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Office of the Minister Responsible for Pike River Re-entry
Chair, Cabinet Economic Development Committee

FURTHER PROGRESS REPORT ON THE RE-ENTRY, RECOVERY AND EXAMINATION OF THE PIKE RIVER MINE DRIFT

Purpose

1. This paper provides a further progress report on the re-entry, recovery and forensic examination of the Pike River Mine drift (the 2.3 km long access tunnel into the main mine workings). It provides an update on project timelines and costs, and seeks approval for additional project funding.

Executive Summary

2. The planning and preparation phase of work in the Pike River Mine drift is now complete. Staff of the Pike River Recovery Agency (the Agency) have broken through the barrier that had been established 170 metres into the drift while plans for moving beyond this were developed, reviewed and accepted, and all of the required preparations were made.
3. Agency staff are now making their way up the drift. They are extending services (including communications, monitoring and ventilation equipment), carrying out re-support work and forensic examination work (and disassembling the existing conveyor belt and support structure) as they go. The plan is to:
 - 3.1. Secure the forensically significant Pit Bottom in Stone area near the end of the drift for detailed examination - most likely by the end of April 2020;
 - 3.2. Complete recovery/examination operations down to the major roof fall at the end of the drift, withdraw and seal the drift - most likely by July/August 2020;
 - 3.3. Complete remediation work and handover to DOC - most likely by November 2020; and
 - 3.4. Wind down and disestablish the Agency - most likely by February 2021.
4. The current funding for the project (\$36 million plus some capital expenditure) was approved by Cabinet in November 2018 on the basis of a 'most likely' estimate of project costs and timeframes prepared by the Agency at that time. A number of factors have put significant ongoing and cumulative pressure since then on project costs and timelines. The best 'most likely' cost estimate now available is that a further \$15 million (including some contingency funding) will be required to complete the project safely and successfully.

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5. [REDACTED]
6. Given the investment of time and money required to complete the re-entry, recovery and examination of the drift, I do not intend to bring any proposal to Cabinet to move beyond the roof fall at the end of the drift and explore the main mine workings.

Background

7. The Agency was established in January 2018 to conduct a safe manned re-entry and recovery of the Pike River Mine drift to:
 - 7.1. Gather evidence to better understand what happened in 2010 with an eye to preventing future mining tragedies and promoting accountability for this mining tragedy;
 - 7.2. Give the Pike River families and victims overdue closure and peace of mind; and
 - 7.3. Recover human remains where possible.
8. At the meeting on 7 November 2018, the Cabinet Social Wellbeing Committee:
 - 8.1. Noted that the Agency had developed and submitted a detailed, costed and risk-assessed operational plan for the safe manned re-entry of the Pike River Mine drift;
 - 8.2. Noted that if the preferred approach was adopted forensic examination operations in the drift could be completed by the end of August 2019, and the mine site could be handed over to the Department of Conservation by the end of 2019;
 - 8.3. Agreed to increase the funding for the project to a total of \$36 million (based on the 'most likely' cost estimate for the work required) and to extend the expiry date of the Pike River Recovery Multi-Year Appropriation (MYA) in Vote Pike River Re-entry to 30 June 2021; and
 - 8.4. Invited the Minister of Police and I to report back by 30 June 2019 on the progress of re-entry, recovery and forensic examination of the mine drift [SWC-18-MIN-0161].
9. An oral update on progress was provided to the Cabinet Economic Development Committee at the meeting on 24 July 2019 (DEV-19-MIN-0187).

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Progress so far and the way ahead

Completion of the planning and preparation phase

10. The mine has been brought back into – and maintained in – a safe and legally compliant condition.
11. Specialist equipment and machinery (including a portable refuge chamber for use underground) has been acquired or manufactured, imported and inducted on to the mine site. A specialist mining workforce (and the necessary support staff and advisors) has been recruited, inducted, and trained - including Mine Rescue training, forensic training, and rehearsals for specific aspects of the recovery operation. Multi-agency emergency exercises have been conducted.
12. A new emergency door for the portal to the drift has been designed, fabricated and installed. 15 kilometres of new pipeline has been laid over high, rough, steep and exposed terrain. The mine drift was re-entered, cleared and stabilised up to a rated removable barrier 170 metres into the drift, and the required preparations for moving beyond this were made.
13. A comprehensive Entry and Exit Execution Plan (together with the extensive supporting documentation and processes required) has been developed and risk assessed with input and advice from world leading experts, submitted to WorkSafe NZ for assessment and review, and accepted. Further planning and risk assessment work will need to be done as the project proceeds including work to develop a proposed approach to breaching the new remote ventilation plug and examining the remainder of the drift beyond it.
14. As part of the plan a remote ventilation ‘plug’ has been installed successfully near the end of the drift as part of the ventilation and gas control arrangements. The drift has been purged of methane gas with nitrogen from an on-site nitrogen generation plant (more than 3 million cubic metres so far) and fresh air has been introduced successfully up to a borehole just before the remote plug. Four new boreholes have been drilled for water and gas management.
15. WorkSafe New Zealand has approved an application for a regulatory exemption from the Agency under Section 220 of the Health and Safety at Work Act 2015, subject to some specified conditions which the Agency will comply with. The approved exemption is from one specific aspect only of the health and safety regulations for mining. It was requested because it will allow the safest and best approach to be used for ventilating the drift. WorkSafe has also reviewed and accepted all of the hazard management plans (Principal Hazard Management Plans and Principal Control Plans) required under mining safety regulations.
16. Planning has been done for post-project handover to the Department of Conservation (DOC) and some of the required physical work has been ‘front ended’.
17. The Agency has met all of its management, reporting and accountability obligations as a stand-alone Government department. The highest standards of health and safety have been maintained throughout. There have been no lost

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time injuries in the more than 600 working days since the project began, and more than 5,000 helicopter flights have been completed without incident or injury.

18. The Family Reference Group which represents the views and interests of Pike River families has been engaged throughout the process. The Agency also continues to engage with the very small number of families and family members who do not wish to be represented by the FRG or do not support the work that is being done.
19. Finally, on 17 December 2019, an Agency team broke through the 170 metre barrier in the drift and carried out an initial assessment of the first section of the drift beyond that.

Further progress this year

20. Since the Agency resumed operations after the Christmas/New Year break:
 - 20.1. The 170 metre barrier has been fully removed;
 - 20.2. Mine workers have been moving up the drift extending services (including communications, monitoring and ventilation equipment), carrying out re-support work and forensic examination work (and disassembling the existing conveyor belt and support structure) as they go; and
 - 20.3. Additional mine workers have been recruited, inducted and trained so operations underground can move on to a more productive working system (and save costs over the life of the project).
21. By 26 February Agency teams had fully recovered the drift up to 295 metres, had completed reconnaissance up to 315 metres and are carrying out bolting work between 295 and 315 metres. A substantial amount of further bolting work will be required through to 500 metres.
22. A plan showing some of the key features of the drift (including abandoned equipment that will be examined and recovered from the drift) is attached as Annex A.

Pressure on project costs and timeframes

23. A number of factors have put significant ongoing and cumulative pressure on project costs and timelines as work has proceeded:
 - 23.1. The ongoing need to attract and retain key staff with a range of specialist skills. People with these skills are in short supply and high demand in Australia, and attractive pay and conditions are on offer there;

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- 23.2. The ongoing time and cost required to bring the mine into compliance with all relevant regulatory standards after ownership passed to the Agency and to maintain this;
- 23.3. The time (over 29,000 person hours) and cost (including the cost of engaging leading international technical expertise and advice) required to develop all of the required planning and safety management processes and documentation.
- 23.4. The cost, availability, and ongoing reliability of specialised mining equipment (which is also in short supply and high demand). There was no compliant underground mining equipment available in New Zealand. The Nitrogen Plant required to inertise the drift and mine workings, and the specialised mission critical mining machinery required, all had to be secured early to assure availability, imported by ship from Australia, and leased for extended periods of time. The Agency has at times been under pressure to release the Nitrogen plant back to Australia.
- 23.5. Prevailing weather conditions. A significant proportion of physical work above ground can only be undertaken with the use of helicopters. At times inclement weather has severely restricted the ability to fly.
- 23.6. The dynamic atmospheric conditions underground in an area where no work or maintenance had been done for nearly ten years. The environment underground is dynamic and as the Agency has learned more about how the mine responds to changes in atmosphere after years of inactivity, plans have had to be reviewed and revised. This included for example the significant addition of a remotely placed phenolic foam (Rocsil) plug and associated water management arrangements, to provide an additional level of safety in the ventilation/gas management plan.
- 23.7. Confirmation of the nature and extent of the forensic examination work underground that will need to be done by trained Agency staff rather than Police staff; and
- 23.8. The development and implications of a detailed plan for the geotechnical remediation and stabilisation work required to manage strata (ground) conditions underground.

Revised 'most likely' milestones for the rest of the project

24. Under an indicative timeline for the project reviewed by Cabinet in November 2018 it was estimated that operations underground could be completed by the end of August 2019, the site could potentially be handed over to DOC by 31 December 2019, and the Agency could be wound up and disestablished by mid to late 2020.

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25. Given experience since then, and the current and expected rate of progress, the Agency now expects to:
 - 25.1. Secure the forensically significant Pit Bottom in Stone area near the end of the drift for detailed examination most likely by the end of April 2020;
 - 25.2. Complete recovery/examination operations down to the end of the drift, withdraw and seal the drift most likely by July/August 2020;
 - 25.3. Complete rehabilitation work and handover to DOC most likely by November 2020; and
 - 25.4. Wind down and disestablish the Agency most likely by February 2021.
26. But this is a complex underground mining operation so uncertainty (and associated funding risk) is a constant and ongoing factor. The actual rate of progress underground will be affected by a number of things that are still unknown and could further extend the time required to complete the required work safely and properly:
 - 26.1. The actual physical state of the tunnel and the surrounding rock and coal strata underground - and hence the amount of remediation/stabilisation work required. There are six known faulted areas in the drift that will need to be supported, and potentially other areas that will not be revealed until there are 'eyes on';
 - 26.2. The time required to complete satisfactory forensic examination (particularly in the Pit Bottom in Stone area);
 - 26.3. Whether and what significant finds are made, particularly any human remains;
 - 26.4. The work 'rhythm' that is developed and established as progress is made up the drift, a safe working environment is maintained, and the required forensic work is carried out. The estimate for budget planning purposes is 20 metres/shift/day (two shifts = 40 metres per day) in 'clean rock'. But this rate will be significantly affected by areas that require intensive roof bolting potentially slowing progress to as little as 4 - 5 metres/day in some places;
 - 26.5. Prevailing weather conditions. Operations underground cannot be undertaken during lightning alerts. Operations on the mountain above the drift can only be undertaken with helicopter access; and
 - 26.6. Variation to existing regulatory exemption. The existing exemption applies only to work up to the new remote ventilation plug close to the end of the drift. A detailed plan still needs to be developed to remove the plug again and examine the remaining section of the drift beyond

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that. This work will begin soon and will be carried out as far as possible in parallel with other work underground.

27. [REDACTED]
28. I will also report on what, if any, further inquiries (in addition to the ongoing Police investigation) should be made into aspects of the Pike River tragedy and what form these might take.

Financial Implications

Current funding and expenditure

29. The existing funding for the project was approved by Cabinet in November 2018 on the basis of the 'most likely' estimate of project costs and timeframes prepared by the Agency at that time.
30. The current approved funding over the full life of the project (including capital) is \$36.8 million, made up of:
- 30.1. \$35.490 million for departmental operating costs in a multi-year appropriation that expires on 30 June 2021;
 - 30.2. \$0.075 million for non-departmental operating costs; and
 - 30.3. \$1.250 million in capital.
31. Actual expenditure to the end of December 2019 has been \$28.148 million, made up of:
- 31.1. \$26.973 million in departmental operating costs;
 - 31.2. \$0.050 million for non-department operating costs; and
 - 31.3. \$1.125 million in capital.

Cost pressures and additional funding required

32. The best 'most likely' estimate now is that a further \$15 million will be required to fund the Agency to continue to operate (and manage ongoing cost pressures) for the substantially longer time it is now known will be required to complete the project than previously estimated.
33. The Agency will continue to manage cost pressures by exercising prudent financial management and cost control, while maintaining a strict focus on the achievement of the strategic objectives for which it was established. As part of this, for example:

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- 33.1. Cost effective ICT, financial management and other support arrangements are being provided to the Agency by the Ministry of Business Innovation and Employment (MBIE)
 - 33.2. Staff have been seconded to the Agency by NZ Police and the NZ Defence Force at no salary cost to the Agency; and
 - 33.3. The staffing of the Agency has been reviewed from time to time as operational needs and priorities have changed
34. In the short to medium term, however, the cost structure of the project and the Agency will largely be determined by the fixed costs of the required staffing, hire of specialist equipment, specialist technical services and infrastructure.
35. While work is continuing underground, and on the remediation of the site for handover to DOC, expenditure of \$1.3 million to \$2.0 million each month will be required to meet the costs of operation. This includes the costs of:
- 35.1. Agency staff;
 - 35.2. Contractors and consultants (including contracted statutory officials);
 - 35.3. Plant hire and lease (including the nitrogen generation plant);
 - 35.4. Electricity charges and consumables (including the cost of demobilising the substation installed at the mine);
 - 35.5. Helicopter hire;
 - 35.6. Roof support remediation;
 - 35.7. Rent and insurance;
 - 35.8. Professional services (including legal and audit fees);
 - 35.9. Communications and IT;
 - 35.10. Depreciation;
 - 35.11. Shared services support from MBIE;
 - 35.12. Travel; and
 - 35.13. Support for the Family Reference Group (FRG).
36. A contingency element of \$4.195 million has been included in the additional funding requested to cover the potential costs of the following and other such factors that may arise:
- 36.1. Additional roof support than has currently been allowed for is required as progress is made up the drift;

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- 36.2. Forensic examination work takes longer than expected and has been allowed for (particularly in Pit Bottom in Stone);
 - 36.3. There is some operational delay required while all of the necessary arrangements for breaching the remote ventilation plug and exploring the remaining section of the drift beyond it are finalised;
 - 36.4. Additional supplies or permits are required or additional electricity charges are incurred; and
 - 36.5. Winter weather conditions require the replacement of existing services and equipment (which could also require additional helicopter flying hours).
37. This contingency element will only be spent to the extent that is required. But if the provision is not sufficient, or other unknown issues arise, the project could still potentially require further additional funding.
 38. The additional funding does not include the costs of site rehabilitation. These were estimated and have been accounted for already in the Agency accounts for the 2018/19 financial year.¹
 39. The additional funding would be funded from the Between Budget Contingency.
 40. Some fiscally neutral technical adjustments to the appropriations for Vote State Services for 2020/21 are also required because a chief executive for the Agency will now be employed for longer than expected to lead the Agency.²

Independent advice will continue to be available to the responsible Minister

41. Mr Robert (Rob) Fyfe was appointed in January 2018 as an independent advisor on Pike River matters to the Minister Responsible for Pike River Re-entry. Mr Fyfe's term has been extended to 31 December 2020.
42. The costs of independent advice are met from a separate non-departmental output expenses MYA in Vote Pike River Re-entry of \$75,000. More than \$20,000 of this remains unspent so no further funding should be required. If any further funding is required this could be provided by a fiscally neutral transfer from the main departmental output expenses appropriation for Pike River Recovery in Vote Pike River Re-entry. Any such transfer would be subject to

¹ The Pike River Recovery Agency Annual Report for the year ending 30 June 2019 was prepared on a realisation basis as the Agency expected to be disestablished within 12 months of signing the financial statements. Under this basis the Agency estimated the costs of the rehabilitation commitments and recognised them against the 2018/19 Budget in the Statement of Comprehensive Revenue and Expense for the year ending 30 June 2019.

The Agency's Statement of Financial Position carries a liability of \$2.316 million that represents the costs the Agency has provided for in relation to the total cost of rehabilitation. As costs are incurred by the Agency they will be applied against this provision resulting in the Agency's liability for the rehabilitation costs reducing over time. The Agency and its advisers are satisfied that the provision will be sufficient and no additional rehabilitation is being sought.

² Chief Executives of Public Service departments (in this case the Agency) are employed by the State Services Commissioner. The costs of this are paid from Vote State Services and recovered from the departments concerned.

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approval by the Minister Responsible for Pike River Re-entry and the Minister of Finance.

NZ Police comment - the role of NZ Police

Forensic Examination

43. NZ Police is responsible for coordinating the scene examination of the drift and for managing processes on behalf of the Coroner. Police has determined that Police personnel will not be deployed into the drift until it has been recovered by the Agency. Scene examination training and specialist equipment has been provided by Police to Agency personnel who will be examining the scene as the recovery effort advances.
44. Police has established a full-time base at Pike River Mine, including secure exhibit storage facilities. There is a Police team on-site, full-time to coordinate and direct the scene examination and ensure the appropriate handling of any human remains. The Police team includes senior investigators with specialist experience in mass-fatality investigations.
45. Police personnel on-site have been impressed with the engagement and capabilities of the Agency personnel undertaking the scene examination. Police has high levels of confidence in the ability of Agency personnel to complete a thorough and professional examination of the drift throughout the recovery.

Criminal Investigation

46. The criminal investigation into the Pike River tragedy is a significant one for NZ Police. The investigation is being overseen by an Assistant Commissioner and Detective Superintendent. An experienced Detective Inspector is leading a dedicated Canterbury-based investigation team of approximately 20 Police including senior investigators, analysts and legal advisors.

Progress So Far

47. At this early stage of the scene examination (approximately 192m as at 23 January 2020) no items of interest to the criminal or coronial investigations have been located. This is not unexpected. Overall Police are very pleased with the progress of the criminal investigation to date.

Police Staff and experts underground

48. Planning for the examination of the electrical sub-station situated at Pit Bottom In Stone (PBIS) continues to advance. The various (overseas) experts required to inform the examination of the electrical equipment within PBIS have been identified and engaged, with a series of meetings occurring in New Zealand in

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mid-February that will further inform the planning.

49. Once the drift has been recovered Police will make a determination based on expert advice as to whether to deploy the experts engaged by Police into the drift for the purposes of the examination of PBIS. Similarly, in the event of a critical find in the drift during recovery, such as the location of significant human remains, Police will make a determination as to deployment underground on the basis of independent expert advice.

Engagement with Pike River Families

50. Police has finalised a Partnership Agreement with the Families Reference Group (FRG) based on openness and transparency. The relationship between Police and the Pike River families represented by the FRG continues to strengthen, with several families having visited the Police base on-site. FRG member are routinely on-site during the scene examination phases of the recovery and high trust exists between the FRG and the Police personnel based at Pike River Mine.
51. A very small number of families have disengaged from the FRG and have at times publically expressed low levels of trust in Police and the investigation. Police are maintaining efforts to engage positively with these families and to keep them equally well informed of the progress of the scene examination and the investigation.

The main mine workings beyond the drift

52. Given the investment of time and money required to complete the re-entry, recovery and examination of the drift, I do not intend to bring any proposal to Cabinet to move beyond the roof fall at the end of the drift and explore the main mine workings.
53. Initial assessment by the Agency suggests that doing this safely and successfully would be substantially more complex than the work in the drift, could take a further 2 to 3 years, and could cost a further \$50 million plus.

Views of the Family Reference Group (FRG)

54. FRG members and experts advising them have been closely involved in the development of plans for moving beyond the 170 metre barrier and have been provided with a copy of this paper before it was finalised. A comment from FRG is attached as Annex B.

Other Consultation

55. The Department of Conservation, NZ Police, the Ministry of Business Innovation and Employment, the State Services Commission, the Department

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of Prime Minister and Cabinet, WorkSafe New Zealand and the Treasury have been consulted during the preparation of this paper.

Proactive Release and Publicity

56. This paper will be released proactively on the Agency website in accordance with the requirements and procedures for the proactive release of Cabinet material.

Human Rights

57. There are no human rights issues or perspectives relevant to this paper.

Legislative and Regulatory Implications

58. This paper has no legislative implications. A Regulatory Impact Assessment is not required.

Gender and Disability Perspectives

59. There are no gender or disability perspectives relevant to this paper.

Recommendations

I recommend that the Cabinet Economic Development Committee:

1. **Note** that the Pike River Recovery Agency has now moved through the 170 metre barrier in the Pike River Mine drift and that progress is being made up the drift beyond that;
2. **Note** that there has been significant and ongoing cumulative pressure on project costs and timelines;
3. **Note** that the Agency now expects to:
 - 3.1. Continue moving up the drift extending services (including communications, monitoring and ventilation equipment), carrying out re-support work and forensic examination work, and removing the existing conveyor belt and support structure as they go;
 - 3.2. Secure the forensically significant Pit Bottom in Stone area near the end of the drift for detailed examination - most likely by the end of April 2020;
 - 3.3. Complete recovery/examination operations down to the end of the drift, withdraw and seal the drift - most likely by July/August 2020;

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- 3.4. Complete remediation work and handover to DOC - most likely by November 2020; and
- 3.5. Wind down and disestablish the Agency - most likely by February 2021;
- 4. **Note** that the best available estimate available now suggests that an additional \$15 million will be required to complete the re-entry project safely and successfully;
- 5. **Note** that is a complex operation and there are still important 'unknowns' that could affect the actual rate of progress and the final actual cost of the project;
- 6. **Agree** to increase funding for Pike River re-entry and recovery by a further \$15 million;
- 7. **Approve** the following changes to appropriations to give effect to paragraph 6 above, with a corresponding impact on the operating balance and net core Crown debt:

Vote Pike River Re-entry Minister for Pike River Re-entry	\$m – increase/(decrease)			
	2019/20 to 2020/21	2021/22	2022/23	2023/24 & Outyears
Departmental Output Expenses: Pike River Recovery (funded by revenue crown)	15.000	-	-	-

- 8. **Note** the following changes in the indicative spending profile of the multi-year appropriation, resulting from the appropriation changes in recommendation 7:

Indicative annual spending profile	\$m – increase/(decrease)				
	2019/20	2020/21	2021/22	2022/23	2023/24 & Outyears
	8.800	6.200	-	-	-

- 9. **Agree** that the expenses incurred under recommendation 7 above be charged against the between budget contingency established as part of Budget 2019;
- 10. **approve** the following changes to appropriations, with no impact on the operating balance or net core Crown debt, to account for the employment costs of the chief executive of the Pike River Recovery Agency:

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	\$million – increase/(decrease)				
Vote State Services Minister of State Services	2019/20	2020/21	2021/22	2022/23	2022/23 & Outyears
Non-Departmental Other Expense: Remuneration and Related Employment Costs of Chief Executives	-	0.266	-	-	-
Total Operating	-	0.266	-	-	-

11. **note** the following changes, with no impact on the operating balance or net core Crown debt, to account for the employment costs of the chief executive of the Pike River Recovery Agency:

	\$million – increase/(decrease)				
Vote State Services Minister of State Services	2019/20	2020/21	2021/22	2022/23	2022/23 & Outyears
Non-Tax Revenue Chief Executives Remuneration	-	0.266	-	-	-
Total Operating	-	(0.266)	-	-	-

12. **Agree** that the changes to appropriations above will be included in the 2019/20 Supplementary Estimates and that, in the interim, the increase will be met from Imprest Supply;
13. **Note** that given the investment of time and money required to complete the re-entry, recovery and examination of the drift, the Minister Responsible for Pike River Re-entry does not intend to bring any proposal to Cabinet to move beyond the roof fall at the end of the drift and explore the main mine workings;
14. **Note** that if any additional funding is required to meet the costs of independent advice to the Minister Responsible for Pike River Re-entry this will be provided by a fiscally neutral transfer from the Multi-Year Appropriation for Departmental Output Expenses for Pike River Recovery (M99) in Vote Pike River Re-entry;

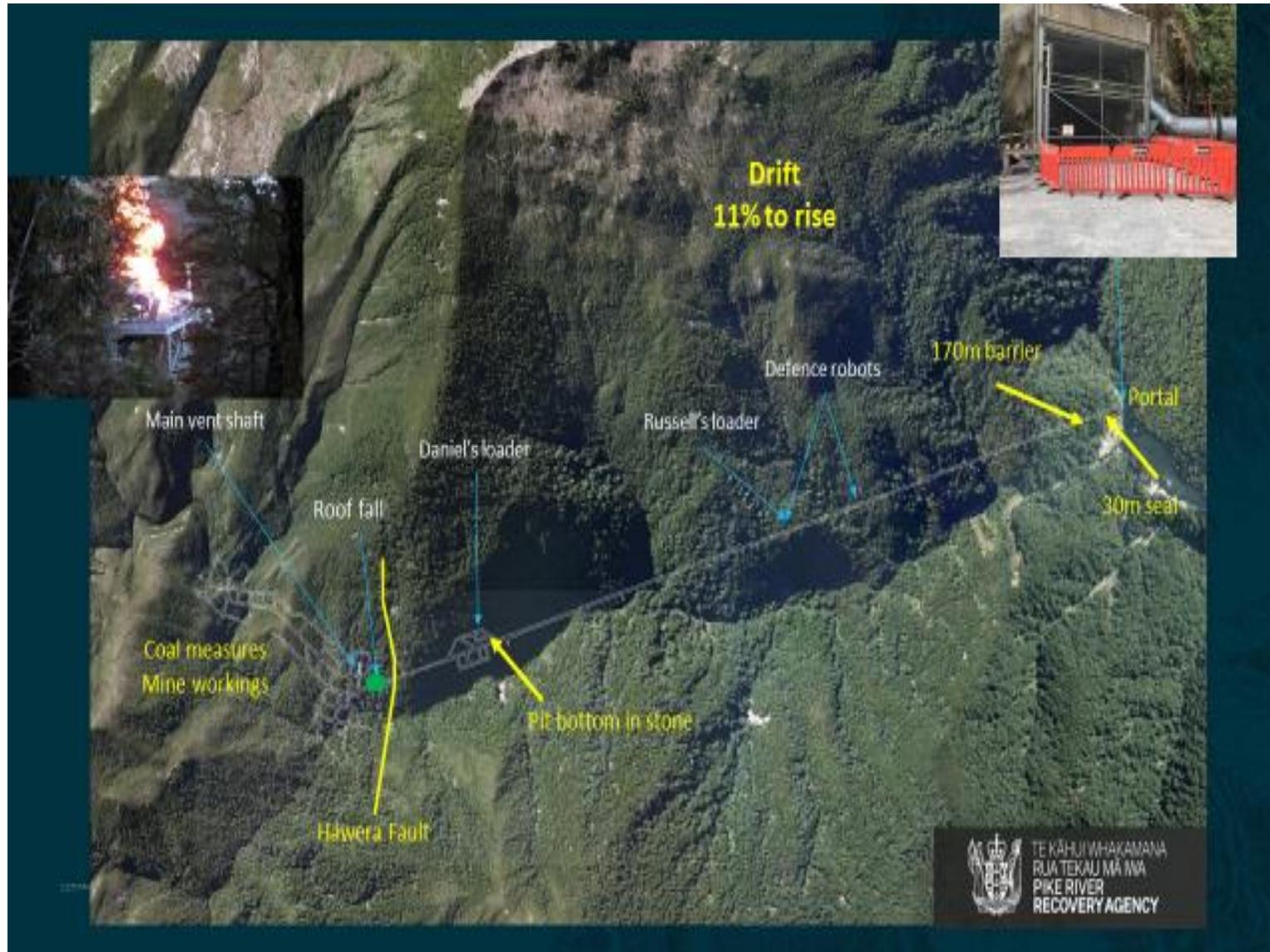
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15. **Note** that any such transfer will require the approval of the Minister Responsible for Pike River Re-entry and the Minister of Finance.

Approved for submission

Hon Andrew Little
Minister Responsible for Pike River Re-entry

Annex A: Plan of the Pike River Mine Drift



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Annex B: Family Reference Group Comment

We want to preface this statement by acknowledging that that we have not been able to share this paper with the wider families. Our representation agreement states, "Where major decisions need to be made by families, the FRG facilitates a voting process based on either a simple majority or a super majority depending on the significance of the decision."

The Pike River Family reference group (representing families of 27 of the men and boys killed at the Pike River mine November 19, 2010 at 3:44pm, and the two men who escaped the explosion), would like to thank Cabinet and the people of New Zealand for this commitment to truth and justice for the pike 29 and for their families who still carry the weight of this loss. It is our great hope that the evidence gathered in this project will deliver accountability for the actions that caused these deaths.

We believe it is premature to decide not to enter the mine workings (as per paras 52 and 53 of this paper) without having completed the recovery of the drift. Until drift recovery is completed, we do not believe that it can be properly determined whether recovery of the workings requires "heroic" mine recovery efforts **and** is unnecessary for the pursuit of justice, or if there is good cause to continue.

That said, our interest is in truth and justice. We want to know why our men died and we want to know that this Government - that you - will do everything it can to hold the people, companies, and agencies responsible for this travesty to account. This is a matter of closure for us, but also a matter of natural justice. As New Zealanders we need to know that we live in a country where people's lives cannot be taken without consequence or accountability. And that it cannot happen again.

Speaking as individual family members and **not** on behalf of the wider families: unless the outcome of the investigation of the drift determines that there is a clear need to enter the mine workings to pursue prosecution we will not be pushing as for this to happen. We would welcome the entry of the mine workings to recover our men, and we will offer our support to any family members who wish to pursue it, but we want to focus our energy on the drift recovery and investigation and the legal and policy outcomes it leads to.

All of the families would love to have our men - our sons, our husbands, our fathers - back. It is incredibly difficult to accept the fact that they will most likely rest forever in a miserable hole in the ground dug by weak legislation, by greed, and by a culture of putting profits ahead of people's lives.

However, in the course of this work we have come to realise that the most significant way we can memorialise our men is to fix the broken system that cost them their lives and to make it very clear to anyone who would consider doing things the way they were done at Pike - in any industry - that there are real and serious consequences to such actions.

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We accept that this cabinet has to balance the interests of all New Zealanders with the interests of the Pike River families in its decision to provide this additional funding and in its decision to not provide further funding for entering the mine's workings. But we know that both the public interest, **and** our interest is served by Government taking real lessons from what has happened at Pike and from the recovery of the drift and by making material change to stop other families from having to go through what we have.

As Cabinet Ministers we know that many of you have portfolios that touch on Pike and on the culture that created Pike. We ask you to look to your work and to ask yourselves what you can change to help make sure that all New Zealanders can benefit from the lessons our loss has taught us. You are all in a unique position to deliver truth and justice - please, use that opportunity.

Sincerely,

The Pike River Family Reference Group