

Press Release

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South African Institute of Race Relations
The power of ideas

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DEEP AND DANGEROUS: HEALTH AND SAFETY IN OUR MINES - IRR report

The latest @Liberty report from the IRR (Institute of Race Relations) – “Deep and Dangerous: Health and Safety in Our Mines” – seeks to explain the current safety and health rules and explore the ways in which they are being implemented.

Written by the IRR’s head of policy research, Dr Anthea Jeffery, the report aims to identify some policy reforms that might help strike a more appropriate balance in safeguarding both the country’s mineworkers and the sustainability of the mining companies for which they work.

The comprehensive study notes that “health and safety challenges have long been acute in South Africa’s often deep and dangerous mines”.

Jeffery writes: “They have been a profound concern for both governments and mining companies for well over a century. To a large extent, and particularly in the last 20 years, they have also been successfully addressed by the mining industry through comprehensive research, sophisticated technology, and increasingly stringent health and safety protocols, backed by employee incentives and bonuses that seek to prioritise safety over production.

“The industry has embraced ‘zero harm’ targets for both fatalities and new cases of silicosis, and these targets are coming closer to being met by 2020 and 2024, respectively.”

While deaths in deep mines, given seismicity and human error, “will always be difficult to prevent ... mine fatalities (at an average of some 90 deaths a year since 2012) are not much greater than those in construction and far below the average of 13 500 deaths on the roads each year”.

Jeffery underscores the importance of policy and regulation in safeguarding lives and health. The Mine Health and Safety Act “reflects and repeats the common law obligation” to provide a reasonably safe working environment.

But the statute “also has various provisions which are overly broad and lend themselves to selective enforcement and even to abuse”.

Equally, in the health sphere, deficiencies in the compensation of mineworkers for silicosis and other mining-related diseases are in need of serious attention to ensure a fairer, more efficient system, shorn of the massive backlogs in the payment and assessment of claims that currently afflict it.

The backdrop to the @Liberty report is a mining industry in South Africa facing significant financial difficulty as a result of lacklustre commodity prices and vastly increased electricity, labour, and other input costs. These factors have led to the shedding of some 100 000 mining jobs over the past seven years.

In addition, the 2017 mining charter could so erode the security of mining rights as to make the industry 'uninvestable'. Already, major potential investors are turning away from South Africa to other countries where the government is less hostile and mining legislation is more stable, competitive, and certain.

Implicitly, a stable, thriving mining industry would be better equipped to continue making gains in the health and safety sphere.

For this "vital" imperative to be achieved, Jeffery argues, "policies and laws must strike the right balance".

"The government should recognise and applaud all that the mining industry has done to reduce fatalities and diminish silica dust.

"DMR inspectors should not be allowed to order safety stoppages for trifling reasons, or otherwise abuse their regulatory powers.

"The government, with private sector help, should maintain an adequate and efficient statutory compensation system for those who contract silicosis and other debilitating diseases underground."

The report also recommends that class actions claiming damages for silicosis and the like "should be certified only where the core requirements for such litigation have very clearly been met".

"The legacy issues that have tainted the mining industry and eroded trust need also to be acknowledged," Jeffery says. "But a constant focus on the evils of the past will deter fresh investment and make it harder still for the industry to survive and thrive."

End.
