

(4) To inquire into the nature and character of the working and the efficiency of the management of the mine.

The working of the mine was in accordance with general practice, and followed the bord-and-pillar system of coal-extraction. As to the efficiency of the management of the mine, we are strongly of the opinion that it was not efficient. The Coal-mines Act permits a mine employing not more than eight workers to be controlled by the holder of a Fireman-Deputy's Certificate. While a fireman-deputy is capable of looking after a section of a mine under the supervision of an underviewer and/or a first-class certificated mine-manager, we are of the opinion that a fireman-deputy is scarcely qualified to take sole charge of a mine where no more highly qualified men are available to guide and supervise his work. In mines employing a larger number of men the Act requires certain duties to be discharged by the manager and by the underviewer. Presumably in a mine of this size a deputy given a permit to manage the mine is required to perform the duties which in larger mines are required of the manager and/or the underviewer, but nowhere is this specifically stated in the Act or the regulations, and, further, the syllabus for a deputy's examination is not designed with the idea that a deputy is to perform the duties of an underviewer or manager, and so there is no proof that any deputy given a permit to act as manager of a small mine is qualified to discharge the necessary duties. Moreover, the position of a fireman-deputy in charge of a mine in which his own employers are working under his control is such an exceedingly difficult one as to render it almost impossible for him to discharge his duties and obligations under the Coal-mines Act and regulations. For instance, section 98 of the Coal-mines Act, 1925, requires the manager of a mine to search workers systematically for matches and smoking-material. No such search was ever carried out at Kaye's Mine, and the Inspectors of Coal-mines, in their evidence, said that they had never required such a search to be made, nor had they ever discussed with the members of any co-operative party the question of searching. It is safe to assume, therefore, that the Inspectors realized the impracticability of enforcing these regulations under the circumstances, and to us it seems to be too much to expect that a man holding the nominal position as manager in a mine such as this would submit his own employers to frequent search for contraband material. In our recommendations we shall deal further with the question of management.

(5) To inquire into the efficiency of the inspection of the mine by all or any persons who are responsible for such inspection.

As to the efficiency of the inspection of the mine by all or any persons who are responsible for such inspection, we are of the opinion that the inspection of the mine by the manager was inefficient and perfunctory. The state of this mine as disclosed by the event is proof positive that the inspections by the Inspectors of Coal-mines were also ineffective, but in our opinion it is practically impossible, in the case of this and many other co-operative mines operated as this mine was, for the Inspectors to exercise sufficient supervision to obtain compliance with the provisions of the Coal-mines Act and regulations. In their evidence Inspectors Parsonage and McArthur both said that they were of the opinion that the co-operative parties generally complied with the requirements of the Act and regulations, but in view of the many breaches which were obvious in Kaye's Mine we cannot accept their opinion. In many of these mines the only official is one holding a fireman-deputy's certificate, and there is no constant and regular supervision by a qualified manager. Instead of their being two workmen's inspectors in this mine there are only two workmen's inspectors for nineteen mines in this district. The visits of the departmental Inspectors appear to have been made with considerable regularity, and, as Inspector Parsonage stated in answer to a question, it was always probable that members of parties operating these mines became aware when the Inspector was in the neighbourhood and likely to pay them a visit. Inspectors Parsonage and McArthur are fully qualified men, but we are definitely of the opinion that their inspections as carried out were ineffective for the simple reason that it was impracticable to make them effective.

(6) To make suggestions for the prevention, as far as possible, of similar accidents, and for the safe working of this and other mines in the future.

We make the following suggestions for the prevention, as far as possible, of similar accidents in the future :

(1) The only clause in Kaye and party's lease relating to the working of the mine is clause 8, which reads as follows :—

The lessees shall work and manage the mine in the most approved manner and to the satisfaction of the Superintendent of State Collieries and of the Inspector of Mines so as to do as little injury as possible to the surface and without creating any waste or unnecessary loss of coal

so that if the surface of the area is not injured and there is no unnecessary waste or loss of coal the Inspector of Mines and the Superintendent of State Coal-mines, under the provisions of the lease, have no powers to intervene. We think that any lease issued by the State Mines Department to a co-operative party should go much further than this and should require the complete observance of all the safety provisions of the Coal-mines Act and regulations to the satisfaction of the Superintendent of the State Coal-mines and the Inspector of Mines. Then the penalty of cancellation of the lease would be enforceable for any breach of these requirements. In our opinion, this would have a much stronger deterrent effect against neglect of safety precautions than the punishments which are at present available under the Act and regulations.