



Royal Commission on the Pike River Coal Mine Tragedy
Te Komihana a te Karauna mōte Parekura Ana Waro o te Awa o Pike

UNDER

THE COMMISSIONS OF INQUIRY ACT 1908

IN THE MATTER OF

**THE ROYAL COMMISSION ON THE PIKE RIVER COAL
MINE TRAGEDY**

Before: The Honourable Justice G K Panckhurst
Judge of the High Court of New Zealand
Commissioner D R Henry
Commissioner S L Bell
Commissioner for Mine Safety and Health, Queensland

Appearances: K Beaton, S Mount and J Wilding as Counsel Assisting
S Moore SC, K Anderson and K Lummis for the New Zealand Police
N Davidson QC, R Raymond and J Mills for the Families of the Deceased
S Shortall, D MacKenzie, R Schmidt-McCleave and P Radich for certain
managers, directors and officers of Pike River Coal Limited (in
receivership)
C Stevens and A Holloway for Solid Energy New Zealand
K McDonald QC, C Mander, A Williams and A Boadita-Cormican for the
Department of Labour, Department of Conservation, Ministry of Economic
Development and Ministry for the Environment
G Nicholson and S Stead for McConnell Dowell Constructors
G Gallaway, J Forsey and E Whiteside for NZ Mines Rescue Service
N Hampton QC and R Anderson for Amalgamated Engineering, Printing
and Manufacturing Union Inc
J Haigh QC and B Smith for Douglas White
J Rapley for Neville Rockhouse

**TRANSCRIPT OF PHASE THREE HEARING
HELD ON 5 DECEMBER 2011 AT GREYMOUTH**

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COMMISSION RESUMES ON MONDAY 5 DECEMBER 2011 AT 11.30 AM**MS BEATON CALLS****ADRIAN ROBERT COUCHMAN (AFFIRMED)**

- 5 Q. Good morning. Can you confirm that your full name is
Adrian Robert Couchman?
- A. It is.
- Q. And do you live here locally in Greymouth?
- A. I don't any more but I did.
- 10 Q. You did and you were previously employed at Pike River Coal as the
safety and training co-ordinator?
- A. Correct.
- Q. You've already given evidence before this Commission in Phase Two in
relation primarily to underground audits that you conducted as part of
15 your safety role, is that right?
- A. Yeah, correct.
- Q. And you filed an additional witness statement with the assistance of the
Commission's investigator and I understand you have a copy of that
with you today?
- 20 A. I do.
- Q. And that's dated 28 November 2011?
- A. Yes.
- Q. And can you just confirm that the contents of that are true and correct?
- A. Yes.
- 25 Q. Now today Mr Couchman rather than have you read through your
statement to the Commission, I'm going to refer you to particular
paragraphs of it and get you to expand on some additional topics, okay?
- A. I understand.
- Q. So first if we start please with your role when you first commenced at
30 Pike River which I understand was in about September of 2008?
- A. Correct.
- Q. The role of a training co-ordinator was advertised, I take it and you
applied?

A. No I actually found out about it through a mutual friend of myself with Neville Rockhouse.

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Q. You got a job description I take it at the time?

5 A. I did, yes I did.

Q. And did the role of training co-ordinator require any prior mining experience?

10 A. I don't – there wasn't actually no advertisement, the job wasn't actually advertised as such so they found out about it through a mutual friend and I applied for it through that.

Q. And the job description when you were offered the position I take it didn't require previous mining experience?

A. I can't recall.

15 Q. You have been quite candid though that you yourself prior to Pike had no other mining experience as such?

A. I have no mining experience prior to Pike River.

Q. This morning you have seen a document, we could have up please on the screen in front of you which is called, "The roles and responsibilities management plan," DAO.002.00960.

20 **WITNESS REFERRED TO DOCUMENT DAO.002.00960**

Q. If we could perhaps have just the front page initially just so that we can confirm the document please? You've seen that as I understand or part of that document this morning Mr Couchman?

A. You showed it to me this morning yes, that's correct.

25 Q. Yes and if we turn please to page 100 and 101 if we can have both up, if that's possible, can we?

Q. You see there that it relates to the safety and training co-ordinator role, which is your position at Pike initially?

A. Correct.

30 Q. And you'll see on page 101 there that's there's the beginning of a list of a number of responsibilities and actions which are within this document describe that role?

A. Yes.

Q. Now can you confirm that until this morning you hadn't seen this role that was –

A. I haven't seen this particular document, no.

Q. And I think you had a chance to have a read through of it this morning?

5 A. I did.

Q. Is it fair to say that most of the responsibilities listed there are tasks that you did in fact do as part of your role?

A. I did most of the tasks related in this that I'm looking at here and what I read through this morning yes, that's correct.

10 1136

Q. If I could perhaps have up on the screen please pages 102 and 103, you can see there Mr Couchman on the left-hand page, which is page 102, under number 5, there is the responsibility to ensure systems and procedures are in place for the recording and notification of accidents, serious harm and incidents, and it goes on. And on the right hand column of the actions that, to go with it, I'm just going to ask you to comment please on the last bullet point on that left hand page of, "Notification of serious harm, and/or incidents to relevant authority," and the action being that the person in this role is to contact to mine or production manager and assist in the notification in the report to the relevant Department of Labour inspector, and you'll see the top of the right hand column, "Each time a situation occurs," do you see that?

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A. Yes I do.

Q. Can you comment on whether that was something you were actually involved in, in your role as a safety and training co-ordinator?

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A. Reading through that section 5 I did parts of it, and there were parts of that I didn't do. A lot of that, some of that work was done by Neville Rockhouse.

Q. Which parts were you not responsible for?

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A. Notifying the Department of Labour inspector in case of an incident or, or we contacted the, well we contacted them, the production or the mine manager in terms of incidents and accidents by not formal – like

informally did it, but we didn't do it, or I didn't do it in terms of chasing them up for an accident or an incident, if you know what I mean.

Q. Yes.

A. We made them aware of it.

5 Q. You make the manager aware of it you mean?

A. Yes.

Q. Or the Department of Labour inspector.

A. No, not the Department of Labour.

Q. The manager?

10 A. I had no dealings with the Department of Labour in terms of reporting accidents to them.

Q. Just for completeness were there any other issues in this document when you had look this morning which concerned you in terms of the roles, responsibilities and tasks?

15 A. On the whole we did a lot of these tasks but not to the depth that they're asking for in this documentation here.

Q. In your witness statement Mr Couchman you refer to enrolling in the National Certificate in Adult Education at Tai Poutini Polytechnic?

A. Yes.

20 Q. Polytechnic, that as I understand it is a course and a qualification which teaches you to be able to teach others, other adults, is that right?

A. Particularly in regard to adults and other students, yes.

Q. In terms of the mining training or induction process that you went through when you commenced, did you complete the Unit Standard
25 7146?

A. Yes I did.

1139

Q. Did you complete any other unit standards that were required?

A. In terms of the induction?

30 Q. Yes.

A. We did, no I didn't, only that was the only unit standard that I got for that, on that particular induction. But there is a raft of unit standards associated with the qualification obviously.

Q. Yes, you also completed though, I take it, the unit standard that relates to Mines Rescue Service?

A. 497, yes.

Q. What's that called sorry?

5 A. 497, yes.

Q. So 419 you said?

A. 497.

Q. 497, I want to move to the role you had in training prior to your move to the HR Department which I understand was September 2010. You talk in your witness statement about the various types of induction training that Pike prepared and delivered to employees and others who were working at the mine?

A. Yes.

Q. Can I ask you first please about the general induction that was given and the different levels of that for people who were coming into Pike River?

A. Okay, we had different levels of induction depending on wherever you were working within the mine site so for example if you were working around the CPP or down the bottom area of the bathhouse there is specific induction or work introduction to that site there. We had a general, a level 2 induction which covered the entire mine site from the main gate to the mine entrance.

Q. Just pause you there. And that level 2 induction, what did it actually include, I think a medical examination, is that correct?

25 A. No, no that's separate again, in addition. We had a medical examination was part of if you wanted to work for Pike, you had to pass a medical that was get through the place. If you were going to work underground you definitely had to have a medical certificate to say that you were for and able to work underground. So that was a pre-employment requirement.

30

Q. Right.

A. Okay, so level 2 induction was for a general surface induction and in that we covered things like emergency procedures, evacuation points, no smoking rules.

Q. Just a bit fast, slow down.

5 A. Sorry, and drugs and alcohol, licensing and machinery and that sort of thing.

Q. Self-rescuers, you said those?

A. Beg your pardon?

Q. Self-rescuers?

10 A. No the self-rescuers on the level 3 so we had a third induction which was for underground which is level 3 induction.

Q. Yes.

1142

15 A. So that was an – which is an addition to that one as well so that was a level 3 induction and that covered the aspects and the rules for working underground, so that included things like evacuation point, fresh air base, location, the use of the self-rescuers, where they were located, where emergency equipment was located that sort of thing.

Q. And was there a level 4 induction as well?

20 A. The level 4 induction covered the Ikamatua rail-load facility up at Ikamatua.

Q. So only relevant to those people who would be working in that environment?

A. Correct.

25 Q. So these four levels of induction that you've talked about, how long for someone who is going to be working underground, they would have to do levels 1 to 3, would that be correct?

A. No, the one – if you worked up at the mine site, if you were working on the surface did level 2 and that was the longest induction of the lot.
30 That one took about an hour to get through. If you were going to work underground you did level 2 and level 3 in conjunction.

Q. And how long would that induction take?

A. That would take anywhere up to two hours.

Q. And in terms of the induction package, how was it delivered?

5 A. It was a presentation usually done by myself or Neville. It was done in a training room facility and we did it on PowerPoint presentation. We recorded information from the person who was going to – like we'd collected their address and their phone numbers and the company they worked for et cetera and then on the back of that enrolment form was a short assessment of the knowledge that they had just been given.

Q. So was it a pass/fail type approach or not?

A. Yes, well they had to pass it, yes they did yes.

10 Q. The content of that general induction package was prepared by who?

A. Initially by Neville and then I adapted it as time went by when I took it over.

Q. And just so we're clear, this level 2 and 3 induction for someone going underground was given to who exactly?

15 A. Everybody that was underground so all our contractors, all our staff, all employees, trainees, VIPs, or what we call day visitors, anybody who was to go underground received at a minimum level 2 and 3.

Q. I take it though that there was a more in-depth induction for new employees to Pike?

20 A. Correct.

Q. And how long would that induction take?

A. Initially it started off at about, it nearly ran for two weeks to two and a half weeks. It eventually got sort of shortened down to about a week as we got more and more staff, but the initial inductions that we did weren't
25 over two weeks long.

Q. And were they in a classroom based environment, underground or both?

A. We did mostly classroom work. A lot of the training was getting the guides to first aid tickets, taking through various unit standards like lift or
30 move a range of goods. We did one, every induction that came in we did a walk out. So, literally on day one or day two of their induction we would actually take everybody underground and then walk them out to demonstrate that we could actually walk out of the mine.

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Q. Can I refer you please to a document with the reference ROCK0005. Perhaps if we can have pages 1 and 3 up Ms Basher.

WITNESS REFERRED TO DOCUMENT ROCK0005

5 Q. You'll see when this comes up Mr Couchman that it's called a "General safety induction handbook," the date of 2009. You see that in front of you there?

A. Yeah.

Q. And that's something that you've obviously seen before?

10 A. Yes.

Q. In what context was this document, for the record is about 100 pages in length?

A. This is an induction booklet that Neville Rockhouse put together which literally covered everything that we covered in the induction. The induction was sort of a summary version of this particular document.

15

Q. Would you go through this document with new employees?

A. No.

Q. No?

A. No.

20 Q. This was a take-home document, was it?

A. Yes it was. It was. All Pike River employees were issued with this document, a copy of this document.

Q. So the induction that was actually given to them by way of presentations was a different document again?

25

A. Yes it was a different PowerPoint but it covered all these topics here. So, things like housekeeping and hazardous substances and – some of the topics that are covered in this – in the index that I'm looking at here, were covered in the PowerPoint presentation.

Q. Would it be fair to say that it would be covered more in-depth in your PowerPoint presentation than they are in this document?

30

A. No this document's actually more comprehensive I would say.

Q. Are you able to comment where the content for this document and the PowerPoint presentations that you gave during a employee induction came from?

A. No.

5 Q. Who was the author of it? No?

A. It'd be Neville would be the author of most of this material. In terms of my PowerPoint presentation, I inherited it from Neville originally and then as the situation on the mine changed, I would then update or change the PowerPoint accordingly.

10 Q. Change for example, from tunnel through to the point of a gassy mine?

A. Yeah, that and if when the situation in the mine changed or if a new piece of equipment were introduced or a new process was introduced I would update my PowerPoint to reflect that change.

15 Q. And where would you obtain the content for the update from? Would you write it yourself or would you obtain it from the various departments?

A. In terms of the induction it was actually more of a notification just to be aware type of thing. So, yes, it was just a – we would just make a comment or a point in the PowerPoint.

20 Q. We talked briefly before about a unit standard or NZQA unit standard 7146, if we could bring up please document CAC0142, perhaps just pages 1 and 2 please Ms Basher.

WITNESS REFERRED TO DOCUMENT CAC0142

25 Q. Mr Couchman this is a document which sets out the content of that unit standard.

A. Yes.

30 Q. I think you've had a chance to refresh yourself with this document again this morning, but the outcomes and the evidence requirements that we see some examples of on the second page there, who was it that was required to complete this NZQA unit standard?

A. Anybody who was working underground on the mine site and that included contractors.

Q. And how long would this unit standard take to complete?

A. It takes them two days to deliver it.

Q. And who delivers it?

A. Mines Rescue Service.

Q. So offsite obviously away from Pike, it's an independent thing?

5 A. It was at the Mines Rescue Station at Runanga.

Q. And you yourself I think also – this is one of the one's you completed?

A. This is the unit standard I completed at Mines Rescue, yes.

Q. In the induction process for new employees, were they taken through the mine manager's rules?

10 A. Most of the mine managers – in terms for the new employees?

Q. Yes.

A. Yes they were. A lot of my inductions were just to – my inductions covered or touched on a lot of the aspects of the mines manager's rules as well.

15 1150

Q. What about the shorter type inductions given to contractors and visitors to the site, were they taken through mine manager's rules?

A. As I said, part of my job PowerPoint presentation covered, it touched on various aspects of the mine manager's rules. They didn't go into them in depth.

20

Q. Were you ever aware whether the actual document mine manager's rules was ever distributed to anyone at Pike, employees, trainees?

A. It was available at the, at the inductions that we used to do for our employees, so they were aware that it existed.

25 Q. Were they given copies?

A. I can't recall.

Q. You mention in your statements and concerns you had about the limited induction and training that some contractors and employees of contractors participated in prior to going underground at Pike.

30 A. Yes I did.

Q. For a contractor who was engaged at Pike or an employee of a contracting firm who'd had no previous experience working in an underground mine, do I take it that all that they would be required to

complete before actually going underground would be the unit standard 7146 that we've talked about? The short induction with you, level 2 and level 3 and a medical examination?

A. Correct.

5 Q. You talk in your statement about having seen a, a gap or a lack in oversight in training of some contractors and their staff, can you explain to us a bit more about the programme that you developed in relation to inducting and training contractors?

10 A. I identified quite, I identified in about 2010 that there was a deficiency between what we were shown on contractors and what we were teaching our staff, whereas our staff induction was quite comprehensive, I felt that our contractor induction was fairly limited. Minimum requirement was a medical, I mines medical clearance a two-day course at 7146 Mines Rescue and a one hour or two hour session with me and
15 they were fit and able to go underground. So to, I addressed this issue, what I did was I designed a five-day induction process whereby anybody coming into site, whether they were an employee, because we were getting now to a full staffing level now with the mines. We weren't recruiting quite a many people, so our inductions were getting smaller
20 so what I was looking at doing was as we recruited people and as we had contractors coming into site, we would, I was going to develop a five-day induction process where we would cover more comprehensive induction process. So I designed a schedule around that induction process which I then presented to the company.

25 Q. Who in the company exactly?

A. I presented that to Neville Rockhouse and to Doug White.

Q. And perhaps if we could have page 14 please of your statement brought up, so COU0001/14, paragraphs 75 and 76? See that in front of you there I think Mr Couchman, 75 and 76 deal with the issue that you've
30 just told us about? You say in paragraph 76 that you were advised that it was a good idea but that we would have to wait until we were in full coal production before it could be introduced. What was the emphasis on the full coal production, why was it necessary to wait until then?

A. Mainly because as I felt, well mainly because of the feedback I was getting from the managers was that there was considerable number of contractors on site at the time. And that it would've actually taken up a lot of time to get them fully trained, or put them through a five-day process. When we were in full coal production there would have been a lot less reliance on contractors at that stage.

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Q. So I take it from that answer that there would have been less contractors on site at Pike at that point?

A. Once we got into full production, yes.

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Q. And when was full production supposed to be occurring?

A. As I understood it was meant to be about February 2011.

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Q. What was your knowledge of the additional training or experience that contractors had before coming to Pike, were you as training and safety co-ordinator privy to a contractor's internal documents about health and safety?

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A. I was privy to their, or I was aware that they had health and safety plans or health and safety documentation, which they had to submit.

Q. To you, you mean?

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A. To the safety department. I also maintained information on the individuals within those contracts, so if a contractor came on to site I would maintain a file on the – so like their induction, that they'd done their induction. I would maintain a record of their 7146. I would maintain any informational courses, information that I gathered up I would file it on the particular individuals or under the company names.

25

Q. In terms of the reporting of incidents and hazards underground, were contractors as part of the induction, the short induction given to them instructed by you on behalf of Pike as to how to deal with such notifications? Were they required to fill in the Pike River incident and accident forms for example?

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A. Right yes, they were required to fill in – as part of our induction process we stipulated to them that they were to report any incidents, accidents, or any hazards they came across and they were to use our

accident/incident reporting process. I also advised them they would also have to use their own internal reporting processes as well if it came to that.

5 Q. Did you in your role ever see the internal reporting forms from the contractors?

A. Yes I did.

Q. Were they given to you as a matter of course or is that a random –

10 A. Yeah the contractors that work underground would do as all the other miners do and that would submit them to the control room where I would collect them every day.

Q. Sorry, my question was perhaps badly put, but I mean the internal, for example a contractor McConnell Dowell being the largest one on site at the time, so if an incident happened and a McConnell Dowell employee reported it on a Pike incident form but also on a McConnell Dowell incident form, would you get to see the McConnell Dowell form or not?

15

A. Not very often. I did see the odd one but not very often.

Q. So that wasn't a requirement I take it of Pike to see internal documents?

A. No.

20 Q. No. What about the I Am Safe documents, were contractors onsite required to complete those?

A. Yes they were, they were supplied with them.

Q. Sorry?

A. Some of them were supplied with them.

Q. Some of them?

25 A. Some of them.

Q. Was there a reason why not all of them were supplied with them?

A. Not that I'm aware of.

Q. Were you involved at that point or was that something that was –

A. Yes I was involved at that point. I was involved with the initial rollout.

30 Q. Of the I Am Safe Programme?

A. Yes.

Q. Can you explain to us the difference between the incident and accident reporting and the I Am Safe reporting?

- 5 A. The I Am Safe has a booklet, it was more designed as a job start or a hazard identification process for miners to record their worksite, so if they went to the worksite, they would record their accidents or incidents or hazards on that site for that particular day and then what they did as part of the remedial actions to manage that hazard or manage that site. They did tend to get used as an incident/accident reporting system as well because of the fact that it was so convenient for them to use it.
- 10 Q. I'll come back to that in a moment but I'm just jumping ahead. I just want to ask you now about the Pike trainee programme that was created I think in early 2010 and prior to the explosion on 19 November there had been two intakes into that programme?
- A. There had been two intakes into that particular programme, yes.
- 15 Q. The second intake had finished the three month training I think just a week or so prior to the explosion?
- A. Correct.
- 20 Q. If we could please have just by reference to your witness statement please page 8 COU0001/8 just in front of you so that as I ask you these additional questions. You refer there you see from paragraph 36 onwards to the trainee induction and to it being three months in duration. The first two weeks you say were at Pike itself. Was that in a classroom environment with you primarily?
- A. Yes that's correct.
- 25 Q. And the next four weeks I understand the trainees would not be onsite at Pike but instead would be undertaking training with the Mines Rescue Service?
- A. And -
- Q. And the Tai Poutini Polytech?
- A. Correct.
- 30 Q. And then for the final six weeks of that three month programme they'd be back onsite at Pike working shifts?
- A. Yes.
- Q. And also having some classroom training as well?
- A. Correct.

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Q. At the end of the three month training programme, what qualification did a trainee have?

A. They would achieve a level 2 NZQA underground extraction certificate.

5 Q. Which is different again, a whole different level to the 7146, is that right?

A. Yes, yeah very much so.

Q. Now I take it that the trainees that were in this programme were actually employees of Pike River?

A. They were employees of Pike.

10 Q. When they commenced?

A. Correct.

Q. What was the process in terms of them completing the programme – were they then – was it then reviewed as to whether they would become trainee miners at Pike?

15 A. During the three months that they were trainees, I conducted a series of progress interviews with them and performance interviews with them. I would identify if they had any issues or any problems, anything we could help them with. If they were struggling to achieve targets or any issues that they may've had, we would have a one-on-one, face-to-face
20 interview with them just to help them get through the process. At the end of that three months I would then write up a – I wrote up a report on each individual trainee and would recommend whether or not we should employ them or not.

Q. And in relation to the first intake in early 2010 how many of those, I
25 think, 12 trainees were taken on?

A. We took on 11.

Q. In relation to the second intake which ended just in November of last year, how many of those 12 were taken on?

A. We took on 11.

30 Q. I think the two individuals, one from each intake, didn't actually complete the training, is that right?

A. That is correct, yeah, they didn't make it to the end.

Q. When you took on those two crops of 11 trainees, would they then start at miners, at that level of miner or were they still trainees?

A. No at the end of the three month period of training they were still considered trainee miners.

5 Q. And how long would they be a trainee miner for?

A. They would have to do a year underground to be – before they were considered to be a miner.

Q. How long would it be before you were considered to be, what they call, an experienced miner?

10 A. To become an experienced miner you probably would have to do two to three years of experience underground, plus you would have to complete some unit standards or do further training.

Q. You've mentioned before a report that you wrote on the individual trainees at the end of the – each of the programmes and in fact if we can see paragraphs 41 and 42 there I think you discuss that process in your statement. I want to ask you about your comment that you have in paragraph 41 about some of the feedback that you received in the interviews from some of these trainees. You've said in paragraph 41 that the feedback was to the effect that what we were teaching them in the classroom was not happening underground and that this seemed, in my words, to be a gap between theoretical learning and the practical approach underground. Can you expand on that? I know that you prepared, at the time, a report which was given to I think Dick Knapp in the HR department and also to Doug White, is that right?

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25 A. Correct.

Q. We haven't been able to locate that at this point, so I appreciate I'm asking you to think back and dredge your memory, but can you expand on what the concerns were that were raised with you?

A. Okay. As part of that interview process or as part of the process I did with the trainees when I was interviewing them one-on-one, there was a few comments coming back from them that concerned me which I actually wrote in as a quote into their appraisal because I thought that the likes of Doug White and that needed to know about some of these

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comments that were coming back from feedback from these trainees. Some of the comments – one of the comments that was made to me was that there was a hurry up and wait culture underground. So there was a – when they turned up for work there was this initial rush to get everybody underground, but when they got underground there was a lot of standing around and waiting and that was a comment made to me by at least two or three of the miners, trainee miners that we had. Another comment that was made by one of the trainees was that he made the comment to me that what we were teaching him in the classroom was a lot happening underground, in he couldn't give me specifics per se but he was saying that all the processes and procedures that we were teaching them in the classroom were not occurring underground.

1205

- Q. Is that in terms of safety processes and procedures?
- 15 A. Yes.
- Q. No examples were given specifically?
- A. He didn't give me any specific example, or I don't recall, yes.
- Q. So what did you do about those issues? You wrote this report for management?
- 20 A. I wrote this report for management, I quoted those trainees into that report, I submitted the report to Dick Knapp and to Doug White. I received an email from, or we all received an email from Doug White expressing concerns about some of the comments that were being made by the trainees in terms of working underground.
- 25 Q. And what, if anything was done from there?
- A. I'm not aware.
- Q. In terms of timeframe though, I take it when would this have been, when would you have reported being written in terms of relative to the end of that intakes' training which we understood finished about the 12th?
- 30 A. Well that report formed the basis on which we made the decision to employment them or not, so it was very close to the end of November, or sorry to the beginning of November. So I wrote that report and

submitted it and on it I actually recommended that we employed all 11 of those particular gentleman that I wrote a report on.

Q. And did that occur, do you know?

5 A. Yes all three, all, the whole intake apart from the one gentleman that dropped out, the whole intake was employed.

Q. So all 11?

A. All 11, yes.

10 Q. Are you aware whether or not those, or that feedback and your concerns went any higher within the Pike Management Structure than Doug White?

A. I'm not aware, no.

Q. Had you had similar feedback in relation to the first intake of trainee miners in early 2010?

15 A. No not that particular intake, no we didn't get as much feedback from them. Maybe rephrase the question slightly different, I don't know but we didn't get that same sort of negativity coming through on that first intake as we did on the second intake.

20 Q. Just go back a step, at the end of the last six weeks of that three month training period when they, when the trainee miners are all working underground, a few shifts a week, were there any restrictions on what it was they did underground?

A. The instruction that was given, they were trainees were not allowed to work the coal, the actual coalface in the first three months of that training programme.

25 Q. Why was that?

30 A. Because it's a dangerous environment, it is, it's too dangerous for inexperienced people to be working in that environment. We found out, or as part of that actually, part of that induction to, interview process, we found out that some trainees were working the face especially that first intake, so we reiterated with the deputies and the undermanagers that the trainees were not to, in their second induction were not to be working the face that they shouldn't be up there until after their three month training period.

Q. So when a trainee miner is working shifts in that last half of the training programme they're not at the face, who is controlling them, who's supervising them?

A. They were under the supervision of the deputy on shift at that time.

5 Q. How many trainee miners would a deputy have at any one time?

A. Well we tried to keep it down to three to four per shift.

Q. Once a trainee miner had effectively graduated from the programme, had been taken on as a trainee miner as an employee at Pike permanently, what kind of mentoring system was there for that individual?

10

A. Pretty well by the end of three months we didn't actually have much to do with them. They were released into the workforce so they had, they had to complete a one year underground as a trainee miner and one they became a trainee miner they could then could apply to become a fully fledged miner after one year underground but we didn't actually have much to do with them once they left our care after the three months.

15

Q. Do you know whether there was any informal or formal mentoring system underground over that one year trainee miner period?

20

A. Not that I'm aware.

Q. Was that something that had ever been discussed amongst the training and safety staff?

A. No.

Q. Are you able to say what was the ratio of employed trainee miners to experienced miners?

25

A. No, sorry.

Q. Was there any concern that you were aware of within management Health and Safety and HR Departments about that ratio becoming unbalanced?

30 1210

A. There was discussions after the first trainee intake. When we started recruiting for the second intake as to whether or not we had a sufficient ratio of experienced underground to trainees the conclusion was that if

we took one more intake on we would have enough, but after that that would be the last intake of trainees for quite some time because we were getting to the top of our range of trainees to underground staff.

Q. So I take it from that that there was no third intake planned for 2011?

5 A. No there wasn't.

Q. What training was, if any, was given to deputies and underviewers about how to deal with these trainee miners, both while they're in the three month programme and then when they're taken on as first year trainees?

10 A. In terms of the undermanager and deputies, there wasn't a lot of training that – or qualifications that they had. What we were trying to do at the time was put in place a trainer assessor on each of the shifts. So we were trying to get individuals within each shift trained up to the standard, the unit standard or the New Zealand qualification standard as a
15 workplace trainer assessor and we were in the process of doing that. The idea being that those workplace trainer assessors would take over the running of the trainees once they became qualified.

Q. Well that was future looking. What about for those trainees that have commenced with Pike beginning –

20 A. They didn't have that.

Q. That hadn't that?

A. They didn't have that. They had the mentoring in terms of they were assigned to a deputy or to an experienced miner underground, but it wasn't a formal arrangement as such.

25 Q. And the experienced miner or the deputy didn't have any specific training given by Pike as to how to mentor or how to train?

A. No.

Q. I want to move now please Mr Couchman to talk to you about specific training packages for specific processes and procedures and I
30 understand that in your role you were involved in the preparation of a number of trainee packages for different purposes?

A. Correct.

- Q. In terms of the content, the technical type content that would be included in some of those training packages, where would that generally come from?
- A. That information would usually come from the manufacturer.
- 5 Q. So if it related to a machine or a piece of equipment you mean?
- A. Correct.
- Q. Were you involved in giving any, preparing or giving any training packages on issues such as ventilation for example or methane gas levels?
- 10 A. No.
- Q. Was that done to your knowledge or not? Were there those types of training packages prepared and delivered?
- A. In terms of selling like ventilation which was so important and that, we would usually get an expert trainer in. So, for example, the ventilation
- 15 one which you've raised, we had Harry Bell come in and start trying to work with some of the miners on terms of ventilation.
- Q. I think those were the Friday refresher sessions?
- A. Correct.
- Q. We'll come to those in a second. Can I just ask you before we do
- 20 though about you've referred in your statement to two outside contractors Reg Matthews and then George Colligan being contracted by Pike and as I understand it those two men were contracted to provide specific training in relation to mining equipment and machines underground?
- 25 A. They were contracted to provide training on the machinery underground and also in terms of our licensing process as well. So you had to be licensed to operate a piece of equipment and George and Reg both being trained – being workplace trainer assessors had the ability to do that. Plus the experience to do it as well.
- 30 Q. Not something that you, for example, could do yourself necessarily nor Neville Rockhouse?
- A. I could do it myself, yeah, I can deliver the theory side of it, I can't deliver the practical side of it.

Q. You refer in your statement to a period of time where everyone had to be re-licensed on all the machines?

A. Yes.

Q. Why did that happen?

5 1215

A. I'm not actually 100% sure of that one. We had a process in place whereby the staff would have to complete a number of exercises theoretical and practical and achieve their licence. This was under the old mine manager Kobus Louw. When Kobus left, Peter Whittall became the mine manager at that stage while they recruited somebody else. I approached and under our licensing process the mine manager would sign off to say that that mine licence had been approved, so we had a number of staff that had actually achieved their mining licence for the first time and I took them to Peter Whittall to ask him to sign off on them. He then questioned me over the entire licensing process asking – he wasn't very happy with the process because of some of the issues with mine damage or machinery damage that was occurring on the ground, issued a statement or stipulated that he wanted the entire process or the entire licensing process to be carried out again on every single employee on the site.

20

Q. So was every employee's licences revoked effectively?

A. Revoked, effectively yes.

Q. And how long did that take to get everyone back up to being licensed again?

25

A. That's why we took George Colligan on. We took George Colligan on to overcome that backlog so George was effectively trying to get everybody back up to where we were before and get everybody reissued with their licence and re-evaluated.

Q. Was that a costly exercise, are you aware?

30

A. It was a very expensive exercise.

Q. Can I ask you please to have a look at paragraph 49 of your statement which is COU0001/10

WITNESS REFERRED TO DOCUMENT COU0001/10

Q. And that's in reference there to this three bodies of evidence of competency?

A. Correct.

5 Q. Just so I'm clear, is this a process that was brought in while you were involved at Pike or is that the approach they took from the outset?

A. That's the approach they took from the very beginning but that's a standard approach throughout our education training.

10 Q. So the fact that everyone had to be relicensed at one point on various machinery and so on is as a result of a concern I take it from Mr Whittall that the assessors signing off confirming competency wasn't necessarily a sufficient safeguard?

A. That's what I believe.

15 Q. In terms of the content for training packages that were put together by the training department, you've said that the technical stuff came from either manufacturers or from the departments themselves. To your knowledge was that content ever peer reviewed or audited against regulations for example to ensure adequacy on the quality of it?

20 A. We had a formal process whereby we had started to map our documentation or our training programmes against the unit standard or against the equivalent New Zealand Qualifications Unit Standard. That was a process that was introduced by Doug White. He brought a consultant in from Australia, a training consultant and him and I sat together for nearly three weeks. We took some of our training material and started to map it against the equivalent unit standard for a particular
25 machine for example like a drift runner and there was a unit standard available that's very close to that piece of equipment. So what we would do is outline, we would map the two documents together, so our training package against what the unit standard requires as being the minimum standard to achieve that unit standard and we were very close
30 to the mark. We weren't very far off of our documentation being almost equivalent to a unit standard and the idea of the mapping process was that we were to upgrade our document or where there was gaps in our document identified, we would take steps to rectify that. It was a very

time consuming process. It meant going through all our training packages again and mapping them against a unit standard and I'd begun that process on some of the mine machinery.

1220

5 Q. Just going back a step, when was it that, obviously Mr White I think started January thereabouts 2010. When was it that this overseas or Australia consultant came in to assist you with this?

A. That was literally almost as soon as Doug had started. Almost within the first month.

10 Q. Do you recall now what that person's name was or not?

A. I can't remember sorry.

Q. Were there occasions when you were doing this mapping process between a NZQA unit standard and your own training package that there were deficiencies in your packages?

15 A. There was, but they were all relatively minor and easily rectified. It would – the statement from the unit standard would identify that you had to know this sort of information and all that it required was to put a question or a query into the training package to cover that.

20 Q. How many of these training packages had been reviewed by you prior to 19 November, can you say?

A. At this stage I'd only got up to – I'd done about four of them at that stage. They were still ongoing.

Q. And were they packages that related to training on actual use of a machine for example?

25 A. I was focusing on the machine ones to begin with.

Q. What was the future plan for that mapping exercise?

A. Eventually to get them all. That would've been the long term plan would be to map them all against an equivalent unit standard.

30 Q. To move now please to this issue of the refresher training which as I understand from your statement – when did that commence, can you recall?

A. The Friday training?

Q. This is the Friday training yes.

A. The Friday training commenced shortly after Doug started. So it would be about February/March.

Q. And whose instigation?

A. Doug White did.

5 Q. What was the initial plan for that refresher training?

A. The initial idea with the Friday training was that Doug had concerns about the level of understanding of a lot of the policies and procedures and processes that we had on the mine site, amongst some of the mining staff. He wanted to give them an opportunity to actually become familiar with those processes and created this Friday training session whereby originally the original idea was to get an entire shift, but that proved to be too costly in terms of it's an entire production day lost, so down to the point where we were going to get one crew or one machine crew, there's four machine crews, we would get one machine crew per shift, sorry, per Friday.

10

Q. And was the intention that the Friday training would be for the entire day or just part of it?

A. It would be for the entire day.

20

Q. And you set out in your statement that attendance dropped off over time?

A. Yes it did.

Q. Was that an issue that you discussed with others?

A. I discussed it regularly with Neville. I discussed it with Dick Knapp as well when he became my manager.

25

Q. Did you still have responsibility for that as training after September of 2010?

30

A. Yes. So the Friday training – the attendancy or the absenteeism on the Friday training became less and less and quite marked down to the point that we – I would organise to get a trainer or someone in to deliver some training. And I would actually get no staff from shift. On one occasion I rang up the shift manager to ask why his shift hadn't turned up or where was his crew that was supposed to be there and I got told

that there was only four people had turned up for work that day and they couldn't afford to release them.

Q. So what happened with the refresher training?

A. The decision was made to cancel it.

5 Q. Can you recall when that occurred? That decision I mean.

A. It would've been about June/July.

Q. Can I just refer you please to a document meeting – sorry the minutes of an operations meeting on 10 November 2010, DAO.002.14998, if we can have just the first page up initially please as well as perhaps page 7, if that's possible.

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1225

WITNESS REFERRED TO DOCUMENT DAO.002.14998

Q. Now this is a document while we wait for it come up that you've seen I think this morning? You'll be able to confirm that in a moment?

15 A. Yes.

Q. And it's clear from the front page that you're not a person who attended this particular meeting, nor did you attend the operations meetings is that right?

A. No, I didn't, I did not attend operations, no.

20 Q. And as at November 2010 you reported to Dick Knapp rather than Neville Rockhouse?

A. Yes.

Q. And these minutes of operations meeting were they ever distributed to you?

25 A. No they weren't.

Q. You'll see on the right-hand side there, that there is a reference under number 6 to HR in training and there's a summary there which in fact goes onto the second page, the next page I'm sorry, on page 8 if we could have that up, 7 and 8 as well now? You'll see that Mr Couchman that the bottom of page 7 is reference to final interviews being conducted with all the trainees?

30

A. Mhm.

Q. And it refers to your report that's been submitted so that's confirmation what you've told us before. If you see on page 8 there, there's a bullet point third one down on the right-hand side, "The issue of Friday training," do you see that?

5 A. Yes.

Q. Perhaps if we could have, can you see that well enough from there, have it highlighted please? The information that's contained there does that, are you the source of that?

A. Not for the stuff that's in brackets but the rest of it, yes I am.

10 Q. So not for the portion in brackets which reads, "We also need the production"?

A. Correct.

Q. Did you ever have any feedback from your manager or anyone else in management about the decision to cancel the rest of the Friday training?

15

A. No I did not.

Q. Because as I understand it, that decision to cancel was made by you?

A. Primarily by me, yes.

Q. In terms of that content about needing the production, was that something that formed part of your decision making to cancel the training or not?

20

A. No my decision was that we were forking out \$1200, \$1000 a day for a trainer, we weren't getting participation from the production staff so why persist with it?

25 Q. Did you take, prior to cancelling it though, did you take any other steps to try and ensure people participated?

A. We, I don't think contacting the undermanagers on the days?

Q. Yes.

A. We, we gave them notification, we set up a schedule of, there was a schedule set up of training that was available and what was coming up which we circulated amongst the undermanagers and the management staff, so a lot of the, they were aware of what's coming up. They were aware of when they were required to be there. Sometimes we would

30

ask, we would, and we scheduled the crews that we were going to get, so for example if we had the CM crew I would know who was coming to the shifts, so I'd actually know the names of who was coming to the training. And then on the day I would get a completely different crew.
5 And I would find out when I questioned the undermanager about it, that that particular piece of equipment had broken down, they didn't have an work for them so the supplemented them for training rather than the other crew. So there were changes like that going on all the time.

Q. Ms Basher could I ask you to remove that expanded portion please, if
10 we could just have page 8 up again? Just at the portion of this document Mr Couchman that has the reference, "Forward Focus three month plan," and in context this is for the HR and training department, there's three bullet points there, "Progression for mining staff ready for consultation," what does that mean?

15 A. Where are you reading?

Q. I'm sorry, perhaps if we can highlight that please the Forward Focus.

A. Yes I've got you now.

Q. Three month plan, do you see that?

A. Yes.

20 Q. First of those bullet points, "Progression for mining staff ready for consultation."

A. Yes.

Q. Was there a programme being developed within Pike for career progression for miners?

25 A. We'd set up a, yes there was, we were setting up a, or designing a progression process for, it was something that was requested from the staff that they wanted to have a clear definite, or definitive steps that they had to undertake to progress up the, to get promoted within the company. So part of my job was I'd actually set up a schedule of, I
30 designed a step process whereby it could clearly spell out to the miners or to the staff what they needed to do to achieve the next level of experience. So for example if they wanted to progress from a miner to an experienced miner, there was a step or a poster that I designed that

clearly showed what unit standards they had to hold, how much years of underground experience they had, et cetera.

1230

5 Q. The second bullet point refers to interviews with department managers on training plan to take place over the next two weeks. Were you aware of and going to be part of that process or not?

A. I can't recall, I don't remember that.

10 Q. The third bullet point says, "Performance appraisal system development is progressing." What was the performance appraisal system at Pike for miners?

A. I'm assuming that refers to the performance review system that the HR Department putting into place.

Q. That what sorry?

15 A. It was the performance review process that the HR Department was putting into place for all the employees that were onsite.

Q. Including miners underground?

A. Including miners underground, yes.

20 Q. You've spoken in your written statement about the lack of involvement from or participation from the engineering department and the training processes at Pike and you say that that changed when engineering manager I think Rob Ridl arrived at Pike, is that correct?

A. (no audible answer 12:31:52)

Q. As I understand it though, Mr Ridl was only at Pike for three or four months prior to 19 November?

25 A. Correct.

Q. Prior to that time, what was going on in terms of training within the engineering department, do you know?

30 A. In terms of the engineering department even from when I first started there we had very little buy-in into safety or into training from the engineering department. The reason always given that there wasn't enough time for them or they couldn't afford the staff off rosters. We had very little buy-in into the training programme. We had literally no buy-in from the health and safety committee. We were constantly

badgering them to get their incident/accidents closed out. There was a range of issues that we had with the engineering department in particular.

5 Q. Focusing first on training though, was there specific relevant training going on within the engineering department as a unit?

A. They were doing some stuff internally themselves but apart from that we didn't actually get much support from the engineering department, so they would do some internal training themselves from –

10 Q. As the training department, did you have any knowledge of what that training was?

A. No.

Q. Did anyone else in the department or are you just speaking individually?

A. I'm speaking individually, yeah I'm speaking individually.

15 Q. It's clear from your written statement that you and Mr Rockhouse were concerned about that lack of participation in general training by the engineering department and what was done about that in terms of bringing that to higher management's attention?

20 A. Neville took it to the senior management meetings several times, raised concerns with them several times. Their participation throughout the mine in general was raised with various managers throughout the whole three years that I was there.

Q. In terms of the level of management, how high did it go from your knowledge?

25 A. From my knowledge it went to the senior management meeting, it would've gone as high as Peter Whittall.

Q. Are you aware personally whether the board of Pike had anything or had any knowledge of these issues or not?

A. Not that I'm aware.

30 Q. I just want to ask you a couple of particular questions in relation to shotfiring which is at paragraph 62 of your statement, just to ensure that we're clear. As I understand it, to become qualified as a shotfirer is quite a process?

A. It's a very involved process, yes.

Q. It involves a number of unit standards in NZQA?

A. Correct.

1235

Q. And it also involves things such as police checks?

5 A. Yes.

Q. And demonstrations of practical competence as well?

A. Yes.

Q. Were you yourself involved in assisting Pike employees in obtaining their shotfiring competency?

10 A. I assisted a number of employees to actually get – in the process of applying for their shotfiring ticket, yes I did.

Q. Is that application process a significant one?

A. It's involved, it requires a lot of information to be gathered. Proof of residency, proof of who you are, proof of experience. That sort of information.

15

Q. Am I right that there'd been – it had been recognised that Pike were going to have to ensure that there were sufficient persons qualified with shotfiring competency?

A. Yes.

20 Q. Given McConnell Dowell as I understand it in the next few months, late 2010 and early 2011, would've been moving on from the Pike site?

A. Yes that's correct.

Q. When you talk in your witness statement at paragraph 63 about developing a training package for shotfiring. That's not to train employees to become shotfirers?

25

A. No it's not, it's just a – it was a general familiarisation process to – as a trainee package that we were putting together to show some miner – or show the miners that took the course what was involved in doing a shotfire or the processes involved in the process. It could be used as part of that process, but it wasn't actually part of the formal process of getting a shotfiring ticket.

30

Q. So I take it, it was aimed at less experienced miners who hadn't been involved underground when shotfiring had gone on?

A. Yes, correct.

Q. And also I take it to visitors and contractors as well or not?

A. No it wasn't anybody outside the mining, the other just internal Pike staff.

5 Q. I don't think that you completed developing that training package as at 19 November?

A. No, no.

Q. No. Was there recognition from you or the training department about the effects of shotfiring on some occasions to stoppings within Pike?

10 A. Can you explain please?

Q. Well there's been evidence before the Commission that on occasion there were shotfiring that had occurred at Pike River and that there'd been damage caused to stoppings and structures within the mine.

A. Yes.

15 Q. Was that, to your knowledge, going to be part of the training package?

A. It could've – honestly we hadn't finished the package. We were still gathering information, so we were still gathering information together to put into the training package at that stage. So, yes it could well have done.

20 Q. And in terms of creating a training package for something – a new one for something like this, in terms of gathering information, would you expect to get that type of information from the actual departments involved, they would provide you with the technical information?

A. Yes. Well we would've gone to an experienced shotfirer who was onsite and then interviewed them, what kind of information should we be – we would get it peer reviewed by them once we'd completed it.

25 Q. And I understand that you were actually underground on the 18th of November with another individual. You were filming, I think, a shotfiring conducted on that day?

30 A. Correct, yeah.

Q. For the purpose of that package?

A. Correct.

Q. I just want to ask you some questions now about the positions of deputy and interviewer at Pike. And just to clarify I think interviewer has the term interviewer, undermanager and also shift co-ordinator at Pike. Is that right?

5 A. No, interviewer and undermanager are one and the same but shift co-ordinator's different.

Q. Okay, just so I'm clear can you explain what a shift co-ordinator is?

A. A shift co-ordinator effectively co-ordinates the shift.

Q. Okay, so different – no statutory duties, in other words?

10 A. It's not a statutory role.

Q. What's your understanding of the numbers of deputies required for shifts at Pike River?

A. My understanding was that there were supposed to be four deputies on each shift. The reality is we didn't have that many.

15 Q. Four deputies and one interviewer?

A. Yes.

Q. Per shift?

A. Yes.

Q. So there were four shifts running at Pike as I understand it?

20 A. Correct.

Q. So four interviewers employed at the time of the explosion or four roles?

A. Yeah, there were four roles, yes, yes.

Q. And I take it then ideally 16 deputies' positions?

25 A. That would've been the ideal, yes.

1240

Q. Can you recall now how many deputies there actually were employed at Pike on the 19th of November?

A. Not off the top of my head, no.

30 Q. Were there 16?

A. I doubt it.

Q. To your knowledge how many on average deputies were there per shift.

A. Probably on average two to three.

Q. Why was there that shortage, do you know?

5 A. I put it down to the fact that it's extremely hard to get experienced staff in New Zealand in the coalmining industry, that we're competing with the Australia market, there's a lot more money to be made in the Australian market than there is in the New Zealand market and we had great difficulty in attracting staff with the salaries that we were offering.

Q. Given that there weren't enough deputies employed late 2010 to fill those 16 positions, how did Pike deal with that?

10 A. Well we were actively recruiting or the HR Department was actively recruiting in Australia trying to get staff to return home. At about that time, the Australia mining industry suffered a bit of a setback and Pike took the opportunity to do a big recruitment drive to get some of the New Zealanders to come back home. We actively recruited or the HR Department actively recruited four Australia or four deputies from
15 Queensland, namely two Australia deputies and two New Zealand/Queensland deputies, so they were New Zealanders but they had Queensland qualifications and got them, managed to recruit them to Pike.

Q. When was that do you recall?

20 A. No I can't sorry.

Q. To your knowledge were there people who hadn't yet obtained their deputy's qualification but who were in an acting role?

A. I was aware that some officials or some – they were acting in roles higher than their title suggested, yes but that was only in a temporary
25 acting position.

Q. What was the process or procedure around that happening? Who authorised that?

A. I'm sorry I don't know.

30 Q. Do you know whether any training was given to those people who were in acting roles?

A. They were usually given to roles to people that were very experience underground, that they might be a designated an experience miner and

they might be asked to step up to team leader or crew boss in the short-term to fill the short gap.

Q. If I can just have shown to you please two documents with references CAC0144, just the first page of that please and CAC0143.

5 **WITNESS REFERRED TO DOCUMENTS CAC0144/CAC0143**

Q. See those in front of you there Mr Couchman and just to confirm these are documents that have literally been obtained from the Internet which set out the unit standard and the topics indeed that are required for a person to qualify first as a deputy and then also as an underviewer?

10 A. Correct.

Q. And as I understand it, it takes, dealing with the deputy qualification, what's the timeframe for obtaining that?

A. You can only apply for a deputy after a minimum of five year's experience underground working in an active coal face.

15 Q. If we just keep those up for the moment please Ms Basher. Were there any staff at Pike River during your period of time as a training and safety co-ordinator who were actively training and trying to reach these standards, these competencies?

A. There were one or two staff that were trying to get those competencies, yes there was.

20 Q. And what was Pike's approach to supporting those people?

A. If we had identified those people for progression then we would actively encourage it.

Q. I take it that each of these unit standards costs, there's fees involved?

25 A. Yes there is.

Q. Was Pike involved in payment of costs for people who were trying to obtain these qualifications or not?

A. They were involved if – we tried to time the training around when they were off shift but if the course fell on a particular day they would get paid for when they attended that course, yes.

30 Q. The cost of course itself, were they covered by Pike or the individual?

A. No we paid for that, yes.

1245

Q. And to your knowledge were there any individuals who actually went through and obtained either of these deputy or underviewer of qualifications and then became employed in that role while at Pike.

A. Yes there was.

5 Q. How many do you remember?

A. Not off the top of my head, I couldn't be specific.

Q. I don't want you to guess, but are you able to say was it a couple, several?

10 A. They were a couple, there were at least a couple of individuals that in can think of that were, reached that role and were qualified, yes.

Q. Once a person was employed as a deputy or underviewer was there any ongoing oversight and training for those people in those positions?

15 A. Depended on what they wanted to achieve or what their ambition was. So if they wanted to become say a deputy, wanted to become an underviewer they identified in terms of their performance reviews, identified if they wanted to get to that role we would set up a training package or programme for them. Outside if they had a KPI or if a performance review was done on them, then if the company agreed we would start taking steps towards that.

20 Q. Was there monitoring of individual deputies or underviewers performance in, by the company in the sense of completion of their statutory duties for example?

A. I'm not aware of that.

25 Q. Was that something to your knowledge that was ever discussed as a necessity or a need?

A. I'm not aware of that sorry.

30 Q. To your knowledge were there people, were there deputies of underviewers at Pike River who, in terms of their obligations to complete daily reports and shift reports, were not doing that, were not on a regular basis complying with that obligation? Was that something that you would've been aware of in your role or not?

A. No, I wasn't privy to that information.

Q. Well that leads me to the next question then. Did you actually ever see those deputies and reports and underviewers' reports or not.

A. I would see them lying around, I wouldn't actually understand their role or process.

5 Q. So deputy underground every day filling out a deputy's report, the process is that then goes to the underviewer, as I understand it?

A. It's as I understand it, yes.

Q. And where does it go from there that information that's included?

A. I don't know.

10 Q. You don't know?

A. I don't know.

Q. If there was an incident underground for example high gas reading or roof fall or something like that, in terms of the training department would you only become aware of that if an incident report was completed in addition to the statutory recording?

15

A. Yes, so if an incident report was filled in or an IAM Safe was filled in then I would become aware of it.

1248

20 Q. Can you tell us about the processes in place for the sharing of information to deputies and underviewers from the training department?

A. Elaborate please.

Q. Well let's take an example, "toolbox talk" how did that information that I understand was prepared by the training department, a toolbox talk, how did that then filter down to the miners on the crews?

25 A. The toolbox talk were actually designed or created by the safety department, so safety and training department, but they were designed by the safety department, so I would be tasked, if a remedial action arose out of an incident that required a toolbox talk to be created either Neville or myself would create one and then arrange for it to be
30 delivered or hand – we would print off hard copies and print – and deliver them to the undermanagers to deliver to each other's shifts. So, for example, and there was a series of pigeon holes set up in the undermanagers' offices where we would deposit those papers for them

to be presented at the various shifts. So, if they were coming on nightshift, the undermanager who was taking them at nightshift would then, before shift started, would read out the toolbox talk, and gather the signatures for that.

5 Q. That would require, obviously, the interviewer to go to his pigeon hole, take out the information that he's supposed to feed down to the deputies and the miners?

A. Correct.

Q. And to your knowledge personally, did that always occur or not?

10 A. No it definitely did not.

Q. And how can you say that?

A. Because it was not – one of my jobs was actually to distribute those toolbox talks to the different shifts and some of the pigeon holes were still full of toolbox talks that hadn't been delivered. There was also under – all those toolbox talks once they were signed had to be returned
15 to the safety department for recording. And there were a lot of gaps, some of those toolbox talks were not coming back from some of the shifts.

Q. And was there any process in place for chasing that up?

20 A. Apart from actually going up there and badgering them, that was about the only way we did it.

Q. Was there any badgering of the interviewers?

A. Yes there was, constantly, mainly by myself.

Q. Could a specific department, for example, the engineering department,
25 also off their own volition issue a toolbox talk?

A. They could have requested from us to have it produced, yes.

Q. Did that have to come through the training – sorry the safety department
though?

A. The safety department produced all the newsflashes and the toolbox
30 talks, yes.

Q. And were there situations or occasions when a department did actually request safety department to issue a toolbox talk on a particular issue?

A. Yes there was, yes.

1251

Q. I asked you before about processes for chasing up compliance with underwriters giving toolbox talks to their crews, other than badgering was it taken, was anything done on a more formal level?

5 A. I'd approached Neville. Neville would approach it to the senior management team to pass it down the line that the undermanagers had to respond with their toolbox talks and get that information back to the safety training permit.

10 Q. Can you comment at all on the participation by crews themselves in the toolbox talks, you said that they had to sign off on them?

A. Part of the process of delivering a toolbox talk is that they had to, the toolbox talk once it had been delivered would be passed amongst crew to sign, or put a signature on it. I am actually aware of some of the miners refusing to sign those documents, believing that it was going to commit them to something or other. So I am aware that one or two miners did refuse to, or didn't even bother to sign the document.

15 Q. How is it that you're aware of that?

A. Because I was actually there at one occasion when a miner said, "I'm not signing this."

20 Q. Was there any come back from that, any follow up?

A. Not that I'm aware of, no.

Q. In terms of the possibility of toolbox talks not getting down to the miners in some shifts, what's your knowledge of, or what was the knowledge of senior management of that issue? Do you know or not?

25 A. Sorry I'm not with you.

Q. Well the mine manager for example, do you know whether or not he was aware of that problem?

A. Of them not signing the toolbox?

30 Q. No, of the fact that some toolbox talks didn't seem to be filtering down to the crews themselves?

A. Oh, yeah, I mean the game Neville would that that to senior management teams that were not getting the toolbox talks back so the

need to be returned. So it was an ongoing issue, so it was being raised with the managers all the time.

5 Q. Slightly different topic, and you said before that you never, you personally never saw this deputy statutory reports for example from each shift. Do you know other than the underviewers who did see those?

A. No.

Q. Do I take it from that then that Mr Rockhouse or Mr Knapp for example never saw those to your knowledge for those documents?

10 A. No.

1254

Q. Do you know whether or not there was ever any analysis or review of the information that was being recorded in those documents?

A. I'm not aware of any.

15 Q. I want to move now please Mr Couchman to some questions about the reporting of incident and hazards and we touched briefly on this earlier in relation to the difference between the incident report form and the I Am Safe forms. Can I please refer you to paragraph 78 of your witness statement which is at page 14 Ms Basher.

20 Q. You say there, you see in front of you that you told staff that these forms and booklets were the most important documents on site. In what context was that? Is that the induction?

A. Yeah, it's part of the induction, I used to emphasise the importance of this particular document.

25 Q. The I Am Safe you're talking about?

A. Both of them, the I Am Safe and the incident/accident report. I used to stress to them that this was their direct line of communication to the management team.

30 Q. You say in the last sentence of that paragraph that his message needed to be reinforced by the undermanagers and the deputies. Can you expand on that for us please what you mean by that?

A. When they came through induction I would stress the importance of those particular documents to them. But a lot of what I wanted to see

happening was a lot of the reinforcement of that same message from the undermanagers and the deputies to their staff to emphasise the importance of that document.

Q. And was there some concern that that wasn't happening?

5 A. Some of the undermanagers reinforced it very well, others not so well.

Q. And how is it that you in your role were aware of that?

A. You usually knew that by the number of documents we received back. So for example some undermanagers were very good at producing or encouraged their staff to produce reports, other undermanagers, other shift bosses and that, we would get very little information back from them, so for an example it would be the I Am Safe, some shift boss would get you know, I'd go up to the control room to recover them in the morning, there'd be a dozen sitting there. We'd have a change of shift the next day and I'd get none.

10

15 Q. Can I just get you to confirm, when was it that the I Am Safe booklet was brought into use?

A. I can't recall, not specifically.

Q. Was it something that you were involved in?

A. I was involved in – no not in the development of it, no.

20 Q. But you were involved in what part of it then?

A. In the rollout of it.

Q. The rollout of it?

A. The rollout of it yeah, so the development of the training package or yeah and delivering some of the training on it as well.

25 1257

Q. So for those miners who were already employed by Pike at the time that this new booklet came in to being, how would they learn about it? How were they told of their obligations?

A. It was going to be part of the Friday training and it was also going to be relayed to them in terms of toolbox talks in the process was explained to them at their shift changeover as well.

30

Q. If we could perhaps have the next page up please Ms Basher, page 15. You've explained in your statement Mr Couchman from about

paragraph 85 onwards about the process of collecting the reports, and you've just mentioned that briefly now. And you say in paragraph 86 that there was a lot of lip service from managers and supervisors in support of the reporting system. Can you explain more what you mean by that?

5

A. We had a great deal of problems in getting a lot of our incidents and accidents closed out, so an incident and accident would be raised or an incident would be reported. It would be assigned to a particular manager to have it closed out. They would delegate it down the line to a subordinate to close out.

10

Q. I'll just pause you there. Can you just explain when you use the term, "close out," what it is that you actually mean by that?

A. A close out means that all the processes have been done, the investigation's been carried out, that remedial actions have been identified and there is a space at the very end for the senior manager or the departmental manager to sign off on that point, either agreeing with those remedial actions or making other recommendations or additions to that point. So when we received that document back with that final signature from the departmental head, then that document is then referred to as being closed out. So it's gone through quite an involved process of investigation, review and remedial actions identified.

15

20

Q. And was there any overarching role taken by your department to review the adequacy of the remedial action?

A. Not formally. We did it through the health and safety committee.

25

Q. Okay, we'll come to that after the break.

COMMISSION ADJOURNS: 12.59 PM

COMMISSION RESUMES: 2.02 PM**EXAMINATION CONTINUES: MS BEATON**

5 Q. Mr Couchman I just want to ask you some further questions about the reporting of incidents and hazards and if we can have on the screen please two pages from the induction document that I showed you this morning which is ROCK0005 pages 40 and 42. Can you see those in front of you?

WITNESS REFERRED TO DOCUMENT ROCK0005

10 A. Yes I do.

Q. In terms of the obligations on an employee and what they were told when they arrived at Pike River. As I understand it was that where there had been an accident and incident or a serious injury, for example, that the obligation was on an individual to complete the incident or accident form, is that right?

A. They were to fill it in, yes, that was correct.

Q. In practice was it likely to be an individual miner who filed the report forms or their supervisor?

20 A. On the whole most of the miners filled them in themselves. And that was – some of them did it very well, others did it with the bare basics of information.

Q. You will be aware, I take it, from your own role at Pike and also from evidence that's come out before this Commission of Inquiry, of anecdotal reports of various incidents and occurrences which weren't reported upwards using these forms?

25 A. In terms of the accident and incident forms?

Q. Yes.

A. There were incidents occurring that weren't being reported, I am aware of that.

30 Q. There's been evidence filed by individuals where on occasion they've suggested they've made complaints to their immediate supervisor but haven't filled out any kind of form.

A. Yes.

Q. Was that culture, for want of a better term, something that you and your department were aware of?

5 A. We were aware that occasionally there would be miners who didn't feel comfortable in filling the forms. They would report to their supervisors, I am aware of that situation. We emphasised and we used to emphasise and encourage them to report as much – even if they wanted to do it anonymously we would encourage that as well or they could do it through a second party like the supervisor or the deputy, that was – that
10 would be acceptable as well. But we were emphasising the fact that they needed to report them.

Q. If you look at the page on the left-hand side there under the heading, “Reporting by the employee, every employee is required under the duty of care provisions to report any potentially serious occurrence in the
15 workplace to your immediate supervisor as well as any injury event?”

A. Mhm.

1405

Q. Is there the ability for room for confusion for the miners underground as to what they're actual obligations were, or not?

20 A. No they were – we did a whole training package of the incident/accident reporting form and we showed them how to fill in, we did dummy exercises, we did practice exercises, as part of that induction process to show them how to fill in those forms and the kind of information they needed to record.

25 Q. So everyone so far as you're aware employed at Pike would have gone through some format of that training?

A. Yes.

Q. If you look at the second page there, this is again from the induction document, obviously information for a new employee as to the
30 manager's or the employer's reporting obligations to the Department of Labour under the various statutory obligations, do you see that?

A. Mhm.

Q. What was your knowledge and understanding of events other than injuries that had to be reported to the Department of Labour?

A. Any significant hazard or any significant serious incident had to be reported. We had an incident at the CPP as an example, we had an incident at the CPP where we had a machine roll over, we had a Merlot roll over on the side of one of the settling ponds. We did an investigation and as a matter of course we reported it to the Department of Labour. Kevin Poytner came out that same day to investigate it. Kevin said to me that although it wasn't a reportable DOL incident, he would still like to know about them in future if they ever occurred again but we had reported that particular incident as a matter of course, so we did take it fairly seriously.

Q. What was your working knowledge at the time about the need to notify for accumulations of methane gas for example? Did you have any knowledge of whether you were –

A. No I did not have any knowledge of that.

Q. Ms Basher if we could now please have pages 16 and 17 of Mr Couchman's statement please? Mr Couchman, see at paragraph 91 there, this is carrying on from what we were talking about before lunch about concerns that you've set out in your statement about timeframes and the process for dealing and closing out these incident and hazard reports. You say at the last paragraph of, sorry the last sentence of paragraph 91 that they could sit with the undermanager for up to two weeks because of the shift patterns?

A. Correct, if not longer.

1408

Q. What was done about that bottleneck at the underviewer level?

A. We constantly, we were constantly asking the mine manager and the undermanagers to make sure that they processed their incident and accidents, so Neville and myself were both chasing up to have those incidents and accidents closed down, we would report to the senior management team and to production meeting that their incidents weren't being closed out and needed to be rectified.

- Q. See at paragraph 93 you've referred there to situation where when there was a build up of unresolved reports you call them, that management and Peter Whittall would then put pressure on to clear the backlog?
- A. Correct.
- 5 Q. How many times didn't that occur when the backlog of reports was cleared?
- A. Probably three or four times a year.
- Q. When you say, "backlog," how many are we talking about?
- A. Up to, it depends on the department, see some departments would have half a dozen, maybe 12 outstanding incidents. Engineering and production could have up to 50, 60 70 incidents possibility that weren't closed down properly, or hadn't been closed down.
- 10 Q. And when these, when this clearing of backlog occurred I take it from your comment that a lot were cleared without proper investigation?
- 15 A. Yes.
- Q. Was that because of the time delays between the making of the report and the time a manager was actually signing it off?
- A. On a couple of occasions there was a big drive, as I say to get the historical ones off the books. So some of the managers would, you know would be, would come down to the safety training department and sit in the office next to – just physically sit at a desk and just go through them all individually and sign them off and it was more about clearing the historical backlog of incidents that were backing up.
- 20 Q. As opposed I take it to actually reviewing each individual report?
- 25 A. Instead of actually following the process of virtually getting the undermanagers or the deputies to conduct an investigation or the engineering staff to conduct an investigation of the incident and reporting back through that process.
- Q. Was there one of these clearing off occasions prior to 19 November?
- 30 A. There was one just in October. There was a, Doug White – we'd raise – again Neville and I went to Doug White and raised the same issues again that there was a large number of these issues building up again. Some of them were over a year old. A lot of them were over a year old

and what we did, so what Doug White did is he explained to us that he understood that it wasn't a proper process and procedure and what he would suggest is we got this current backlog cleared and then we would start afresh with a new management and a new mine manager and a new chief – and Doug White as the new chief executive officer.

5

1411

Q. And what new kind of process was discussed that would come into replace what was clearly not working?

A. Steve Ellis had introduced at that stage a new process to the production meetings where I was actually maintaining an Excel spreadsheet of incidents and historical incidents. So from now on when I took them to the production meeting in the morning, but when I was taking them to the production meeting in the morning I started recording them on an Excel spreadsheet, who they were assigned to, when the close out dates and giving them a timeframe. And so that if they hadn't been closed out within that five or six days or whatever we'd given them, they would have to answer to Steve Ellis at production meetings. That process continued after I stopped going to production meetings, as I understand it, under Neville.

10

15

20 Q. So you stopped when you changed?

A. When I left the training department.

Q. In paragraph 97 of your statement you refer to the fact that there was no formal method in place for closing out what you call, "The reporting enquiry and feedback loop." And you say in the last sentence, you couldn't figure out how to deliver that because of different shift patterns?

25

A. Because of the different shift patterns and the time delay and actually closing a lot of the incidents.

Q. Are you referring, I take it, to feedback to the particular individual or individuals who made the report in the first place?

30

A. Yes correct.

Q. And did you ever have feedback from individuals wanting that type of report back?

A. Very rarely, occasionally we'd get the odd one, but most of the time no it did not occur?

Q. Was that unusual do you know or not?

A. I couldn't actually tell you.

5 Q. Are you able to comment though on what was the view of the workforce to the systems in place at Pike about reporting?

A. On the whole the majority I felt that they took them quite seriously. We did on occasions have a request for incident/accident forms to be photocopied or supplied to the control room because they'd run out. I
10 must admit there were certain miners, underground staff that were better at reporting than other staff. That's a fact. Some of the more experienced miners obviously recognised the value of them and were quite good at keeping us informed of reporting incidents, other miners not so forthcoming.

15 Q. Can I take you please to paragraph 100 of your evidence which is page 18 and 19 of your statement? Now I want to ask you some questions about the analysis that occurred of incidents and accidents from these reports, because at paragraph 100 you refer there to analysis being carried out and the results of it being presented to
20 management meetings and board meetings. And I take it that you yourself weren't presenting to the board?

A. No, Neville did that most of the time.

Q. And you weren't presenting to the management team either, would that have gone through Mr Rockhouse?

25 A. That would've gone through Neville, yes.

1415

Q. Can you describe to us what analysis was done of –

A. On the weekly minutes to the staff senior management meeting I did analysis on, I did a breakdown of the incidents and to their category, so
30 like unsafe acts, property damage, injuries that kind of categorisation. We would identify things like the cost to the company of various bits of damage so we were recording any damage that occurred to property over the value of \$500 was identified and reported to the board and to

the senior management team. We also did medical treatment injuries or MTIs and we also identified the actual number of incident, total number of incidents per month on a monthly gauge, so there was that sort of low level analysis of the incidents.

5 Q. So effectively of statistics numbers and types of categories of incidents?

A. Yes.

Q. And just for completeness if you could be shown please a copy of the operations meeting minutes 17 November 2010 DAO.002.15016 page 2 please.

10 **WITNESS REFERRED TO DOCUMENT DAO.002.15016**

Q. You see that there and under the heading at the very top there, "To health and safety," that's a report from Mr Rockhouse's department?

A. Yes it is.

15 Q. And even though you weren't working directly for him at this time, you were still responsible for collating these reports, is that right?

A. Yes.

Q. And we can see there under the heading, "Injury accidents," a numerical list of the different categories of incidents and that comes directly from the reports that were filed?

20 A. For that month, yes.

Q. And then we have what's described as a, "Weekly round-up," and a number of bullet points there dealing with various injuries and near accidents?

A. Yes.

25 Q. Was there any analysis of trends, safety issues?

A. In terms of breaking down individual incidents are you asking? No there was not.

30 Q. You have this morning had a brief opportunity I know to have a look at schedule that was prepared by or on behalf analysts of the Commission, which is document CAC0114 and that's something you've just seen this morning, correct?

A. Correct.

Q. And it was explained to you the purpose of that and where that information came from?

A. Yes.

5 Q. And if we could have a look please as an example at schedule B of that which relates to the detection of hazards, safety features including bypassing, which is page 20 of the document and I'm showing you that one Mr Couchman in particular because you yourself were personally involved in an incident where you came across a situation where compressed air was being directed towards a gas sensor. Do you remember that?

10 A. Yes I do.

Q. And in fact if we turn Ms Basher to page 24 and the very top entry there dated 30 January 2009, you'd recognise that as the incident that you yourself were personally involved in?

15 A. Yes I do.

Q. Now this morning you've had an opportunity to have a short review of the type of information and trends that are available from assessing the incident reports in this way. Am I right that at Pike prior to the explosion this type of analysis was not done?

20 A. No it was not just to level.

Q. Trends were not readily obvious?

A. No they were not. Can I just elaborate on one point though? Things like at one time we were getting a number of back strain injuries and so we identified that as a potential hazard so we started to put a manual training package, a manual handling package into place but it wasn't a formal analysis that arrived at that, we just suddenly started noticing that we're getting a lot of back strain injuries.

1420

30 Q. So in terms of personal type injuries and issues to an individual they were tracked by the safety department, again back strains for example, lifting issues?

A. But it wasn't a formal analysis as such. It wasn't actually a diagnostic analysis.

Q. Bigger trends such as for example, bypassing of monitors or locks on equipment or ventilation issues.

5 A. Isolation was another one that we identified but again it was more of a, again it was more of a, it just seems to be happening quite frequently so we started initiating training or refreshing guys on the use of isolation techniques and just making sure that people understood what isolation techniques were, or how to do one.

10 Q. From a forward looking perspective Mr Couchman are you able to assist us with how you think this could have been better dealt with at Pike in terms of analysis of trends with safety issues?

15 A. This was a discussion that Neville and I had quite frequently, we believed that the board were being very narrow in their focus in terms of their safety reporting of literature, a lot of their facts were, or a lot of their statistics they were using were lag indicators rather than lead indicators. We asked on, I think Neville approached the board on several occasions to ask if we could do more lead, you know how many safety meetings are we having. How many toolbox meeting are we having. That sort of information rather than looking at all the sort of the lag indicators that we use in a mine site.

20 Q. Neville's approaches to the board, is that something you know directly or you've been told?

A. He, I'm under the impression that he approached the senior staff meeting.

25 Q. So the, the statistics that you were required to keep where did they come from, whose, whose direction was that, directive was that?

30 A. They were, well the information we were recording or the information we were processing was coming straight from our incident and accident reports for the month. And that information – and we had separate categories that we identified like an unsafe act, property damage, injuries, so we would break it down to those categories.

Q. But where did those categories come from, is that any particular person's directive or was that just gathered?

A. That's how it was directed it, from Neville.

Q. From I'm sorry?

A. Neville.

Q. Just before we get onto the health and safety committee and your role in that can I ask you about the document that you've referred to in paragraph 100, which is a safety plus newsletter DAO.001.13922, pages 1 and 2 please?

WITNESS REFERRED TO DOCUMENT DAO.001.13922

Q. Have you seen that document before Mr Couchman?

A. I have.

Q. And that's a newsletter that I think was prepared and distributed by the Safety Department so not you at that point of time?

A. No.

Q. In November of last year, and we see there at the bottom of the first page and on the second page again a statistical analysis of information obtained from both the incident report forms and I think the I Am Safe is that right?

A. Correct.

Q. Were you involved in the decision to create this type of newsletter, this site-wide newsletter?

A. No I was not.

1425

Q. You weren't okay. Were you involved in any of the analysis of the statistics that were available and that are reproduced in the document?

A. Well the document covers the whole of the year, so I was involved in part of gathering some of that statistics. The actual desktop editing of it was done by a contractor.

Q. Who was that?

A. Michelle Gillman in terms of, you know, presenting the documents. Like we would supply her with the information and she would prepare these graphs for us.

Q. If you could be shown please pages 4 and 5 of the document. On the right-hand side in particular you'll see there's a reference there to day and time of injuries and reference to patterns or trends and analysis of

but at this point in time not enough data to be of too much guidance. Was this type of analysis and collection of information something in which you were involved?

A. No I was not.

5 Q. Moving please to the health and safety committee. Do you recall when that was first set up?

A. Not exactly no.

Q. You were at the time of the explosion the chairman of the committee?

A. Yes I was.

10 Q. How had you come to be in that position?

A. When I was working under the health and safety department with Neville, Neville came in one day and said that we need to get the staff safety committee set up, get it up and running. So he asked me to approach the various departments and get a representative from each
15 of the departments and get some volunteers and we could get the committee up and running. So, we managed to get some people to turn up, we managed to get a representative from most of the departments including production and one of Neville's instructions to me was that he said, "You've got enough on your plate now, I don't want you to
20 becoming chairperson of this committee." He said, "You've got enough on your plate to be worrying about." With that he said, "Be there for guidance and give them a hand, but I don't want you to become the chairperson." So we had in the inaugural meeting of the health and safety committee and we elected a chairperson which was Mike Scott
25 and a short time thereafter, about the next month or the following month after that Mike Scott stepped down from that role and nobody else was prepared to take that role up so I by default ended up becoming the chairperson of that committee.

30 Q. Can I please refer you to three paragraphs in Mr Rockhouse's witness statement that I know you've had a chance to look at this morning, which is ROCK0002/37 and /38 and these relate to what he calls, "The workplace safety committee," so the health – same committee we're talking about. Is that right?

A. Yep.

Q. You see there in paragraph 125 it refers to this being a committee comprising safety representatives from each department plus a union representative. Was there a union representative on the time when you
5 were involved in the committee?

A. Not a formal one, no.

Q. Do you know why?

A. No idea.

Q. Was there discussion about that?

10 A. There was a discussion around Mr Whittall had concerns or Peter Whittall had concerns that the union would dominate the health and safety committee and felt that they might be used against the company and he wanted to ensure – well he wanted to make sure that the union didn't get too much power within the health and safety
15 committee.

Q. So was this a discussion that you had with Mr Whittall?

A. Neville Rockhouse and myself and Peter Whittall.

Q. And when would that have been relative to?

A. Just prior to the setting up of the health and safety committee?

20 Q. Do you know what year we're talking about?

A. I can't honestly recall, check the minutes, when the minutes were.

Q. In terms of the minutes that have been made available to the Commission, we have them I think from the beginning of 2010. Was the committee operative in 2009 do you recall?

25 A. I believe it was, yes it was.

Q. Mr Rockhouse in paragraph 126 refers to, senior managers being rostered to attend at least two meetings per year.

A. Yep.

1430

30 Q. And it's clear from the minutes that there were managers attending the meetings?

A. There was.

Q. What was your view on the attendance of senior managers at the meetings?

A. It would've been grave if there was only the one but in some of the health and safety committee meetings we'd have up to three or four because they were filling in for their own representatives or we couldn't get the staff to attend, so for example the engineering department, the engineering manager would attend because he didn't want to pull anybody of shift. So sometimes, on one occasion I remember we had four senior managers at a health and safety committee meeting, so it got – my impression of that would be that it would be fairly intimidating for other staff members if there was four senior managers sitting at the same table.

Q. Did Mr Whittall ever attend any of the health and safety meetings?

A. Mr Whittall attended the first two or three inaugural meetings. He basically sat at the end of the table and just listened.

Q. If we could show you an example of some minutes please of the meeting and I would refer you to the minutes of the meeting held on 11 October 2010, DAO002.08138.

WITNESS REFERRED TO DOCUMENT DAO002.08138

Q. You were obviously present and chairing the meeting Mr Couchman? We see the names there that are listed as present and recognise some of them as being managers from varying departments. How many of those were miners from the underground crews?

A. Steve Cox, Tim Davidson.

Q. And there's an apology I think from Jos Vegeneris, is it?

A. Jos Vegeneris put in an apology, yes.

Q. How many health and safety representatives were actually on the committee from underground crews?

A. By the time we got to this stage here, our health and safety committee was actually starting to work, so this is just prior to the explosion this particular meeting. It was actually starting to work. We had restructured the committee in terms of timing, we found that timing was an issue because if we had it in the morning lot of the staff couldn't attend, so we

actually scheduled the meetings for 2 o'clock in the afternoon at shift change and that way we could be guaranteed of at least two members from underground represented on that committee. We and the company also offered an allowance for any miner that wanted to come in off shift so if he was off shift or off work that particular shift, he could get paid an expenses allowance to come and attend the health and safety committee meeting if he was a representative.

5

Q. And did that make a difference?

10

A. Once or twice we had people come off shift but on the whole we usually had two mining representatives, which was good because in the early days sometimes we wouldn't get any and the whole point of this safety committee meeting was to actually, I feel, to emphasise the safety in the mine itself, because that's where the hazard environment was.

15

Q. So you said before that things had changed for the better by the time of this particular meeting?

A. Correct, yes it has.

Q. Why was the committee not operating well initially?

20

A. Initially because we weren't getting a lot of representation from the production staff. The rosters were changing, they kept changing, staff were leaving, we would have – the committee that was appointed from the very beginning is completely different from what we had now.

Q. That we can see there?

25

A. Yes. we were getting a lot of more buy-in from the likes of Steve Ellis and Doug White. They were supporting the health and safety committee a lot more. In terms of Steve Ellis' presence there was very positive. He was you know, taking an active interest in what we were doing in the committed.

Q. What about contractors, did they support the committee?

A. We had representation from TNL, which is a trucking company for CPP.

30

Q. Yes.

A. And we had representation from McConnell Dowell, who represented them on the committee as well.

Q. What about other contractors were they in –

A. The small contractors, no we did not have much representation, well we didn't have any representation from them.

1435

Q. Were they invited to participate or not?

5 A. No they were not.

Q. If we could just perhaps bring up pages 2 and 3 of that document and while we're doing that Mr Couchman in your statement at paragraph 104, and referring to the committee you said, "We identified accidents and incidents that had occurred during the past month, discussed different issues, actions and accomplishments since the last meeting. Each department was then asked if they had issues to bring to the table. Invariably production had a number of issues." You'll see that on the left-hand side paragraph numbered 6 there, or box number 6, under the heading, "Members remedial action review." Can you explain to us what that process was in terms of assigning closed out reports?

15

A. Okay, as part of the process of the incident and accident investigation there was one final step after which closed out by departmental head and that was, it was to be reviewed, where some of those incidents were to be reviewed by the health and safety committee.

20 Q. Just pause there, all of them reviewed?

A. No, no we couldn't accommodate all of them.

Q. What percentage do you think were reviewed?

A. It was actually very small, for various reasons. We, reasons being one – as I said, our membership, the committee kept changing, so we would assign a task to a member to review, and then would either leave the mine or go for a change to shifts and then they would drop off the committee. So we didn't, so that particular action wouldn't be closed down, or you know wouldn't be reviewed. So it was a raft of reasons. The other reason was I didn't want to, you know there were a lot of incidents occurring. We only had an eight or a nine committee members and I didn't want to download everybody up with about five or six different incidents or accidents, so we were just assigned one incident to each member per meeting.

30

Q. And were those selected randomly or...

A. They were selected randomly in terms of their, yeah they were selected randomly.

Q. So assigned to a committee member.

5 A. They were assigned, so the incident would be assigned to a particular committee member so for example, if I had a member from the CPP he would be assigned an incident or an accident that had been closed out in regard to the CPP. His function was to go and check to make sure that remedial action, whatever it may be, for example a toolbox talk was
10 to be presented, whether a piece of equipment had to be repaired or replaced, he would, and if it had been signed off to say that that had been presented or it had been replaced, he was to go and verify that and then report back the following month to the committee.

Q. And were the people on the committee sufficiently qualified to be able to
15 assess whether the remedial action taken was adequate?

A. That's why we, that's why I used to – so if it was a CPP worker I would assign it to the CPP worker to check 'cos they would know their own area of work. We also – they weren't that difficult to check so it if meant looking for a toolbox talk to be presented to the shift then all they had to
20 do was come down to our register and do a physical check.

Q. This particular example you see at the bottom of page 2, has two incidents that have been re-opened it looks like. What does that mean?

A. Yes they were. So for example at 857 their number, pricker bars, the remedial action was that there was to be more pricker bars made
25 available to the staff to, to use at the coalface and it was signed off to say that the pricker bars had been made available and that they were in the store. But when this particular individual went and investigated he found that there actual in fact wasn't any pricker bars left available in the store and there wasn't any underground as well. So when he reported
30 back to the committee we had, we re-opened that incident back into the system.

Q. Which means what, that it goes back to the relevant manager again?

A. It means go, correct.

Q. And the same I take it applies to incident number 098 about signing out gas detectors?

A. Yes.

5 Q. And do we see there at top of page 3 new accident events assigned, this is an example of you distributing new forms for people to review?

A. Correct.

1440

Q. When a committee member was assigned an incident form to review, did they look at the quality of the original investigation do you know?

10 A. That was outside their brief. No they weren't briefed to do that. What they were looking at was whether the remedial actions that had been identified had been put into place or the actions had been carried out.

Q. So I take it from your answer then that it was also outside their brief to look at whether the original recommendation for a remedial action was an appropriate one?

15

A. They didn't look at that aspect of it no.

Q. I think part 7 of the minutes represents the, one of the purposes of the committee that you told us about before which was to bring issues from a particular department to the committee for discussion?

20

A. Correct.

Q. And we can see there, in this particular example, neither the environmental or test services department had any issues?

A. Correct.

Q. But production did?

25

A. Yes they do.

Q. So when a committee member from the production, which primarily is underground miners, as I understand it?

A. Mhm.

30

Q. When they were bringing issues to the committee, were those issues of individual concern to those people or were they on behalf of the crews?

A. They were on behalf of the crew, so that if the safety rep would canvass – so what the safety rep were instructed to do was to canvass their committee 'cos they knew they were having a safety meeting that day or

that week and they would canvass their crews to see if there was any issues or anything they wanted raised. So it was another form of reporting for the underground staff.

5 Q. And once these issues were raised with the committee, what generally happened then?

A. So they would be passed to their safety rep, the safety rep would raise them at the meeting in this case here which is Stephen Cox and he's raised and identified a number of issues that were of concern to the mining staff underground on that particular month.

10 Q. If we can please look at pages 5 and 6 of that document, this is headed up, "Health and safety committee actions sheet." And I take it this is an ongoing record of issues raised and how they've been dealt with?

A. Yes it is.

15 Q. You can see, for example, number 24 on that list, on the right-hand page, which is a request from, as I understand it, the action being that the committee requests from Pike River Coal Limited a firm commitment plan as to when the second means of egress would be installed?

A. Correct.

Q. There's a reference to that being assigned to Mr Ellis?

20 A. No it was eventually assigned to him, we raised it a couple of times wanting a firm commitment as to when the second means of egress was going to be installed. It'd been on the table for some time and it was reassigned to – well Steve Ellis was going to bring it – chase it up for us.

25 Q. And what, if anything, had happened about that prior to the 19th of November this of course being the 10th?

A. We hadn't had any satisfactory response.

30 Q. Can I refer you now please Mr Couchman back to your brief and at page 18 and 19 again. I just want to clarify something arising from that. This is the portion of your statement where you've listed a number of categories of issues that were raised at committee meetings, from toilets at the bottom of the left-hand page through to driftrunners being the last on that list. Now you've referred to a number of documents recording the issues and the committee's work, under paragraph 105(b) in relation

to the second means of egress again, you'll see in that last sentence that in your statement it refers – references I'm sorry, a memorandum from a Greg Borichevsky to Doug White of 29 October 2010. Was that a document that you'd actually seen at that time?

5 A. No it was not.

1445

Q. It's something that's been shown to you subsequently in the preparation of this statement?

A. Correct.

10 Q. Does the same apply to paragraph C where's there reference part-way through that property to the Hawcroft report in relation to stone dusting?

A. I have never seen that report before.

Q. Until the preparation for this purpose?

A. Correct.

15 Q. What about in relation to the SOP for stone dusting which you refer to in the last line of paragraph C, had you seen that at the time do you recall or not?

A. Where are you referring to?

20 Q. Paragraph C, the very last sentence, "An SOP for stone dusting was in place."

A. I have seen that SOP.

Q. Had you seen it at the time or subsequently?

A. I have seen it at the time.

Q. At the time?

25 A. Yeah.

Q. How was the workings of the health and safety committee known to general employees at Pike?

A. Can you elaborate please?

Q. Were the minutes of the meetings distributed to employees?

30 A. They were, they were emailed around all the email addresses on the site plus physical hard copies were pinned on notice boards in all the crib rooms and left on smoko room tables throughout the site.

Q. And did you as chairman ever get feedback from employees about issues in the minutes?

A. No, we never received anything.

Q. How do you think that the health and safety committee was operating?

5 How well do you think it was operating?

A. As I said, once we changed to that 2.00 pm start on an afternoon and we managed to capture a lot more input from the production staff and we were starting to get a lot more feedback from them, I felt that towards the end or just prior to November the safety committee was actually starting to work, it was actually starting to come of age if you like.

10

Q. What's your take on how management considered the work of the health and safety committee?

A. Pre the explosion I felt that they gave it a lot of credence, the likes of Doug White and Steve Ellis I know were very supportive of it and prior to that, prior to the beginning of the year I would say that it wasn't given much credence at all.

15

**THE COMMISSION ADDRESSES COUNSEL – APPLICATIONS FOR
CROSS-EXAMINATION OF WITNESS – ALL GRANTED**

20

1450

CROSS-EXAMINATION: MR RAPLEY

Q. Mr Couchman just a few questions about the time at the safety department of course. You told us you didn't go to the management meetings, is that right?

25

A. To the senior management meetings, no.

Q. But Mr Rockhouse as the manager of the safety department did?

A. Correct.

Q. And working so closely with him you would see him go and see him when he comes back from those meetings?

30

A. Yes I would.

Q. How was he when he would come back from some of those meetings?
How would he present?

5 A. I know that Neville found them extremely stressful affairs. On one occasion I – Neville came back from a meeting that went for quite some time and he had actually changed colour. He'd actually gone a sort of a grey, very pale colour. He was obviously under a lot of duress when he was coming back from that particular meeting.

Q. Did the pressure get so much for Mr Rockhouse that he actually resigned twice?

10 A. On two occasions while I was there he resigned. In the time that I was there he resigned twice, physically handed his notice in.

Q. And was he then talked out of resigning?

A. As I understand it he was talked out of it by various managers and friends and family from that positions.

15 Q. So working so closely with him and you've touched on it in your brief, can you confirm that he was working long hours?

A. Yes, he definitely was. I was receiving emails from him on Sunday evening, over the weekends, late at night. If you look at the time on them, some of them were at nine, 10 o'clock at night.

20 Q. And feeling extremely pressurised and under stress?

A. That would be my impression yes.

Q. And he talked to you about that no doubt in your daily interaction that you had with him?

A. We talked quite often about the fact that we were under resourced.

25 1455

Q. So that's what I take from your evidence that your opinion that the safety department was under resourced?

A. Safety and training, yes.

30 Q. And that the movement of you into the training area reporting to Mr Dick Knapp added to the pressures of the safety department and depleted a resource, namely you?

A. That is my belief, yes.

Q. Post the explosion did you appear or be involved in a management meeting?

A. Post the explosion?

Q. Yes.

5 A. Yes I was.

Q. Involving Neville Rockhouse and other senior managers?

A. Yes I was.

Q. And Mr Whittall?

A. Yes I was.

10 Q. What was Mr Whittall's role in that management meeting?

A. Post the event I had become the head of training, whatever. I don't understand what Mr Whittall's role was or I wasn't aware of what his role was in that meeting.

Q. Was that a pressurised stressful meeting?

15 A. I don't know, I can't honestly comment on that.

CROSS-EXAMINATION: MR HAMPTON

Q. Mr Couchman, listening to you both in relation to your training role and your safety role and what you've been telling us, I have the impression that the systems and the paperwork were okay in terms of health and safety and training but that the actuality on the ground or underground stuff production took precedence over those aspects of health and safety and training, am I right?

20

A. That's a fair impression, yes.

Q. So that health and safety and training weren't seen by Pike management as integral to the whole mining operation?

25

A. No.

Q. They were just an add on weren't they?

A. No, I dispute that one. Towards the end especially once Doug White came on board the whole emphasis stepped up and increased.

30 Q. Prior to Doug White coming on board, would that have been a fair proposition? The proposition I just put to you?

A. Because the mine managers kept changing, we had so many different managers, the approaches or their different approaches to their management style varied between managers that came on board, so...

Q. You're avoiding the question.

5 A. No I'm not. Their approach to health and safety was depending on the manager, emphasis was on different managers.

Q. Leave the general proposition. Have you got a copy of your brief with you Mr Couchman?

A. I do.

10 Q. I just want to ask some things in relation to specific paragraphs and I won't necessarily get pages put up. I'll ask if we need them. Paragraph 8 you talk about your contract. Did you actually have a written contract with the company?

A. I did.

15 Q. And did it spell out your duties?

A. It did.

Q. It did. Has that been made available to the Commission do you know?

A. I don't know.

20 Q. I just asked because you were shown a document early on which set out some obligations for your role.

A. Yes.

Q. And you said you hadn't seen that before.

A. No.

25 Q. Were the sort of obligations you were shown in that document DAO.002 - I wonder if I can have it up please, DAO.002.00960? The rules and responsibilities, a draft document. And in particular at pages, I think you were shown 102, 103, I wonder if I could have those up please Ms Basher? Were those sort of matters that are spelt out under safety and training co-ordinator, were they spelt out in your contract?

30 **WITNESS REFERRED TO DOCUMENT DAO.002.00960**

A. Yes, some of them were, yes they were.

1500

Q. Some of them were?

A. Mmm.

Q. Just while I've got those pages up and it takes me to another matter that I'll come back to later on, at page, at 103, on the right hand column under 9 the second bullet point liaison or sight employee, H&S
5 representatives either directly or via H & S meetings monthly. Was that in your contract?

A. I don't recall.

Q. Did that happen, that liaison monthly?

A. With?

10 Q. The employee H & E reps?

A. In terms of having a monthly meetings, we had a health and safety meeting, yeah.

Q. Was there a liaison meeting with H & S reps, monthly?

A. No.

15 Q. Just go on please to your brief at photographs 18 to 23, so it's COU001/5, Ms Basher if I could please? This is in September 2010 where you have a significant change of role and you talk about that. Who actually made the decision to transfer you, do you know?

A. I do not know.

20 Q. Who told you, you were being transferred then?

A. I believe it was Dick Knapp. It was Dick Knapp and Doug White.

Q. Your relationship with Mr Knapp, a good relationship?

A. Professional.

Q. Professional? You've spoken about a conversation that you had with
25 Mr Whittall, yourself and Mr Rockhouse when union matter was mentioned. You ever had any discussion with Mr Knapp and his view about union involvement in this mine?

A. No, I did not.

Q. You say that you felt your transfer compromised health and safety and
30 training. Did you relay that concern of yours about compromise to anyone?

A. I did.

Q. To whom.

A. Doug White.

Q. And the reaction to that from Mr White.

5 A. Mr White said that there restructure was to go ahead. That if I had any concerns about Mr Knapp's management style that I was to come and see him. But as far as he was concerned this was an opportunity for Neville to focus exclusively on safety and for myself to focus exclusively on training and he felt it was a better clarification or justification of lines or of roles.

10 Q. At paragraph 20 you go on to say that from September 2010 on you around no longer attending the production meetings. Do you know who attended them after you?

A. Neville Rockhouse.

15 Q. Neville? And the safety audits that you've been carrying out that you were no longer required to do, do you know whether they were continued with.

A. I don't know the answer, no I don't know.

1505

20 Q. You mention in paragraph 23, your opinion that the transfer having the opposite effect about staffing resources for health and safety, rather than impressing a safety presence in the mine was actually reduced it, did you make your view as to that clear to Mr White, for example?

A. I did.

Q. What about to Mr Knapp?

A. No, no I didn't actually make it clear to Mr Knapp, no.

25 Q. In answer to me a little while ago you said that your relationship with Mr Knapp was professional, I think was the word you used, was he something of an autocratic individual by style, his approach as it were?

A. He came across like that at times, yes.

30 Q. And had he made it clear to you that he wanted to run the office, that anything in the office was within his purview?

A. Actually, as I said we had a very professional relationship. He pretty well let me run the training department how I saw fit, but I did report to him on a regular basis.

- 5 Q. Paragraph 29 if you would please, where you refer to the fact that you and Neville Rockhouse endeavoured to do underground audits at least monthly, was there any formal paperwork, SOPs or anything else that required monthly audits or required audits to be done as to matters underground?
- A. In terms of reviewing the documents and that sort of thing, is that what you're referring to?
- Q. Mhm.
- 10 A. As I understood it there was meant to be an annual review of mostly SOPs.
- Q. No, was there an SOP relating to the need to do monthly underground audits?
- A. No there was not.
- 15 Q. Was there any SOP in relation to any underground audits, monthly or otherwise?
- A. No not that I was aware of.
- Q. If I could take you then to trainee induction which is on page 8, so from about paragraph 40 on of your brief, the first – paragraph 40 we had a maximum number of 12 training at a time, you see that paragraph?
- 20 A. Yes.
- Q. And you go on to refer to the fact that a deputy was to be assigned to oversee trainees on their shift. Do you know whether in fact one, a deputy was assigned to trainees?
- A. I went to – in the second intake especially I went to each of the shift bosses and said, "Can you make sure that this particular – you've got these trainees coming on to your shift, can you make sure that they're assigned to a deputy or have them assigned to a deputy." And I also clarified at that time that they weren't to be working at the coalface.
- 25 Q. Did you go deliberately to do that because with the first lot of inductees, that hadn't occurred, that deputies hadn't been assigned?
- 30 A. Correct.

Q. Having with the second induction course taken that deliberate step that you've told us about, did you follow that up and make sure that in fact what you'd asked had been done?

A. No I did not.

5 Q. You went on in terms of the answer you gave me a little while ago to refer – just a moment ago you referred to stressing that trainees shouldn't be working at the face.

A. Mhm.

Q. That had happened with the first lot of inductees?

10 A. As I understood it, anecdotally I'd understood that – anecdotally I had understood that they had actually – trainees had been working at the face.

1510

15 Q. Did you raise that issue having had it come back to you anecdotally as you say, did you raise it with any of the levels above you?

A. I raised it with Neville.

Q. With Neville, and left it for him to take wherever he wanted to?

20 A. No, no I mentioned Neville, we put in procedures and processes to make sure it didn't happen again, so going to talk to the undermanagers afterwards was part of that process.

Q. Do you know how extensive or was there any enquiry made as to how extensive it was that trainees were actually working at the face?

A. I don't understand sorry.

Q. Sorry?

25 A. I don't understand. What's the question?

Q. Well having heard anecdotally the trainees were working at the face, was any enquiry made whether by you or anybody else in the company to your knowledge as to what extent that had been occurring? How many trainees? How often? That sort of thing?

30 A. No there was not. No. Once I had found out that it was happening though, the next intake we made sure with the undermanagers that, that wasn't to happen again.

Q. So reinforced it with the undermanagers?

A. Mhm.

Q. Was there any checking then done as to see whether trainees were in fact working at the face or not, the second lot of inductees?

A. No there were not.

5 Q. I'm not trying to be critical of you personally.

A. No, no.

Q. I understand that you and Mr Rockhouse were under resourced and heavily pressured from what you're telling us, but was there anyone within your knowledge who did that checking and you say, "No."

10 A. That's, yes.

Q. You talked from time to time and you've spoken today from time to time about culture within the company and if something starts to happen within a mine say inductees working at the face and that starts to become habitual, you've got to change that and to change that you've actually got to not only say to the undermanagers this isn't to happen, you've got to follow it up don't you to change the culture?

15

A. I'd agree with that.

Q. Can I take you then to the next paragraph 43 which is over the page there where you talk about staff turnover. Just pause for staff turnover at the moment. You've spoken earlier in your statement and again just to me before about the turnover of the management and the problems that raised. You're now talking here of staff turnover, you're talking about the miners, the workers at the face?

20

A. Correct.

25 Q. And was that a problem as well?

A. Yes, most definitely, yes it was.

Q. You couldn't seem to keep the miners?

A. As in terms of the safety committee we would've gathered safety committee (inaudible 15:13:29) appointed and then they would leave or yeah we had staff changing all the time and the shifts kept changing around as well.

30

Q. You talk about the ratio of inexperience to experience and you've talked a little more today about.

A. Yes.

Q. Did you ever raise concerns about the ratio of inexperience to experience with anyone yourself?

5 A. When we implemented the second intake of trainees there was a discussion or a series of discussions between myself and Dick Knapp and Neville and I believe Doug White about the number of trainees underground and the ration between trainees and the experienced staff on site. The decision or the collective decision of that discussion was that we could have one more intake of trainees but there wouldn't be a
10 second lot of trainees for some time, or a third lot sorry for some time because the ratio was starting to get out of whack.

Q. So we heard well two weeks ago now, the last time this Commission was sitting here that instead of a ratio of four experienced to one inexperienced, it was almost the reverse at Pike at some stages? On
15 experienced to four inexperienced?

1515

A. Yeah, what would happen would be that because of the absenteeism that a lot of the trainees would turn up for work but there wouldn't be enough experienced staff to accommodate them. On paper there was
20 enough, the ratios were correct, but in actual practice that wasn't so.

Q. So the one in four reversed to four to one, that we heard about a couple of weeks ago, that could well be true?

A. It could well be true, yes.

Q. The last sentence or last two sentences of that paragraph, "On a couple
25 of occasions some shifts due to absenteeism basically had trainees under the supervision of a deputy, trainees generally had between three and eight months experience at the time of the explosion." I take it from that sentence and from what you've just told me that even if you only had one experienced hand and three or four inexperienced the shift still
30 went on?

A. They still went to work, yes.

Q. Paragraph 47, same page, this is where you talk about the refresher courses that Harry Bell was going to run amongst others, right? Have you seen the evidence of Mr Fairhall of Tai Poutini Polytech?

A. No I have not.

5 Q. I wonder Ms Basher if I could have FAI001/1 and 2 could I get them both up together? It's just a two-page statement. You know who Mr Fairhall is?

A. Yes I know Peter well.

10 Q. So I was going to get you to look at both pages 1 and 2, pages 1 just to identify that it's his statement really. A statement that he made and filed with this Commission it's dated 6 November. What I wanted to focus on in particular was paragraphs 17 and 17 so it's on the slash 2 page. Can I just highlight those please Ms Basher? "September 2010 I was approached by yourself to organise gas and ventilation management training on Friday over an eight week period. I employed Harry Bell to do the job. He met with Doug White my manager to discuss continuity and emphasis. Doug had stressed the importance of this training to Harry." Pause there. Was that a correct summation of things?

A. That's correct.

20 Q. Seventeen then, "After two deliveries I was contacted by Adrian and told to postpone this training 'til at least the New Year. I asked him why. He said they weren't getting the numbers turning up to training as they needed to focus on production."

A. That's correct.

25 Q. Correct?

A. Mmm.

Q. So that refresher training lasted but three weeks.

A. Beg your pardon?

Q. That, it lasted only three weeks in fact?

30 A. No, no, no, we had, we'd done, we reviewed a lot of their first aid certificates with Glenville Stiles from Mines Rescue. What was happening was on the Friday afternoon until we were doing a series of training, we were getting trainers in on a regular basis and

Glenville Stiles had, at that time everybody's first aid tickets was expiring on the site and we got Glenville Stiles in from Mines Rescue to renew that. This was the second part of that Friday training which was doing gas ventilation with Harry Bell et cetera.

5 Q. And the comment that they needed to focus on production would that have been a comment that you had in fact made to Mr Fairhall?

A. Beg your pardon.

Q. Would that have been a comment that you would've made to Mr Fairhall?

10 A. Yes.

Q. And where would that have come to you from?

A. That was coming from the fact that I got, I was actively told by some of the undermanagers they couldn't afford to release staff for Friday training because they didn't have enough on shift and they needed to focus on production.

15

Q. And did you relay that back to Doug White and say this isn't working?

A. Yes.

Q. Because of the production pressures?

A. Yes, and to Neville.

20 Q. And to Neville. And the result was?

A. And the result was that we cancelled Friday training.

Q. I take it as a result of production demands?

A. And of absenteeism yes.

1520

25 Q. Just on that though, could I have up please Ms Basher, it's a document that was referred to this morning, DAO.002.14998/8 please?

WITNESS REFERRED TO DOCUMENT DAO.002.14998/8

Q. This is a document that you looked at this morning.

A. Mhm.

30 Q. The third bullet point down, you were referred to, and you said the words were yours apart from the ones in brackets, "We also need the production?"

A. Correct.

Q. Do you know whose words those were?

A. I can only surmise that it would be Dick Knapp's.

Q. But Mr Knapp was the HR man, wasn't he?

A. That's the HR report.

5 Q. The HR report, right. If I go to then paragraphs 52 to 55 which is where you talk about gas monitoring certification and you conclude in 55, "We did have miners requesting to complete their gas tickets." Do you know what sort of numbers we're talking about, the men that were asking to do their tickets?

10 A. I probably would say we had close to maybe three, four, five. Individual miners that were asking to have their gas ticket or apply to have – sit their gas certification.

Q. And every time you went to management about it you were turned down?

15 A. The two occasions that I got approached, I put them to the management and they were told that it's not required for their role and that it was a pretty expensive process to put them through for something that wasn't immediately required for their role.

20 Q. I know you're not a miner, but from your accumulating knowledge of mining, would you have been supportive of their requests to get gas certifications?

25 A. I would've thought it would've been an advantage to the mine to have that qualification and as many people in the mine as possible to have that qualification and if people had of expressed an interest in getting that I would've encouraged it.

Q. Just on, while I think of it, on induction and certification and so on, when Mr George Mason came along, did you induct him into the mine?

A. Yes I did.

1523

30 Q. Were you aware when you inducted him into the mine (a), that he was going to be they hydromining co-ordinator?

A. Yes I was.

Q. And (b), were you aware of the state or otherwise of his certification in terms of qualifications?

A. No I was not?

Q. Tickets?

5 A. No I was not.

Q. You weren't aware that he didn't have the relevant certificates?

A. No I was not.

Q. Would it have been of concern to you that a man was being put into this position effectively running the hydromining operation that didn't hold the necessary tickets?
10

A. Yes.

Q. And of course you refer further on in your statement paragraph 65 about the deputies from Australia who had their tickets and so on don't you?

A. They're Queensland tickets.

15 Q. Queensland tickets, yes.

A. Yes Queensland deputies' tickets, correct.

Q. Can I take you then over a bit into paragraph 77 so it's – Ms Basher if you could get up COU0001/14 and 15 please.

WITNESS REFERRED TO DOCUMENTS COU0001/14/15

20 Q. Where you talk about accident and incident reporting and the I Am Safe books and so on?

A. Yep.

Q. Just as a general proposition again and listening to you and what you've been saying earlier on to the Commission, it seems that feedback or reporting back to the people who filled in the forms or filled in the I Am Safe booklets, that didn't seem to take place?
25

A. That would be correct.

Q. And would you agree with me that and it goes to culture things, that everybody seems to like this word, but it goes to culture that if as a worker you put in a form and then you don't hear anything back from it and nothing seems to change, well you're going to be reluctant to put in one next time round, what's the point of it?
30

A. I'd agree with that.

Q. You agree?

A. Mmm.

1526

Q. It's human nature, isn't it?

5 A. Mhm.

Q. If you, as the miner, were at the face say something's not quite right and you put a ticket in about it and nothing happens and you don't hear anything back, why bother. Correct?

A. Correct.

10 Q. Just while I'm on that though, can I have Ms Basher, it was something that we had up earlier on, DAO.002.14998/8.

WITNESS REFERRED TO DOCUMENT DAO.002.14998

15 Q. There's some reference in paragraph 8 I think, can I highlight that please, yes it is, the first section of paragraph 8 under, "Mine general manager." Can I highlight that section please Ms Basher. "Safety weekly round-up main current issues, safety performance continues to improve. I am safe reports are increasing. Is the feedback to the "I am safe" being done, is the link being closed out?" Now this is at 10 November 2010, that was a continuing problem, wasn't it?

20 A. Yes it was.

Q. And it flicks back – it flicks on to your paragraph 97 where under remedial action and feedback you say there's actually no formal method or place for closing out the reporting enquiries. It's the same sort of thing, the lack of the feedback loop?

25 A. Correct.

Q. Was that ever raised by you as a concern that these matters were being brought up either in the I am safe form or in the incident report forms and nothing was being done and no reporting back? Did you bring it up as an issue?

30 A. I discussed it with Neville several times.

Q. just while we're on that page 95, 92, 93 the report of hazards and incident/accident investigations, and you've talked a bit this morning about the build up of those reports and the signing off in bulk as it were.

A. Yes.

1529

Q. Without proper investigation. And I think you said this morning that there'd been a bit of a clearance as at early October was it?

5 A. Early October, early November, late October, early November there was a big drive. Doug wanted to clear the decks so to speak so that we could start afresh with a new administration. Paragraph 95 where you've mentioned toolbox talks, did you have some, I just want to get a handle on this, did you have some responsibility about preparation of or
10 content of toolbox tools?

A. Some of them I did, yes. We shared a – Neville and I shared it between us. We would create or sometimes the, the departmental manager would come to us and say, "Hey, I want a toolbox talk on this." So we would write it out for him and then present it to the, to the
15 undermanagers to present to their shifts.

Q. Were you still doing that once you'd moved out of the safety role into the training role?

A. No.

Q. You weren't?

20 A. No.

Q. So if there's a series of toolbox talks that were prepared for the 19th of November of 2010 you weren't the responsible one in relation to that?

A. I had no hand in those at all no.

25 Q. Should I ask Mr Rockhouse about those?

A. Mr Rockhouse yes.

COMMISSION ADJOURNS: 3.31 PM

COMMISSION RESUMES: 3.50 PM**CROSS-EXAMINATION CONTINUES: MR HAMPTON**

- 5 Q. Paragraph 125 of your brief where you refer to stone dusting, and “We did not deliver training in stone dusting,” was that ever raised as an issue training in stone dusting?
- A. No.
- Q. By anyone at all?
- A. No.
- 10 Q. And you go on to say the machinery and ample quantities of stone dust were available, was that from enquiries you made yourself or?
- A. Just from personal observation.
- Q. Did you ever think that there should have been something done formally about stone dusting before it was done?
- A. No I never thought that.
- 15 Q. Just going back a little then to 117, contraband, where you say, “Contraband searches...” you found it, “Contraband searches were managed by Dick Knapp, undermanagers and the deputies.” Mr Knapp, human – HR manager?
- A. Correct.
- 20 Q. Do you know why he was doing the contraband searches?
- A. No.
- Q. Does it strike you as a little odd?
- A. Yes. From the point of view of HR he might’ve been from the disciplinary point of view, but that’s about the only conclusion I can
- 25 draw.
- Q. Was he trying to, from your observation, muscle in on Neville Rockhouse, take over Mr Rockhouse’s roles?
- A. Not take over Neville’s role, no.
- Q. Not trying to supplant or side line Mr Rockhouse in some way?
- 30 A. No that’s just – I don’t know that’s speculation, I don’t know.
- Q. Going back up to the top of that page, bottom of the previous page, 111, 112 you’re talk of safety culture and 112 go on to say “A them and us

relationship existed between managers and miners. The relationship between managers and miners didn't encourage or enhance the flow of information from coalface to management and from management to coalface." Was that something that them and us that you were aware of the whole time you were at Pike?

5

1553

A. It grew. It became more and more apparent as time went by.

Q. Did you ever raise it as an issue with anyone in the hierarchy above you?

10 A. I discussed it informally with Neville Rockhouse.

Q. As to your concerns about that sort of relationship?

A. Well that culture was existing. I remember being reprimanded once for referring to underground staff as, "Staff," when they are actually employees rather than staff. Like administration and management were to be referred to in any reports that I prepared as staff and anybody from the underground staff were to be referred to as employees.

15

Q. Who reprimanded you about that?

A. It wasn't a reprimand as such it was a, you need to rephrase your document, it was from Neville Rockhouse on instructions from Mr Whittall.

20

Q. So it came down to you from Mr Whittall through Mr Rockhouse that –

A. That was the official –

Q. – you weren't to use those sort of expressions?

A. That was the impression I had.

25

Q. So a clear delineation being made, them and us?

A. Yes, there was other little things like in the early days the management staff and technical staff used to wear white helmets. The mining staff wore green helmets, so they were referred to white hats versus green hats. We did away with that by removing all the helmets at one stage and went to the blue helmets, so everybody had a blue helmet so I was making a point because I was in charge of that changeover, so I was trying to make a point of actually – rather than having the helmet colour

30

delineating rank, I was trying to get rid of that aspect of it so I made everybody wear blue helmets.

Q. Did you succeed?

A. Well everybody wore blue helmets, yeah.

5 Q. The superficial work underneath –

A. But it was the impression.

Q. Yes.

A. That it was being given that white helmets were being worn by management.

10 Q. And is that the same attitude that roles over into that union comment you told us about earlier on?

A. Refresh my memory?

Q. The, them and us, something about a discussion where Mr Whittall said something about unions and their involvement in H and S committee?

15 A. In the initial inaugural setup of the health and safety committee, the comment was made to us that he didn't want to see the union's influence grow in the health and safety committee.

Q. Did you ever take that up with him, the involvement or the possible involvement of the union as being a beneficial thing?

20 A. We discussed it at that one meeting, yeah.

Q. And that was it?

A. Basically, yes. What I wasn't looking at it from the point of the union, I wanted buy-in from the production staff because I recognised that they were the ones that were working in that dangerous environment.

25 1556

Q. And right the way through is it correct, even with the last, the changes within the last few months you were still having difficulty getting buy-in from production staff weren't you?

30 A. It was increasing though. Because of that change to the 2 o'clock meetings to the point that, and we had held elections just previous to that and I made a point of getting, canvassing the staff. We had meetings with them all and we as I want you to elect a health and safety

rep from each of your shifts, so there was a real drive through the three months or four months prior to that.

Q. In that drive and in trying to get the representatives, did you involve the union at all?

5 A. No I did not.

Q. Is there any particular reason why you didn't do that?

A. It didn't cross my mind.

Q. Looking back on it, would seem surely obvious that if you were going to get the employee buy-in as you say into these things you were going to have to allow them time to attend, not expect them to attend and their own time and not get paid for it?

A. They were being paid for it. They were offered an allowance of \$150 to, for you know, a couple of hours at a time.

Q. That was when you changed things though wasn't it.

15 A. No, no that allowance had been there for quite some time.

Q. Can I just have a look at please with you, Ms Basher there is a document up early on, DAO.002.08138/1. I think it's the health and safety minutes of, I think of an October or November 2010 meeting. Again I've only got the numbers. See what we draw on the ballot, the 20 11th of October 2010. Just looking at the names and I haven't had a change to look at the names myself but yourself first, then Gary Holmwood T & L, so that's the transport company?

A. Correct.

WITNESS REFERRED TO DOCUMENT DAO.002.08138/1

25 Q. So that's one of the contractors. Nico Prinsloo CPP, so that's the coal plant at the, the outside plant?

A. Correct.

Q. Gregory, no Gregor Hamm, what's his role?

A. He's, he'd technic, Tech Services.

30 Q. Tech Services. Is he a manager?

A. No he's not.

Q. Is he an underground man?

A. No, he's, he's a mine engineer.

Q. Rosie Davey?

A. Environmental.

Q. Steven Cox?

A. A miner.

5 Q. Do you know what crew he was on?

A. No I do not.

Q. Tim Davidson?

A. Miner.

Q. Stephen Ellis?

10 A. Mine manager, or production manager then.

Q. John Watson?

A. CPP, coal prep plant.

Q. Sorry, yes CPP.

A. And Jos Vegeneris put in an apology, and he was a miner.

15 1559

Q. At paragraph 109 you say, "It used to annoy me that the health and safety committee was supposed to be a committee of the staff, but we would sometimes have more managers attending than staff." Just pausing there, the one we've just looked at, more managers than staff?

20 A. On occasion there was, yes. On one occasion we had four senior managers attend.

Q. And there was that sort of attitude that annoyed you? That's concerned you?

25 A. Well because as I said the health and safety committee was meant to be representation from the staff. I didn't disagree with the point principle of having a senior manager in attendance to, you know, to answer questions or to get to see how the safety committee worked, but what was happening was that we were sometimes getting managers filling in for their so-called safety rep because they couldn't release them from work.

30

Q. So they couldn't release the miners from their job but they were coming instead?

A. Or even engineering, engineering was probably one of the biggest ones, so the likes of Nick Gribble would turn up in place of well they didn't actually have anybody.

5 Q. And the last sentence in that paragraph, "I believe that at times staff may have felt intimidated with the managers' attendance and very reluctant to raise issues." Is that something you just picked up from sitting round the table at these meetings?

A. That was an impression that I had formed, just – it was a casual observation, a personal observation.

10 Q. Was it based on numbers of managers around the table or attitude of managers around the table or a combination of both do you think Mr Couchman?

15 A. Actually I think it was because of the lack of representation from the staff at those times, because you had more managers there than you actually had staff, so nobody really – nothing really constructive was done at those particular meetings. As I was saying – as the safety committee progressed towards October and that we were starting to get to work.

CROSS-EXAMINATION: MR RAYMOND

20 Q. Mr Couchman I just want to ask you first a couple of questions about the time you commenced employment and your background at that stage.

A. Beg your pardon?

25 Q. Your background to the point that you commenced employment at Pike River. You started in September 2008, at that stage they were in stone and there was about 80 staff you said in your evidence?

A. Correct.

Q. And you've confirmed you had no background in mining experience and no dedicated health and safety training role prior to commencing at Pike, is that right?

30 A. Correct.

Q. Who interviewed you for the position?

A. Neville Rockhouse and Colin Parker.

Q. And was that lack of experience in those key areas I've just mentioned raised by Neville as being a potential concern?

5 A. No they felt that my experience with the Department of Conservation and with running the business for the West Coast Regional Council offset a lot of those drawbacks. They felt that they could upskill me and train me to the required level that was required for the position.

Q. The experience you had at the Department of Conservation and with the West Coast Regional Council, did they involve training roles?

10 A. I was involved in developing and delivering and organising training for my staff in those, both those roles.

Q. In a health and safety context?

A. In terms of delivering unit standards, qualifications and yes in a health and safety contexts in terms of skills, upskilling them for their roles, for their jobs.

15 Q. And the course which Neville encouraged you to complete at Tai Poutini, the national certificate in adult education, nothing to do with health and safety or mining per se, it's a general qualification?

20 A. No it's not a general, it's a training qualification. So my role was 50/50, 60/40 training in safety so, but he wanted more emphasis for me on training. So, it's actual – it's a formal training qualification for adult students.

Q. I see, specialising in a training – it's got a training angle?

A. Correct.

25 Q. And also the occupational health and safety course you did at that time as well?

A. I completed that in the last three months of 2010.

Q. Is that again a general oversight on health and safety matters or was it more directed at the mining situation?

A. It's a standard health and safety qualification for workplace.

30 Q. Did it concern you at all in the period from September 2008 to November 2010 when you've just indicated you completed that course or thereabouts, that you were in a reasonably key role at Pike River with limited or, in the mining context, no experience in that industry, yet

embarking on and developing training programmes for a particular industry and a hazardous industry that you hadn't had experience in, were you concerned about that yourself?

A. I wasn't concerned as such, no.

5 1605

Q. Not at all?

A. Did I have – I had confidence in my ability to actually because as I said to you in an earlier question, I did a lot of theoretical training, so theoretical training I can get my head around. What I couldn't deliver was the more practical based competencies. So for example if I did drift runner training I can relay the theory material behind it, which was pretty straightforward and pretty basic, but I couldn't deliver the practical aspects of operating the machine so that's where George Colligan and Reg Matthews came into being.

10

15 Q. So did you feel that you were given the necessary support to arm yourself with that practical role as well?

A. For the practical role no. For the theoretical role, yes.

Q. Yes, sorry resources were supplied to you and Neville in an order to fulfil that practical need?

20 A. Yes they were. The idea being that the long-term plan was to actually have the trainer assessors set up within the shifts to deliver and train those guys themselves.

Q. Yes. Well Ms Beaton showed you the document, the roles and responsibilities document, Ms Basher if you could pull that up please, DAO.002.00960.

25

WITNESS REFERRED TO DOCUMENT DAO.002.00960

Q. And you said in response to a question about whether your job description really fitted in with this document and you said on the whole did a lot but not to the same depth. Do you remember that answer?

30

A. Yes I do.

Q. I just want to go through a couple of things in this document and ask you whether or not you think that you complied with what was set out there.

A. Whether I actually carried it out?

Q. Complied or fulfilled with what is set out in this document. Just before I do that do you know –

A. Well from memory I actually haven't seen this document until this morning.

5 Q. Yes.

A. And I've got a job description that was separate from this and I can't actually remember what's in my job description.

Q. Okay.

10 A. So what I can actually do is marry up my role with what in this document here.

Q. Do you know who prepared this document?

A. I'm assuming Neville did.

Q. So at some stage within Pike River these sorts of roles were anticipated for somebody in your position?

15 A. Beg your pardon?

Q. At some stage someone at Pike River, we assume Neville, had considered these roles as appropriate for someone in your position?

A. Correct.

20 Q. If you could look please at page 101 Ms Basher. I'm concentrating on the right-hand column under, "Action," number 1 the second bullet point please Ms Basher, if you could highlight the second and third bullet points. Do you think that during your period as when you were in the safety department before you went to the HR Department, that you fulfilled the second bullet point, "Monitoring and reporting on the standards of procedures specified in the HSMP monthly."

25

A. No I did not.

Q. In the third bullet point, "Carry out health and safety audits in the working place in panels."

A. I did that.

30 Q. So that was done weekly?

A. It was meant to be done fortnightly but due to time constraints I did it monthly.

Q. So that would entail going to the working face?

A. The audits I conducted underground were mainly around the safety equipment oh and around general things like housekeeping, PPE was being warned that safe processes or procedures were being carried out at that time.

5 Q. The fourth bullet point Ms Basher and it's a sub-bullet point. It's four bullet point and then there's an open circle. "Carry out the following to ensure employees are aware of and participate in health and safety issues and processes, maintain regular contact with employees during the working shifts." Were you able to maintain regular contact with employees do you think?

10 A. Yes I felt I did.

Q. So that is not just the deputies and undermanagers in the crews but the miners and contractors?

15 A. I tried to talk to most of the shifts, I tried to be present at most of the shifts whenever, at morning shift changeover so I would be present at most of the morning shift changeovers.

Q. And do you think that opportunity allowed you an opportunity to engage in constructive discussion with them or they were free to disclose any issue to you that might've been a concern to them?

20 A. They could approach me at any time whether I was in my office or if I was at that shift changeover, I was more than happy for them to approach me.

Q. And did they regularly?

A. Not regularly, no.

25 1610

Q. Why do you think that was?

A. I dunno.

30 Q. Ms Basher if we could just move down to the paragraph numbered 2, second bullet point? "Check hazard reports and any actions required update the register and report to safety and training manager and production and CPP managers coordinators weekly." Is that a role that you were able to fulfil on a weekly basis?

A. Parts of that.

Q. Which parts?

5 A. It sort of had a general overview of most of that, check hazard reports, any actions required, so I was doing that as part of the production meetings towards the end but the list got so long. We, so the incidents were coming in and they were starting to back up, so we were trying to get them closed out by the various managers, so a lot of them weren't actually being closed down.

10 Q. And the next page please Ms Basher, 102, paragraph 4, bullet point 1, it suggested at least in this document it's coming up that the safety and training coordinator is responsible for firstly induction training for new employees and contractors?

A. Yes.

15 Q. You indicated earlier that you were unhappy with the level of induction as between employees and contractors and you came up with the programme to address that, but it hadn't been implemented as at the time of the explosion, is that right?

A. Correct.

Q. So if this was, sorry I'll rephrase that – was this requirement part of your job description can you recall?

20 A. Doing the induction yes.

Q. The induction to contractors?

A. Yes.

Q. Do you feel that within the period 2009, 2010 you were able to fulfil that role with contractors?

25 A. I, they all have the contract, they – all contractors were inducted as per the level 3 induction, the level 2, level 3 induction and the requirements of having a medical certificate and 7146.

Q. And it was during that period that you formed the view that it was an inadequate induction effectively?

30 A. Yes it was.

Q. Ms Basher paragraph 5, first and second bullet points, this is in relation to the incidents and accidents reports, you'll see the first bullet point there and the second point ensure that the following activities are

- carried out for each report, and investigation contributory causes identified and thirdly remedial action recommended? Within the resources that you had and all of the problems you've identified about even getting some feedback from some departments, do you feel that you were able to ensure as that bullet point requires that remedial action was recommended by individual departments?
- 5 A. The remedial actions?
- Q. Yes.
- A. Was I able to fulfil that bullet point? No, I was not.
- 10 Q. Are you able to recall whether that was something that fell within your particular job description?
- A. I wasn't aware that I had to do a full and suitable investigation, no.
- Q. Can you recall whether that bullet point, or words to that effect were part of your job description?
- 15 A. No.
- Q. We've heard evidence from an expert, Ms Callaghan from Auckland University, I'm not sure if you're able to see her evidence or hear parts of it on the internet?
- A. No, I have not.
- 20 Q. Turning to page 103, a relevant point in relation to her evidence agree paragraph 8, first bullet point, Ms Basher. Relating to stress and the importance of identifying stress amongst employees in the work force. You'd be familiar with that as a concept generally?
- A. Yes.
- 25 Q. And here it's indicated your role was to have responsibility to carry out firstly monitor all employees, Pike River Mine area of jurisdiction for stress indicators. Firstly can you recall whether or not that was part of your job description?
- A. No, I cannot recall.
- 30 Q. Is it something then that you did?
- A. If I saw that someone was under, if I identified that someone was suffering from stress I would take steps to address it because actually under the Act you're required to do that. But, yes so even from a

personal point of view, if I saw somebody was suffering I would, it's my, just my personality I would actually render assistance.

Q. Did you have any sort of form of system in place for monitoring that?

A. No.

5 1615

Q. I could go on and take you to more and more points Mr Couchman, but as a general proposition do you, having reviewed that document this morning and I accept unfortunately the first time you've seen it is today, but there are a number of matters in there that for whatever reason you are simply unable to deal with or perhaps weren't part of your job description?

10

A. Correct.

Q. I just want to ask you about the Friday courses which Mr Harry Bell became involved with, you've told the Commission that Doug White initiated those and you've clarified with Mr Hampton that it went for some time – or some weeks before Mr Bell became involved, is that right?

15

A. Correct.

Q. Is it correct that when you contacted Mr Peter Fairhall at TPP that you worked out the sort of areas which would be appropriate for this refresher training?

20

A. We identified a schedule of topics that needed to be covered. We had formed a schedule of topics that were to be covered, yes.

Q. I think I've got that schedule but it's not in the system, I want to put those to you so that we have it on the record. Firstly, he was to be involved in general introduction obviously, then secondly, an historical overview involving hard mining, timbering and lighting?

25

A. Yeah, what I was trying to achieve with that was to show some of the young miners that were coming on where Harry had come from. You know, the background that Harry had had. I believe you learn a lot from history, so what I was trying to do with Harry was to impart his knowledge to a lot of the younger miners.

30

Q. Yes, okay. And secondly a course in self-rescuers?

- A. That was on the cards, yes.
- Q. Ventilation and mine gases?
- A. Mhm.
- Q. That was a yes?
- 5 A. Yes, correct.
- Q. And you supplied two videos which were used, I think, one on rock bolting and another general health and safety video?
- A. I don't recall supplying videos, no. That might've been from Harry.
- Q. Fifthly, mechanisation. One of the topics you discussed with
- 10 Mr Fairhall?
- A. I don't recall that one.
- Q. Hydromining?
- A. Yes.
- Q. The placement of auxiliary fans? Does that ring a bell?
- 15 A. Again I'm – I don't recall.
- Q. But all pretty important topics?
- A. Yes.
- Q. For a refresher. And Mr Fairhall has given evidence FAI0001/1 that it was in September 2010 that he approached you on that. Does that
- 20 sound right?
- A. That sounds about right, yeah.
- Q. And Mr Bell would say that he commenced those course – he can't be precise, but either the 8th or the 15th of October?
- A. Correct, yes.
- 25 Q. Yes. And on the first Friday that he carried out this course, eight men attended, as it happened the majority from the C crew?
- A. I don't recall, but that sounds about right.
- Q. And again all miners, no contractors?
- A. And no engineering staff.
- 30 Q. And it was a roadheader crew?
- A. Correct.
- Q. These courses were held at Pike River in the dayshift from 7.00 am to 2.00 pm is that right?

A. Correct, yes.

Q. And when the course was finished that day, do you recall requesting Mr Bell to go and see Mr White to talk – at Mr White’s request to talk about the courses and how they were going?

5 A. I do remember that he wanted to have a conversation with Mr Bell, yes.

Q. Did you receive feedback from Mr White after that discussion with Mr Bell about what was discussed?

A. No I do not.

10 Q. And then the next Friday, the 15th of October, if that was the date, but certainly in the first – one of the first Fridays of October, again he reported to you on arrival as he had done the week before?

A. Yes.

Q. And this time only three men attended?

A. That’s about right.

15 Q. And on that day there were no miners, just a fitter, an electrician and I think Daniel Rockhouse?

A. Mhm.

Q. Does that sound right?

A. That’s correct, yes, that sounds about right.

20 Q. Did you regard, as Mr Bell did, that the training had been effective or was working out well from the feedback you were getting?

A. Sorry could you repeat the question?

Q. Did you feel, or from the feedback that you were getting from the men that did manage to attend that the training was going well?

25 A. I didn't get any feedback. From my own personal observation I felt that the training was not going well because we weren't getting the numbers that we were promised. We were, we'd actually drawn up a schedule of the various crews or the people that were going to be attending the courses. This changed regularly depending on machine availability or
30 breakdowns, so for example if we had a road header crew booked in and then on the day the CM had broken down, I would get the CM crew rather than the road header crew, so it was constantly changing.

1620

Q. You popped into the sessions on a couple of occasions didn't you?

A. Yes I passed through them, yes.

Q. From your perspective and I know you're not a miner but did it appear to you that the sessions were constructive and worthwhile?

5 A. Some of the comments that I had from the attendees on Harry's session was that they were quite valuable. In particular I do remember Conrad Adams making the comment that Harry Bell's presentation was well worthwhile, well worth attending.

10 Q. So it was on that second day then when there was only three men there you went into the session and said words to the effect that because of the pressure for production the mine could not afford to keep men out of the mine and on production? Do you recall that?

15 A. No that occurred – I think I had a training session and nobody turned up. It wasn't the one that the three, I think there was one training session that I booked and I think it was Harry and nobody turned up for it and I rang up the undermanager at the time and said, "Where's your crew, they're booked in for training down here," and his response was, he was very apologetic and he said, "Look I can't release anybody 'cos there's only five people or four people that turned up for work this morning."

20 Q. But in any event whether it was then or the week before and my instructions on that differ from your recollection, but it's neither here nor there, the training sessions came to an end?

A. They were dropping off, they were declining in attendance.

25 Q. And just to be clear for the record, you said to Ms Beaton before when she asked you when those ended you thought June/July but if they were still going in October it must have been mid to late October that they ended?

A. Yeah, correct.

Q. Correct?

30 A. Well that's right.

Q. And just finally you moved to the HR Department. Were you involved or did you know whether or not that department conducted exit interviews with employees?

A. I wasn't aware of that.

Q. Do you know what I mean by, "Exit interviews."

A. I understand what an exit interview is, no I was not aware if they did them or not.

5 Q. So you clearly weren't personally involved with any?

A. I was never involved in an exit interview.

CROSS-EXAMINATION: MR NICHOLSON

10 Q. Now Mr Couchman, when you joined the mine in 2008, McConnell Dowell had been there for coming up to three years at that point. Are you aware of that?

A. That was my understanding, yes.

Q. Are you also aware that they've been training their own staff in all of the work that they were required to be doing throughout that period?

15 A. I was aware that McConnell Dowell were conducting their own training and up-skilling processes, yes.

Q. When you joined Pike River, were you involved in the re-induction of the McConnell Dowell crews before the mine reached a gassy stage as it went through the Hawea Fault?

20 A. No I was not. What I'm saying is I don't think some of them, some of the McConnell Dowell crew didn't go through that induction because they're already onsite. I didn't put them through a training programme.

Q. Well the evidence from Mr Rockhouse and from McConnell Dowell has been that before the coal measures were reached that all of the McConnell Dowell people were re-inducted -

25 A. Okay.

Q. - into the mine, but you're not aware of that?

A. Okay. I'm not aware that that was specifically for that reason. I know we had a lot of McConnell Dowell staff come through because they kept moving offsite and coming back.

30 Q. And you're also aware that in addition to the induction training that you were providing that McConnell Dowell was also separately inducting new joiners when they came to Pike River, weren't they?

A. I wasn't aware of what their training programme was.

Q. Now Ms Beaton asked you this morning about incident management involving contractors and used McConnell Dowell as an example of that, so I'd just like to clarify a couple of aspects of that with you. Pike River
5 required contractors to fill out shift reports and give them to the control room after each shift, didn't they?

A. Did they? No, I don't know.

1625

Q. You're not aware of that?

10 A. No.

Q. So you didn't see the shift reports that contractors were filing?

A. No, no I did not.

Q. Pike River also actually required contractors to fill out hazard reports when they identified hazards or had incidents underground?

15 A. Yes.

Q. And those hazard reports were a Pike form?

A. Correct.

Q. And when they were filled out, where did they get delivered to?

A. They were meant to be submitted to the control room. We had a tray
20 set up in the control room and the controller would put them into that tray for me to pick up in the morning.

Q. And is it fair to say that sometimes they were delivered directly to you?

A. Sometimes, yes, correct.

Q. And sometimes that might've occurred at the morning production
25 meetings?

A. Occasionally, very rarely though.

Q. So are you aware, or I think you were asked this morning by Ms Beaton about whether you'd seen separate documentation held by contractors like McConnell Dowell. Are you aware that McConnell Dowell actually
30 used the Pike form for its own internal purposes?

A. It doesn't surprise me, but no I wasn't aware of that.

Q. Now at the morning production meetings, if there had been a hazard reporting from the previous day it was generally discussed wasn't it?

A. At the production meeting, yes.

Q. And that there'd be an agreement reached about who it was that was going to investigate what remedial actions there needed to be?

A. Correct.

5 Q. Is that fair? And generally if it was a Pike person or piece of Pike equipment involved it would be handed to a Pike person to resolve, wouldn't it?

10 A. If it was a piece of Pike equipment it was usually generally assigned to the engineering department. If it was a mining issue underground it was then or assigned to the production manager or department.

Q. And if it was a contractor, who would generally be asked to have a look at it?

15 A. Depending – again if it was a machine, if it was a contractor with a machine issue it was assigned to the engineering department. Most of the time they went to production though.

Q. If it was a personnel issue where somebody having done something that they shouldn't have, was the contractor then asked to look at it or was it Pike personnel still?

20 A. The Pike manager would look at it. It would be assigned to a Pike manager.

Q. After an investigation was conducted, they'd be reporting back to either the mine manager or to Mr Rockhouse wouldn't there?

25 A. No – so the investigation would be carried out by whoever it was assigned to, remedial actions would be identified and listed on the back of the report form and then it would be submitted to the departmental head, depending on the severity of the incident, so if it was a fairly severe incident sometimes it would go to the mine manager. If it was a lower level or a lesser event it would go to the departmental head and the departmental head would review the document and then they would
30 either sign off or make suggestions or add, you know, they would make their own remedial action or their own suggestions to the document and then sign it off.

Q. I think you said in answer to a question from one of the other counsel earlier today and forgive me I didn't make a note as to which one it was, that the level of those remedial actions rather depended on the different mine managers in place from time to time, they had different levels of involvement, do you remember saying that?

5

A. Correct. Yes.

Q. I'll just refer you – Ms Basher if you can call up please FAM00057.2/1. Okay, never mind. Once an investigation had been completed and you had remedial actions, was Pike updating its hazard register?

10 A. We were towards the end, yes.

Q. Who was doing that?

A. It was being done by the administration assistant and HR.

Q. Are you aware that when McConnell Dowell was involved in incidents they were also updating their own hazard register?

15 A. I was aware they had one, yes.

Q. And after these investigations were completed, I think you've told us, that the learning's were being shared at sometimes the toolbox talks?

A. Beg your pardon?

20 Q. When corrected actions were identified and you needed to remind people about the behavioural change or perhaps a change to the way equipment was to be used, toolbox talks were used as a way to do that?

A. Correct.

Q. And you also handed out the written notices and left them in the crib rooms and around the mine?

25 A. No that was the minutes – we – the toolbox talks were printed out, prepared, deposited with the undermanagers to broadcast to their staff. They were to collect signatures back to say that they had received that presentation, whether it would be a newsflash or whether it was a toolbox talk and then that – that information was collected up and brought back to the safety– the ones you're talking about were the safety minutes. The health and safety committee minutes were left on the crib rooms or the smoko rooms and that's sort of thing.

30

1630

Q. Were you attending the toolbox talks?

A. I attended the morning shift, most of the morning shifts.

Q. Before the morning shift ones that involved both Pike personnel and contractors didn't it?

5 A. It did.

Q. So the extent that the contractors needed to be made aware of things that was happening through those talks wasn't it?

A. Correct.

CROSS-EXAMINATION: MR HAIGH

10 Q. Mr Couchman I act for Doug White. I want to ask you about the transfer from safety and training and to pure training as such in September 2010. Now it might be trite to say, but training is an integral part of safety isn't it?

A. That would be my inclination, yes.

15 Q. Right, so what was happening, or what happened with the transfer was that your focus was to be put purely on training?

A. Correct.

Q. As a part of the safety system?

A. The impression I was getting by moving me to HR was that the training
20 role was being devolved out safety entirely. But it is actually an, I considered it an integral part of the safety.

Q. But your role and the application of your responsibilities training didn't change?

A. No they didn't.

25 Q. And I think one of the reasons that, or the primary reason that you weren't happy and moving and this is no criticism of you, was that you didn't want to have to report to Mr Knapp. Have I got that right?

A. Correct.

Q. And Mr White as you've told us explained to you and let me summarise
30 it if I can, you tell me if I've got it wrong, the, Neville Rockhouse was overwhelmed with his role in safety and assisting you in training and that

this was the primary reason why he wanted to separate the two out so that Neville Rockhouse could just focus on safety?

A. That was the reason given, yes.

5 Q. And in fact I think that within a short time of this division Mr Rockhouse was joined by a Sandy Keown, K-E-O-W-N?

A. Keown.

Q. As a safety administrator to assist him?

A. Correct.

10 Q. Now want to ask you about what you raised in paragraph 75 of your brief of evidence and I think this related to the standard of induction. You recall you gave evidence about that, you raised concerns with Neville Rockhouse, and Doug White relating to the standard of induction that you were delivering to contractor staff?

A. Correct.

15 Q. Remember that, and you went on to say, "To be eligible to work ground the contractor only had to hold a unit standard showing competence to work in an underground coal environment. A medical certificate and attend a two-hour induction with the trainee department"?

A. Correct.

20 Q. But in fact the unit standard showing competence 1746, was a two-day exercise wasn't it to obtain that?

A. Correct, yes.

25 Q. Now the, you mention this fact that what annoyed you was the health and safety committee seemed to be cluttered up with managers rather than miners as such?

A. On occasion there were more managers than there were then staff and we had a great deal of difficulty in getting production staff to attend and we literally had no engineering staff to attend.

30 Q. No, well, and you said that at times staff may have felt intimidated with the managers' attendance and be reluctant to raise issues?

A. That was a personal observation.

Q. So did you observe this from when there were miners there as opposed time managers that they were silent?

A. On the occasions that we had, like on one occasion we had four managers that attended the meeting. We had literally no staff representation at all, so the staff that were there were mainly administrative staff. So we didn't actually have anybody from underground in that particular meeting.

5

1635

Q. I'm just curious as to how you determined that in fact the staff, the miners if I can use that term loosely, were intimidated if they didn't show up?

10

A. I'm not talking about the miners, I was talking about the group as a whole. So, we would have a meeting – we'd have a safety meeting and there'd be four managers turn up for example, and there would be say three or four other staff representation from other departments, not necessarily production on that particular day.

15

Q. You didn't raise this with Doug White though, did you?

A. The issue of the managers turning up? We, no I raised the issue of attendance of the engineering department. Like I said that was a – that occurred on say two or three occasions we would have maybe two, three, four managers sometimes. We were trying to work the process so that we could get the health and safety committee a lot more effective and one of those issues that I raised with Doug White was that we were getting very little participation, in particular, from the engineering department.

20

Q. Well they –

25

A. The production side of things, because I wanted representation from the production side, we had pretty well resolve that with the change of time, the change of venue, sorry the changing of the timing of the venue, you know, shifting it to the 2 o'clock afternoon shift over and the introduction of the \$150 allowance to get production from those and the elections that we held previously.

30

Q. I want to put to one side the engineering department which seems to have been a no-show on these occasions, but I just want your

confirmation that this – your concern about intimidation, possible intimidation, you didn't convey that to Doug White at all?

A. No I did not.

CROSS-EXAMINATION: MS SHORTALL

5 Q. Mr Couchman I just have two quick clarification matters for you. You gave evidence earlier that you understood Mr Rockhouse had approached the board on several occasions to propose that they use lag indicators when considering health and safety matters at Pike River –

A. Lead indicators.

10 Q. Sorry lead indicators, do you recall that evidence?

A. Yes.

Q. And when Ms Beaton asked further about that understanding you said you were under the impression that Mr Rockhouse approached the senior staff meetings, do you recall that as well?

15 A. Approached in what respect?

Q. I think the words you used was, one of the points I just want to clarify, you used the words, “the senior staff meetings,” was that a reference to the weekly operations meeting?

A. Correct.

20 Q. Now when do you understand that Mr Rockhouse said something about using lead indicators at the operations meetings, do you recall roughly when that was?

A. We had a conversation about the information that was being required or requested from either the board or the operational meetings all tended to be lag indicators rather than lead indicators and Neville and I had several conversations about it would be much better if we could have more positive lead indicators as a health and safety measure, rather than these constantly lag indicators.

25 Q. I just want to confirm, because there were two references, there was reference to the proposal about lead indicators you understanding that Mr Rockhouse approached the board with that and there's also the reference that you made to Mr Rockhouse approaching the operations

30

meetings. Do you understand that Mr Rockhouse did in fact approach the board about the use of lead indicators?

A. No I did not. I was vaguely aware that he was going to approach them, but whether or not he did I do not know.

5 Q. You just don't know one way or another, is that right?

A. No I don'.

Q. Now just one other matter. In a series of questions by Mr Hampton you were asked about the ratio of experienced to inexperienced miners at Pike, do you recall that?

10 A. I do.

Q. And in that connection you were asked some questions about sentences contained in paragraph 43 of your brief and I just wanted to read to you one sentence from that paragraph of your written brief that you weren't asked about and for the record this is at COU0001/9, "However I didn't feel the ratio of experienced to trainee/inexperienced staff was unsafe." That's your evidence too, isn't it?

15

A. Correct.

1640

QUESTIONS FROM COMMISSIONER HENRY:

20 Q. Mr Couchman, my first question is about the health and safety committee. My understand of the law is that the health and safety committee may make recommendations to the employer and the employer then responds, either adopting the proposal that the committee's put forward or the employer can come back and say no, we're not going to do that and these are the reasons. Is that your understanding of how it works?

25

A. Yeah that's my understanding.

Q. Is that how the committee actually operated? Did it make formal proposals to the employer?

30 A. I wrote a number of letters to the management, initially to Neville Rockhouse and then I started writing directly to Doug White

raising issues that had been raised with the committee asking for some clarification on those issues.

Q. Yes, did you make formal proposals?

5 A. We identified issues that – like we wanted to know for example a firm date as to the when the second means of egress was going to be established. We never received a reply to that.

Q. So to that extent that formal process set out in the law didn't come to a – you didn't arrive at a conclusion?

10 A. We raised issues with various managers and we did not get conclusive answers to those queries.

Q. To his proposals, yes. A second question is just about investigations. At paragraph 91 of your brief you explain how the investigations are triggered and they go down the line, someone down the line investigates and comes back up again et cetera.

15 A. Yes.

Q. Was any consideration given to bringing any kind of independent investigator? For example into the more serious incidents?

20 A. The only investigation that was done for more serious events was when the Department of Labour became involved. There was no outside investigators, no.

Q. Did you look at having another department do the investigation rather than the department where the incident had occurred?

A. Can you clarify that?

25 Q. If the incident had occurred in department X, instead of asking department X to investigate it, did you look at having department Y investigate it?

30 A. No we didn't. Say for example an incident occurred on a particular shift, we would give it back to the undermanager of that shift to find out what happened so that he could rectify or put the remedial actions in place for those issues that concerned him. We didn't consider getting say for example the engineering department to review the production department or the environmental department which would be – you know, they don't have the underground experience.

Q. And you mentioned in paragraph 93 that the backlog of incidents under investigation had been cleared and it seemed to me listening to you that you were talking about there was a decision made to make some kind of fresh start. Could you just clarify what that meant?

5 A. We had Doug White and Steve Ellis had taken over the running of the mine at that stage and there were still some outstanding incidents, quite a few outstanding incidents on our books that Neville and I raised with Mr White and Mr Ellis and said to them you know, we've got to get these off our books, we've got to clear the books. The decision was made for
10 the managers or there was a drive for the managers to come down and clear a lot of the historical documents off of our system and making a clear start and part of that process was to actually start being a lot more proactive in managing those incidents in terms of active participation from the departments.

15 Q. Does that mean though that some of those incidents were cleared without proper investigation, that's what I took out of your statement?

A. That would be my impression.

Q. Were any of those serious incidents?

A. I don't recall. We were talking a lot of incidents.

20 Q. Yes.

A. So the chances are there may have been one or two incidents in there that would be significant.

Q. Final question is just on training. It's my experience anyway difficult to assess the effectiveness of training, would you agree with that as a
25 general proposition?

A. As a general proposition it is difficult to, whether it sunk is what you're asking? Yes, yeah.

1645

30 Q. Did you have any tools available to you to assess the effectiveness of the training that was given?

A. We used three bodies of evidence, which was we would do a theoretical presentation, they would do a written assessment, and then they had to do a practical demonstration of competency. So for example, if we had

5 a machine training incident – sorry machine training for a drift runner operator they would have to go through the presentation which involved a lot of interaction between the tutor and the student. They would have to do a theoretical assessment which is as I was saying before, we were mapping against unit standards and three they would then have to go and do a practical competency demonstration as well as clock up log time. You know they had to demonstrate that they had sufficient experience in, on that particular machine.

Q. Was there any assessment on the job afterwards?

10 A. Yes, afterwards, no there was not. Once they achieved their licence, once they had achieved their written licence, there was no follow up on that.

QUESTIONS FROM COMMISSIONER BELL:

15 Q. Mr Couchman section 20 to 26 or paragraph 26 of your statement, you talk about the three ladies that are engaged to help Neville Rockhouse.

A. Three ladies?

Q. Michelle Gillman, Sandy Keown and Candy Mitchell?

A. Yes.

20 Q. Did they really have much value I'm not being critical of them personally but did they really add much value to what Neville had to do in terms of...

25 A. Michelle Gillman definitely did. Michelle Gillman was very, very developed in desktop and did a lot of her training packages and safety material yes. Now Michelle was invaluable. Sandy took a lot of the day-to-day work load off Neville in terms of paperwork and preparing the work so yes, no, all those people contributed a lot to managing Neville's workload.

Q. At paragraph 27 Reg Matthews conducted informal underground audits, did you ever see the results of those audits?

30 A. I saw the results of a surface audits.

Q. But the things he raised were they, were they addressed?

A. The issues raised in the surface audits were raised with the management.

Q. And were they fixed?

5 A. Some of the ones - I wasn't aware that all of them were fixed. I was aware some of the ones that I took a specific interest in for example, Reg identified that there was some electrical cabling that McConnell Dowell were running out that was running through metal objects and through puddles of water. And we organised with McConnell Dowell to get those shifted and put in a more safer – so a lot of those issues were addressed for the surface audits, yes.

10 Q. But the underground audit you didn't see the outcomes of those?

A. The underground audits were in an informal audit. They weren't a, I didn't see the results for those ones, no.

15 Q. Moving on to paragraph 46, you talk about the problems with the courses and due to, cancelled due to absenteeism, why do you think there was so much absenteeism at Pike?

20 A. It would be purely speculative on my part, but there was – the morale was quite low amongst the mining staff at the mine for various reasons, like the change of shift patterns, the working conditions and that sort of thing. So I would say the drop off in the training was some of the staff might have realised that okay, today because it was on a schedule. They were realising they were going to have training today so they wouldn't bother turning up.

1649

25 Q. Just moving on to gas monitoring certification. Did Mr Strydom have a gas ticket?

A. Mr?

Q. Strydom, the electrical?

A. I don't know I wasn't aware. I, well I can't remember.

30 Q. You made some comments in your statement in terms of there could've been more people that had that sort of training.

A. Yes.

Q. Do you think it increased the risk by not having people who were trained in gas monitors using them?

A. There would be a perceived risk of less people being knowledgeable in a mine, yes.

5 Q. Moving to paragraph 66, there's a bit to do with transferability of Australian deputies' tickets. In paragraph 66 he said, "I believe Peter Whittall eventually interceded and went quite high to get the process pushed through." What do you mean by that?

10 A. There was a lot of – the mine had recruited - because we have a shortage of deputies the mine had recruited four Queensland deputies from Australia to come and work in the mine. We have a trans-Tasman agreement whereby there's a trans-Tasman agreement in place whereby there's a mutual recognition of qualifications that goes across the Tasman. EXITO the organisation that was overseeing that process or the statutory process I felt were making it very difficult and very
15 bureaucratic to get those qualifications recognised from Queensland and the Queensland mines are – is generally recognised that they actually operated a higher standard than New Zealand mines so there shouldn't have been any delay in getting those guys qualifications transferred over to a New Zealand equivalent. We – I ended up dealing
20 with EXITO quite a bit in terms of trying to get these guys qualifications and EXITO it appeared to me seemed to be putting up bureaucratic barriers into what should've been a relatively quick process or relatively simple process. I took my concerns to Peter Whittall and Neville and I
25 both took them to him directly and Neville interceded, sorry, Peter Whittall interceded with EXITO to hurry up and get that process put through for those deputies to have those qualifications converted.

Q. Did you have any involvement in getting Mr Ellis and Mr White their first class tickets?

30 A. Apart from organising it to take place, not directly, no. I organised it would be – to have their – you know, they have a professional conversation board convened.

Q. Paragraph 92, this has been talked about before, there were 200 outstanding reports or thereabouts. Were any of those reports recurring accidents or recurring incidents?

1652

5 A. From memory there would've been, yes probably. I honestly, I can't remember specifics.

Q. Do you regard that as a major issue that you've got recurring problems?

A. I regard it as a major issue because of the fact that we couldn't get them closed down. Between Neville and myself we were constantly nagging
10 them to close incidents out and that wasn't occurring, in particularly engineering.

Q. Finally, paragraph 121 just a particular issue to do with this compressed air hose sitting on top of a drill, which was in effect negating the benefit of the methane sensor, I mean did anything actually happen to the
15 person that did that or was there any disciplinary action taken against the person or persons that actually did that act?

A. We don't know, we weren't aware – when I got to that particular site there was nobody there . The site had been vacated so I was actually doing an audit of the mine at the time with one of the deputies and he
20 took me to that site and showed me that particular situation and scenario. We pulled it down and turned it off and then reported it as it was in the Valley Longwall stub that that incident occurred and then it was put through the normal reporting processing and I'm not aware of what occurred in terms of the investigation after that.

25 Q. Do you think that should have had a particularly serious consequence, I mean a lot of mines that's a sackable offence.

A. I would have thought so yes. I would've have thought it would've been fairly severely dealt with I would've thought, but I don't know what
30 happened.

MR HAIGH ADDRESSES THE COMMISSION – DATE OF INCIDENT HOSE OVER DRILL

QUESTIONS ARISING: MR HAIGH

Q. Mr Couchman, do you recall when that occurred?

5 A. It was quite early on in the piece, it was well before we discussed – it was well in 2009 somewhere there. Well before Doug White started on the mine.

MR HAMPTON ADDRESSES THE COMMISSION - EARLIER DOCUMENT SHOWED DATE 30 JANUARY 2009**QUESTIONS FROM THE COMMISSION:**

10 Q. Mr Couchman, I think before lunch Ms Beaton asked you some questions about the analysis by your department of hazard and incident reports.

A. Yes.

15 Q. And you described the analysis that you did as low level. What did you mean by that?

1655

20 A. The information that we were gathering or presenting to them wasn't very analytical. It was mainly numbers. So we were identifying total numbers of incidents and accidents that occurred. We were identifying incidents that cost the company over more than \$500 so there wasn't a lot of in-depth analysis going into that, to the board in terms of that kind of thing.

25 Q. Hence the discussions that you subsequently, or at that time had with Mr Rockhouse about more meaningful information and different indicators?

30 A. Yeah, I mean lag indicators have their place, but we were also, we were thinking that we would need to – could, a good measure would be to put some lead indicators, and so how many toolbox talks did we have. How many, how many inspections, how many audits were done and that kind of thing. The more positive safety driven type lead indicators.

Q. In that same context Ms Beaton referred you to this document of the Commissions which is a summary of certain of the incident and accident

reports. I don't know how much of a chance you had to look at the document.

A. Briefly this morning.

5 Q. Have you got a reaction to some of the trends that might be suggested in that schedule?

A. I didn't read it that closely. I wasn't aware of what the trends were in that document.

Q. I think you told us, for example that you were shown the section that deals with the bypassing of methane detectors or switches?

10 A. Yes.

Q. Which runs to some four pages and has quite a significant number of entries in it, did you look at that?

A. Yes I did.

Q. Have you a reaction to it?

15 A. To the fact that we did put out numerous toolbox talks and newsflashes not to interfere with ventilation or with methane monitoring devices. We were constantly advising staff, underground staff that they were not to, they were there for their protection and that they needed to leave them alone.

20 Q. Were you aware until you saw that document of what was happening, what trend there was in, if there was one, in relation to that aspect for example?

1658

25 A. I wasn't aware of the depth or the number of methane interferences. At my police interview that asked me that question, were you aware of this issue and were you aware of that situation. I was not aware, for example, I wasn't aware of the plastic bag one, apparently it was raised that they were covering them up with plastic bags, I was not aware of that. So a lot of those issues weren't raised with me.

30 Q. Finally have you seen the witness statement of Mr Reg Matthews?

A. No I have not.

Q. In your witness statement you talk about the topic of contraband and how you said in the early days quite a lot was found and then you

comment that it was tailing off as you became more stringent at a later period.

A. Mhm.

5 Q. Well I can tell you the drift of it, Mr Matthews speaks in paragraph 77 of his witness statement of an occasion which he describes as late 2009 when there was a search for contraband and he estimates 25 to 30 miners were searched and that approximately 18 or 20 had articles including cigarettes, matches, lighters, cans, cellphones, in their pockets or bags. Are you aware of the search that he's talking about?

10 A. I'm assuming that it was one of the initial searches that we put into place shortly after the mine went from being a tunnel into a coalmine and I think that's one of those searches that was referred to us, where Dick Knapp was overseeing them.

Q. He actually refers to an undermanager carrying out the search?

15 A. An undermanager would've been involved, yes.

Q. What do you say as to the accuracy of that information? Have you got any comment on that?

A. No I don't. I don't, I'm not aware of it sir. I'm aware that there were searches taking place and I'm aware in the early days that there was
20 quite a bit of contraband found, but it has tailed off in more recent times.

1701

QUESTIONS ARISING: MS BEATON

Q. Because our system has had enough today I am going to have you please have a copy of the incident report form dated 30 January 2009, confirm that's what you've got there?

5 A. Yeah.

Q. And you in fact had a look at that I think this morning to confirm it was the correct one?

A. Yes.

10 Q. It's not filed by you is it Mr Couchman it's filed by experienced miner called I think David Prouting, is that right?

A. David Prouting was the deputy that was with me on the day, yes.

15 Q. Right, so he's filed the actual report, and it refers the top of the second page when it actually describes what the event is. In handwriting there, "Arrival at coalface to find Valley Longwalls compressed, air hose turned off," is that right, "Turned off and directed towards methane gas detector given false reading for methane sensor and risk of static electricity spark."

A. Correct.

20 Q. And you agree with that, that's the situation that you and he encountered?

A. Yes.

25 Q. And then if you see further down the document in different handwriting, in section – under the section of, "Remedial actions recommended." There's the words, "Valley Longwall instructed not to use air hose to vent space to use venturi instead. Topic covered in toolbox talk, compressed air through hose static electricity potential, and that's?

A. Dean Jamieson.

Q. Dean Jamieson?

A. Mhm.

30 Q. So an interviewer?

A. Yes.

Q. And dated 30 January as completed?

A. Yes.

Q. And in this particular case signed off reasonably quickly by the looks of it, Kobus Louw signing it on the 4th of February?

A. Yes.

5 Q. And that document reference for the record is DAO.002.08237?

A. Yes.

THE COMMISSION ADDRESSES WITNESS

WITNESS EXCUSED

COMMISSION ADJOURNS: 5.03 PM

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