PUBLIC HEALTH COMMUNICATION CENTRE AOTEAROA

Fifteen years after Pike River: Time for leadership on workplace health and safety

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Summary

Fifteen years after the Pike River mine disaster that killed 29 men, Aotearoa New Zealand's (NZ) workplace health and safety record remains poor, with little improvement in fatality rates. Compared to the UK and Australia, NZ has higher rates of workplace deaths and injuries, costing the country around $5 billion annually. Despite the introduction of a new regulator, Worksafe in 2013, and the Health and Safety at Work Act (HSWA) in 2015, key issues persist, including weak enforcement, inadequate fines, and poor understanding of legal duties by employers and political leaders.

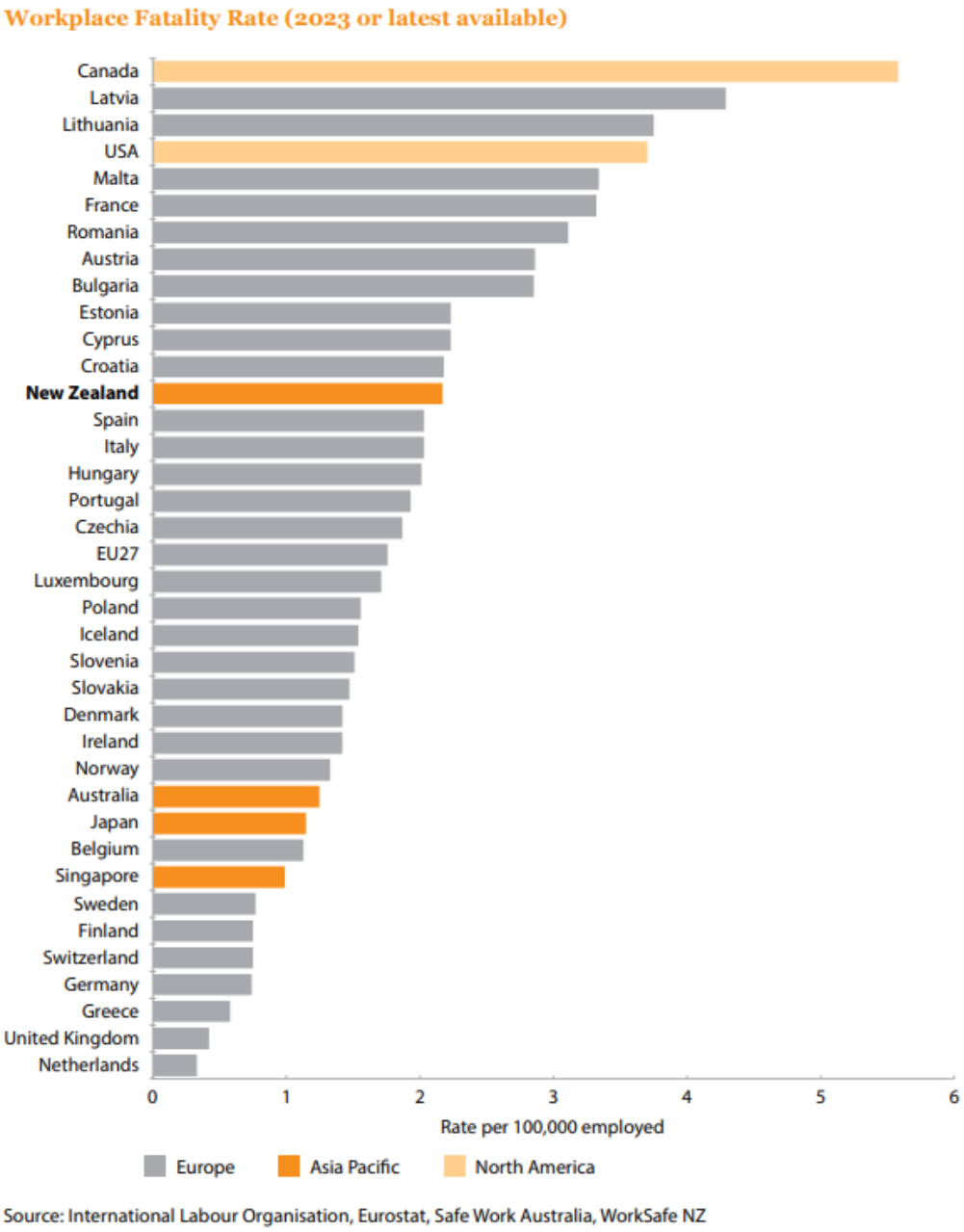
Other countries have taken stronger action, such as unlimited fines and the introduction of corporate manslaughter laws. This Briefing argues for better leadership, stronger enforcement, increased fines, and more accessible legal guidance for businesses. It also calls for all businesses to appoint competent workplace health and safety advisers to help improve productivity and protect workers. We owe meaningful reform to the memory of Pike River's victims.

The Pike River mine explosion on 19 November 2010 killed 29 workers, shocked the nation, and focused attention on our poor workplace health and safety record. It resulted in three inquiries,[1-3] a new regulator (Worksafe) and new legislation (Health and Safety at Work Act 2015 (HSWA)). The 15th anniversary of Pike River prompts a review of progress on WHS, which identifies further initiatives, particularly in light of proposals from the Workplace Relations and Safety Minister to shift the regulatory focus from enforcement to advice[4] and ACC plans to deprioritise injury prevention.

Current state of workplace health and safety in NZ

This country kills twice as many workers as Australia and four times as many as the UK, on a per capita basis. (Figure 1). The number of work-related deaths has not substantively reduced since 2010.[6]

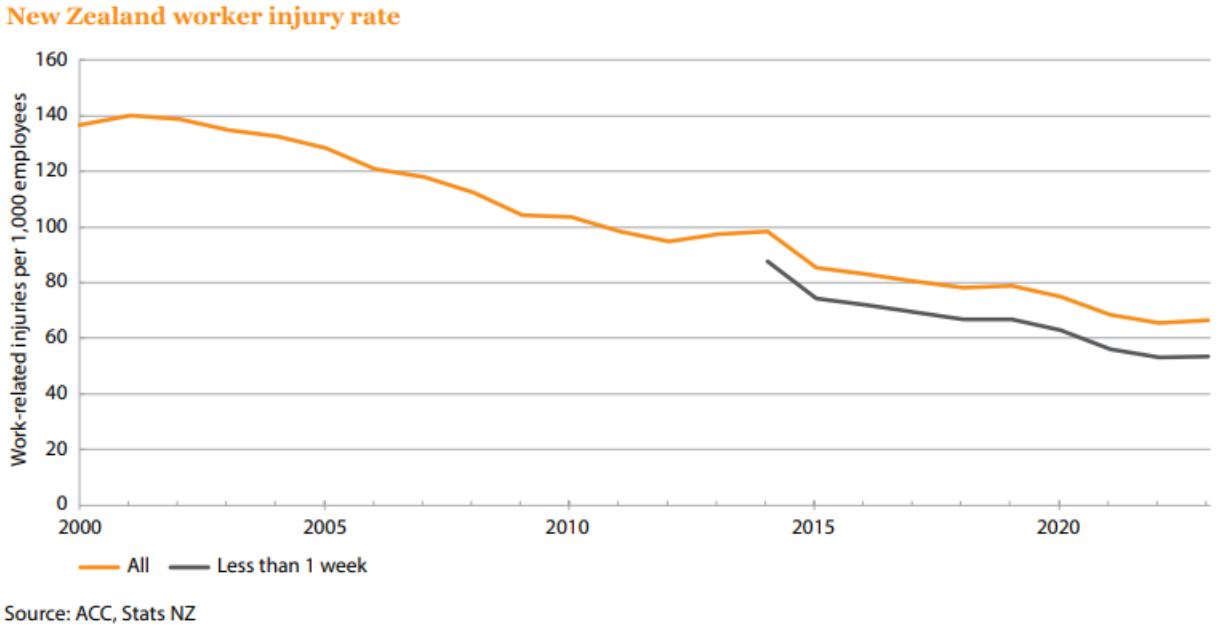
Figure 1. Workplace fatality rate in NZ, UK & Australia.



Source: *State of Thriving Nation, 2024*. [5]

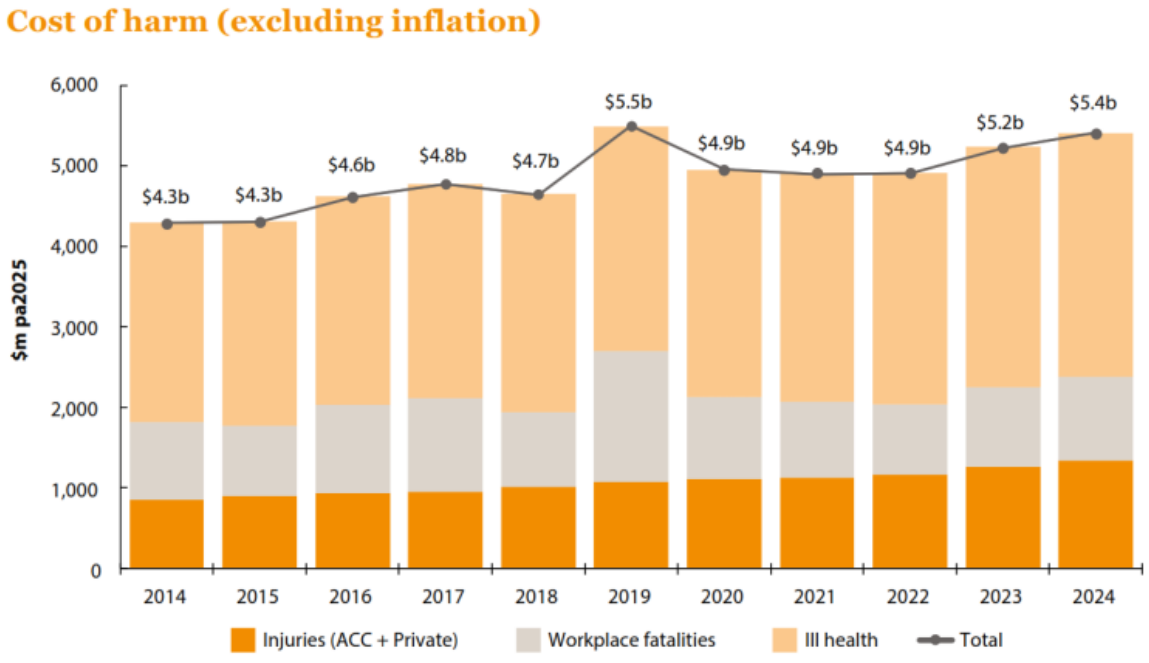
Our injury rate (Figure 2) remains high and costs our country over $5 billion per year (Figure 3).[6]

Figure 2. Injury rates 2000-2023



Source: *State of a Thriving Nation, 2025*.[5]

Figure 3. Cost of harm (excluding inflation). The cost of workplace injuries, illness and fatalities was $5.4b in 2024, and has trended higher over the last decade



Source: *State of a Thriving Nation*, 2025.[6]

Our productivity is falling behind other countries despite research evidence showing that businesses can use workplace health and safety to improve performance as well as avoiding harming workers and other people.[7-10]

Improving workplace health and safety in NZ

Our 2015 Health and Safety at Work Act (HSWA) is based on British and Australian legislation.[11,12] It sets out the duty of care owed to workers and other people, and gives businesses flexibility in how they comply. Insights from the Pike River disaster, along with local and international evidence, suggest the following would improve workplace health and safety in NZ and help create *wealth and safety* for all.[13,14]

- **Increase adherence with HSWA** – Some NZ employers and politicians have an inadequate understanding of the law, and there are proposals to diminish the Act. The UK and Australia have well-resourced regulatory agencies and use inspections to help detect and deter unsafe conditions.[15] As in the UK, NZ should require every employer to appoint a competent person to help with compliance.[16]
- **Keep businesses accountable** – In common with other countries, a disproportionately high number of deaths and serious injuries are in the farming, forestry and construction sectors. WorkSafe is giving these more attention but as advisers, not as regulators,[4] and with limited resources. Remember - employers own the duty of care.
- **Increase deterrence** – In the 10 years since our HSWA became law, inflation has reduced the impact of fines. A $1.5 million fine in 2015 should now be at least $2 million. The UK made fines for serious offences unlimited in 1992 and Australia has updated its laws and enforcement systems. Both added corporate manslaughter for recklessness causing death at work.[17] The necessary legislative action would send a signal from political leaders that the health and safety of our workers is important.
- **Improve WHS training** – Training and being given the necessary information to do a job properly are essential to prevent low productivity, substandard work and poor workplace health and safety, sickness absence, long-term injuries and other increased business costs. Section 36(3)(f) of the Act requires the provision of information, training, instruction, or supervision. The HSWA can therefore be reframed as a description of effective business management where managers manage and directors and executive managers ensure businesses comply with WHS duties (section 44). Every business should be required to have available competent health and safety advisers to help ensure better integration of WHS and business processes. We do this for tax matters, why not workplace health and safety?
- **Actively engage business directors and managers** – Every business that pays GST and every director and company listed with the Companies Office should be told annually what the law requires of them, written in plain English with links to detailed guidance, reinforcing the dictum that “ignorance of the law is no excuse”.[18]
- **Use better data, measurement, and real-time surveillance to target action** – Surveillance of workplace harm is essential to remediating workplace health and safety risks. Earlier proposals from WorkSafe to develop a dashboard to aggregate information from multiple sources to help with priority setting should be implemented.

- **Move hazard control upstream** – The hierarchy of controls can be applied to eliminate or better control workplace health and safety risks. A recent example is action by Australian authorities to ban silica containing engineered benchtops[19] which NZ has not followed. Eliminating this hazard is likely to be far more effective than relying on the workforce to use PPE.

Conclusion

We should follow the path taken by other countries to better protect the lives and wellbeing of our workers and also boost productivity. We owe the 29 Pike River miners this much.

What this Briefing adds

- Political and managerial leadership are essential if New Zealand is to reduce the number and cost of deaths, injuries and ill-health at or because of work.
- With a few additions, workplace health and safety law is as good as Australian and British law but needs better enforcement and penalties.
- Good workplace health and safety shows a positive return on investment

Implications for policy and practice

- All business directors and managers need to know what their duties are and where to find guidance.
- Fines under the Health and Safety at Work Act need increasing to keep up with inflation.
- Written guidance on workplace health and safety law needs to be provided to businesses and directors annually to show the *benefits* of improving work beyond mere compliance.
- Health and safety professionals need to emphasise those benefits in their advice to businesses.

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