He denounced Labour and Andrew Little for making false promises to the Pike River families "to get back into parliament" in 2017. "That government had no intention of doing what they promised us: bringing the evidence out, and the remains of our loved ones," he said. Little's claim in 2021 that it was too dangerous to re-enter the mine workings was "blown out of the water" by international experts who said it would only require "basic mining techniques."

For 14 years, governments, state agencies, the judicial system and the union apparatus have worked to prevent anyone being brought to justice for the entirely avoidable deaths of 29 workers at Pike River. The ordeal the families have gone through is not unique: it mirrors the experience of the families of 115 people who died in the CTV building collapse in Christchurch, and the Grenfell Tower fire in London.

In each of these cases, the business leaders and politicians, whose profit-driven decisions resulted in mass death and suffering, have faced no serious consequences, because the system is rigged in favour of the rich and powerful. The ongoing fight for justice for the Pike River 29 must therefore be linked with the mobilisation of the working class in the struggle for an end to the capitalist system and the socialist reorganisation of society.



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