

Questions and Answers for Royal Commission into the Pike River Mine Tragedy under Commissions of Inquiry Act 1908

When will the Royal Commission start work?

The Royal Commission will start work as soon as practical once appointed by the Governor-General and an Order in Council is made to establish it. The Government first needs to finalise the terms of reference and confirm all of the Commissioners. Once these decisions have been taken, an Order in Council is expected to be made as quickly as possible.

How will the Royal Commission work?

It is up to the Royal Commission to determine its own processes. The Government expects that the Royal Commission will conduct hearings, talk to international experts, call witnesses, and thoroughly analyse the evidence.

What will the Royal Commission look into?

This will be determined by the final terms of reference. Draft terms of reference have been publicly released by the Prime Minister. In summary it is expected that the Royal Commission will look into:

- The causes of both explosions;
- The cause of loss of life;
- The way the search, rescue and recovery operations were handled and what resources were available for them;
- The systems in place in the mine;
- The relevant legislative frameworks for mining and mining safety, as well as how these compare with relevant international jurisdictions and best practice.

Who can participate in the Royal Commission?

A very wide group of people can be involved. The Government expects that, as a minimum, the mining companies, unions, families, international experts, government agencies and rescue services will be involved.

Will the miners' families be able to attend the hearings?

This will be up to the Royal Commission.

Why a Royal Commission and not a Commission of Inquiry?

Royal Commissions are reserved for matters of very significant public interest, such as the Pike River Mine Tragedy and the Erebus Air Disaster.

What is the difference between a Royal Commission and a Commission of Inquiry?

There is a different process for establishing them. However, there is no material difference in how they operate once they have been established.

Why not wait until the Inquiries Bill is passed?

The Commissions of Inquiry Act 1908 is a tried and tested piece of legislation. The Government wants to act now and doesn't want to wait. The Commissions of Inquiry Act will still apply to any commissions of inquiry or Royal Commissions in existence even after the Inquiries Bill is passed.

How much will it cost?

This will depend on how long the Royal Commission sits for. The costs are likely to run into millions of dollars. The Government is willing to spend what it takes to answer the questions New Zealanders are asking.

How long will the Royal Commission take?

It is hard to say at this point because it is not clear when the mine will become accessible and events are still unfolding. The Royal Commission will take as long as it needs. While it is sitting, the Royal Commission may choose to suspend its operation until the outcome of any Police, Department of Labour or other inquiry is known. This is to avoid jeopardising criminal investigations, if any. Obviously, if this happens the final report will be delayed.

How long have other similar inquiries taken?

- Erebus Royal Commission – 10 months
- Cave Creek Commission of Inquiry – 6 months
- Police Conduct Commission of Inquiry – 3 years
- Auckland Governance Royal Commission – 18 months

What questions can be answered when the mine is still inaccessible?

The recovery operation has to have safety at the front of its mind. It may take a long time, and it is important to begin to ask the questions now. The Royal Commission will take as long as needed to complete the inquiry.