



# NORTHWEST TERRITORIES LEGISLATIVE ASSEMBLY

**2nd Session**

**Day ) \$**

**12<sup>th</sup> Assembly**

## HANSARD

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**The Honourable Michael Ballantyne, Speaker**

**MONDAY, SEPTEMBER 21, 1992**

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**MEMBERS PRESENT**

Hon. Titus Allooloo, Mr. Antoine, Hon. James Arvaluk, Hon. Michael Ballantyne, Hon. Nellie Cournoyea, Mr. Dent, Mr. Gargan, Hon. Stephen Kakfwi, Mr. Koe, Mr. Lewis, Mrs. Marie-Jewell, Ms. Mike, Hon. Don Morin, Mr. Nerysoo, Mr. Ningark, Hon. Dennis Patterson, Hon. John Pollard, Mr. Pudlat, Mr. Pudluk, Mr. Todd, Hon. Tony Whitford, Mr. Zoe

**ITEM 1: PRAYER**

**SPEAKER (Hon. Michael Ballantyne):**

Mr. Lewis, would you lead us in prayer? I would ask all Members to remain standing, after the prayer, for one minute of silence for remembrance of the miners who lost their lives in the tragedy last Friday.

**MR. LEWIS:**

O, God, we ask your strength, and love, to guide us in the coming days as we work for the benefit of all our people.

Today, we mourn the loss of nine men who lost their lives in Royal Oak Giant Mine last Friday. Our thoughts and prayers are with families, friends, and neighbours, as they grieve their tragic loss over the coming days and weeks. We offer our deepest sympathy and condolences to the families of Josef Pandev, Dave Vodnoski, Shane Riggs, Malcolm Sawler, Chris Neil, Vern Fallowka, Norman Hourie, Robert Rowsell, and Arnold Russell.

God, give strength to the community of Yellowknife to help it bear its grief, heal its wounds, and make it once again, strong and vibrant.

God, we pray for our young people, our future leaders. Give them strength to bear the grief that is not of their making.

God, give Members of this Legislature the wisdom and inspiration to proceed with its public work in the midst of great suffering and grief.

Amen.

**MR. SPEAKER:**

Please be seated. Item 2, Ministers' statements. Madam Premier.

**ITEM 2: MINISTERS' STATEMENTS**

Minister's Statement 91-12(2): Royal Oak Disaster

**HON. NELLIE COURNOYEA:**

Mr. Speaker, a lot of sorrow, frustration and bitterness has resulted from Friday's tragedy at Royal Oak Mines. I would like to take this opportunity to appeal for calm, and an easing of tensions.

This is not the time to be pointing fingers. It is not the time to be speculating, or accusing others, about how the nine miners lost their lives in such a senseless manner. We have to trust that all our concerns and questions, those of the families, residents, government, C.A.S.A.W., and the mine, will be answered as various investigations reach their conclusion.

These processes have to run their course. All of us have to work together to help those who are charged with the investigations reach a final conclusion.

As you know, Mr. Speaker, the mine has been shut down by the Chief Mining Inspector until he is satisfied it is secure and safe for work to resume. The inspector and his staff are assisting the R.C.M.P. with its investigation, and will continue to fulfill their responsibilities under the Mining Safety Act.

The Chief Inspector will complete his investigation once the R.C.M.P. have finished their examination of the site.

Mr. Speaker, the multiple deaths at Royal Oak Mines, are the results of an incident unlike any other in the history of mining in the Northwest Territories. It is impossible to understand, or speak with certainty, on how something like this could happen, yet a lot of people are trying to do that.

Just because there is a criminal investigation under way does not mean there was union involvement. It is unfortunate that striking union members, their families, and their leadership, have had to defend themselves from insults, accusations and abuse over the past few days.

Mr. Speaker, we are faced with two serious matters. The most immediate is the R.C.M.P. investigation into

the death of the miners. The other involves resolving the labour management dispute that has been going on since last May.

At this time, the investigation requires everyone's cooperation. Politics must be set aside, and we have to stop linking this terrible tragedy to the strike situation in order to assist investigators with unbiased, and factual information, that will help lead to an explanation of this tragedy.

That does not mean, however, that we have to abandon our political efforts to have the federal Minister of Labour fulfill his obligations in the Northwest Territories in respect to the settlement of the strike.

To the contrary, I have advised the federal Minister's office that we want him up here right away. As the responsible Minister, he must find a way to get labour and management talking in a manner that will end the strife all of us have endured over the summer months. That could include establishment of an industrial disputes inquiry.

Mr. Speaker, none of us want this terrible tragedy at Royal Oak Mines to continue tearing Yellowknife apart.

I have noted C.A.S.A.W.'s call for a public inquiry. We are not dismissing the request, but consideration is being deferred pending the results of the criminal investigation, and mine inspection processes, that are currently in place, each of which is there to serve the public need.

In conclusion, Mr. Speaker, the government and yourself, on behalf of the Assembly, offered our comfort and heartfelt sympathies to the families of the dead miners Friday afternoon. I am sure all Members will want to join me now in restating our sympathies,

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and in encouraging everyone to be reasonable, and to conduct themselves with fairness, and integrity.

Thank you, Mr. Speaker.

**SPEAKER:**

Thank you, Madam Premier. Item 2, Ministers' statements. Mr. Whitford.

Minister's Statement 92-12(2): Tragedy at Royal Oak Mines

**HON. TONY WHITFORD:**

Thank you, Mr. Speaker. Mr. Speaker, as Members of this House know, a terrible tragedy took place at Royal Oak Mines last Friday.

Josef Pandev, Norman Hourie, Chris Neil, David Vodnoski, Shane Riggs, and Vern Fallowka of Yellowknife were victims of the explosion. Many of the Members of this House will have known some or all of these men. Some were our neighbours, and some were our friends. The other victims were Arnold Russell of Bathurst, New Brunswick; Malcolm Sawler of Thunder Bay, Ontario; and Robert Rowsell of Hawkins Junction, Ontario.

As Minister of Safety and Public Services, and on behalf of all the residents of the Northwest Territories, I want to express our sincere condolences to the families and friends of these men.

Mr. Speaker, yesterday the R.C.M.P. announced that they have classified the case as a multiple homicide. Because of the nature of the case, the R.C.M.P. are in charge of the criminal investigation, however, they are being assisted by staff of the mine safety division. We will complete our investigation pursuant to the Mine Safety Act once the R.C.M.P. have finished their investigation.

Mr. Speaker, at 10:00 a.m. on the day of the explosion, one of the mine safety inspectors arrived at the Royal Oak Mine site on other business. At 10:15 a.m., the mine manager telephoned the chief inspector to report that he had ordered an investigation by the mine staff of a strong fluctuation in mine air pressure. A physical examination of the workings had resulted in the discovery of the bodies of the victims of the explosion. The chief inspector immediately dispatched two additional mine safety inspectors to the site, both of whom accompanied the R.C.M.P. underground to conduct the preliminary investigation. The chief inspector spoke with the mine manager at 10:20 a.m., and ordered the mine area sealed for all purposes other than the investigation. Mine safety inspectors returned to the surface at approximately 1:00 p.m., and based on their findings, the chief inspector ordered the closure of the entire mine. Mr. Speaker, later today I will table the chief inspector's statement on the closure of Royal Oak Mines.

The chief inspector will continue to release information, as he deems appropriate, in his

continuing investigation. I am certain that the R.C.M.P. will do the same.

Mr. Speaker, I can only assure the families and friends of the victims, and the members of the public, that everything possible is being done to determine how this dreadful explosion occurred. I would like to encourage all Members of this House, and the public, to do everything possible to comfort the families and friends of those who have died, and to assist the R.C.M.P. in their investigation to see that justice is served.

Thank you, Mr. Speaker.

**MR. SPEAKER:**

Thank you, Mr. Whitford. Ministers' statements. Mr. Kakfwi.

Minister's Statement 93-12(2): Mine Deaths Criminal Investigation

**HON. STEPHEN KAKFWI:**

Mr. Speaker, the R.C.M.P. investigation of the tragic deaths at the Giant Mine is continuing as quickly and efficiently as possible. In addition to the internal police resources available in the territories, three teams from outside the territories are involved.

An explosives demolition unit from Alberta is attempting to satisfy that no other unexploded devices pose an immediate hazard. A post-blast team from Ottawa is examining the site of the explosion and deaths to determine the cause. As you know, they have already determined that the explosion came from the side of the track and not from within, or on the tram itself.

As well, a major crime investigation unit from Alberta is in place to assist with the collection and management of the mass information involved. The nature of the crime, and the difficult physical environment, require this kind of experience and technical resource.

As you can appreciate, the criminal investigation is, quite appropriately, being given the highest priority by the R.C.M.P., with the full support and participation of the offices and staff of the chief coroner and the chief mine inspector.

I am not able to tell you, at this point, whether the criminal investigation is likely to lead to an early resolution, or whether a more lengthy process is in

store for us. The best we can do is urge all segments of our community to come forward to the R.C.M.P. with any information which could provide answers to the question we are all asking.

In the event that the criminal investigation results in the arrest of one or more persons allegedly responsible for the explosion and deaths, the federal Department of Justice will be the authority in charge of any prosecution that may result. At that point, the R.C.M.P.'s role would be to take direction from, and provide assistance, to the federal Justice prosecutors and to provide timely information to me.

I should also describe the role of the chief coroner, and the local coroner she has assigned to this case. The chief coroner is obliged to investigate any death arising from accident, negligence or violence. In this case, the chief coroner has arranged for a forensic pathologist from Edmonton to attend and assist.

The chief coroner has access to police reports relevant to the deaths, and may call upon the assistance of police officers in the conduct of her statutory investigations. In the current case, the lines of communication are straightforward and part of a recognized protocol.

The discussion of a public coroner's inquest into these deaths is premature, but some general comments can be made. The Coroner's Act gives precedence to a criminal investigation. It provides that a coroner shall generally delay any inquest where it is likely a person will be charged with a criminal offence arising from a death. In any event, a person charged may not be compelled to give evidence before an inquest, unless any criminal proceedings have been concluded. This is consistent with the constitutional requirement to provide a fair trial for an accused, but also with the public's right to have criminal activity brought to justice in a timely way, not impaired by technical objections to a fair trial.

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As information becomes available, Mr. Speaker, the R.C.M.P. will brief me, provide timely information to the families of the deceased, and the public.

Thank you.

**MR. SPEAKER:**

Thank you, Mr. Kakfwi. Ministers' statements, Members' statements, Mr. Dent.

### ITEM 3: MEMBERS' STATEMENTS

#### Member's Statement On The Death of Nine Miners At Royal Oak Mines

##### **MR. DENT:**

Thank you, Mr. Speaker. Mr. Speaker, I rise today to express my deepest sympathies for the families, and friends, of the men who died tragically last Friday in a blast at Giant Mine. I am sure I speak for all Yellowknifers, Mr. Speaker, when I say that our hearts go out to those who are left to wonder how something so terrible could happen to ones they love.

Mr. Speaker, this sort of thing really hits us all. Chris Neil, Josef Pandev, David Vodnoski, Shane Riggs, Vern Fallowka and Norman Hourie, were all our neighbours from Yellowknife. Robert Rowsell, Malcolm Sawler, and Arnold Russell were from outside the N.W.T., and our hearts go out to their families, as well.

Mr. Speaker, this is a time for grieving, not for accusations and fighting. I urge all Yellowknifers to put aside their differences and come to the aid and comfort of those families who have been left to mourn. It is impossible to understand the apparently senseless act of violence which took these nine lives. No sane person can comprehend how something like this can happen, but we must not be quick to accuse and point fingers. We must give the people who are responsible for investigating this tragedy the time and cooperation they need to find out all the details of what happened. Mr. Speaker, today, let us remember those who have died, and those who have been left behind to grieve.

Thank you.

##### **MR. SPEAKER:**

Thank you, Mr. Dent. Members' statements, Mr. Lewis.

#### Member's Statement On The Death of Nine Miners At Royal Oak Mines

##### **MR. LEWIS:**

Thank you, Mr. Speaker. This city has been in shock since nine miners lost their lives at Royal Oak Giant Mine last Friday. While families grieve the loss of their loved ones, friends and neighbours share the loss of life in a small close-knit community. It affects us all. My family and I share the sorrow of all those

who have suffered personal loss from this tragedy. I grew up in a small mining community, Mr. Speaker. My father and both grandfathers were miners. As a small boy, I shared in the grief of many school friends who lost brothers and fathers in mine disasters. Those childhood memories have come flooding back this weekend.

Today, Mr. Speaker, I pray not only for grieving wives and offspring of our lost workers, but I pray for our young people. They need comfort and healing. The tragedy has deeply divided the community and pitted friend against friend, and family against family. There is much passion and anger, Mr. Speaker. I would urge all Yellowknifers to share in a period of calm, so that we can heal the wounds and divisions in our community.

Thank you.

##### **MR. SPEAKER:**

Thank you, Mr. Lewis. Members' statements. Mr. Zoe.

#### Member's Statement On The Death of Nine Miners At Royal Oak Mines

##### **MR. ZOE:**

Mahsi, Mr. Speaker. Mr. Speaker, like all northerners and Canadians everywhere, I have found the last three days to be very difficult. The shock and horror of the events at the Royal Oak Giant Mine, in Yellowknife, has been virtually overwhelming. It is hard to know how to think, or what to feel, at a time like this.

Mr. Speaker, the impact of this terrible tragedy has not only touched Yellowknife, but all across the Northwest Territories people are feeling numb, confused, and even violated as they have learned about this loss. To the families of the nine miners I would extend my condolences and the sympathies of the people I represent in the North Slave region. We share your pain, and we are here if you need us.

To you, Mr. Speaker, and to my good friends in this House, particularly, the honourable Members Mr. Whitford, Mr. Lewis and Mr. Dent, I realize the added burdens that come with leadership at a time like this. Along with the city council, the Clergy, the social service agencies and the law enforcement personnel, I know that you will have many stressful hours and difficult decisions ahead as our capital city, and all of

our communities struggle to deal with this tragic event.

I believe that you will be helped in this struggle by your knowledge that we northerners are strong, and that our strength comes from relying on each other in times of difficulty. Throughout the years, the cultures and the regions of our vast territories have coped with such things as climate, the most harsh on earth, and with the political and economic environment that demands a consensus approach to meeting challenges.

As we face this great challenge, we should not allow those same principles to desert us. Now is the time to pull together, to support each other, and to reach out when we see others in need of assistance. To the people of Yellowknife, Mr. Speaker, you should know that my people of the Dogrib Nation, the Dogrib people, are praying with you in time of trouble, and that we are ready to help out in any way. Mahsi.

**MR. SPEAKER:**

Mahsi, Mr. Zoe. Item 3, Members' statements. Mr. Koe.

Member's Statement On The Death of Nine Miners At Royal Oak Mines

**MR. KOE:**

Mahsi, Mr. Speaker. I would just like to make a statement on behalf of myself, my family, and the residents of Inuvik. We offer our heartfelt sympathy to the families, relatives, friends, and co-workers of all involved in this terrible tragedy. I wish the officials involved Godspeed, and hope that the mystery surrounding this incident is resolved as quickly as possible. God bless everyone. Mahsi Cho.

**MR. SPEAKER:**

Thank you, Mr. Koe. Item 3, Members' statements. Mr. Nerysoo.

Member's Statement On The Death of Nine Miners At Royal Oak Mines

**MR. NERYSOO:**

Thank you, Mr. Speaker. Mr. Speaker, I rise today on behalf of all the ordinary Members of the Legislative

Assembly, to express our heartfelt and deepest sympathies to the families and friends of the nine men who died last Friday, as a result of an underground explosion at Royal Oak Mines.

Our thoughts and prayers go out to the families of Norman Hourie, Josef Pandev, Chris Neil, David Vodnoski, Shane Riggs, and Vern Fallowka, all of Yellowknife; Arnold Russell of New Brunswick; and Malcolm Sawler and Robert Rowsell of Ontario. Moments like these, and times like these, draw and tug upon each of our emotions and, as leaders, we ask for your help and the help of the people of the north, and Yellowknife, in particular, in dealing with these most difficult of all times.

We ask that the people of Yellowknife, and throughout the Northwest Territories, come to the aid and support of the people who have tragically lost fathers, husbands, brothers and sons. Mr. Speaker, I can say to you that we have all asked in our prayers that the Creator watch over and guide this community and all of the families during these most trying days.

Mr. Speaker, I can say to the families, the friends, and the people of Yellowknife, that all of our constituents, and all other Members in this House, mourn with you and share in the loss of your loved ones. Thank you, Mr. Speaker.

**MR. SPEAKER:**

Thank you, Mr. Nerysoo. Item 3, Members' statements.

With the indulgence of the House, I have a short statement that I would like to give.

A senseless tragedy of great proportions has devastated our community. As the enormity of the tragedy slowly sinks in, it affects all of us, deeply and profoundly. I find myself thinking that surely nothing is worth this result. No philosophical, no political, or no economic theory, or disagreement, is worth this result.

No one could have foreseen a disaster of this magnitude, everyone is feeling the shock and the pain. I know for a fact, that the shock and pain is being felt equally by union executives, and union members, as it is by the people who work for the company as well as for all of us. Nobody is spared the shock and the pain of this disaster.

I think the time now is wrong to attribute blame. The time now is to support the families and the friends of

the miners that we have lost. This is the time for the community to pull itself together, time for us to put aside our differences. There are still many questions to be answered. There are still many questions that we must ask ourselves to ensure that this tragedy can never repeat itself.

This will and must happen. But first, we must mourn, and we must comfort the families and friends of our lost friends. We must comfort each other. We must remember that whatever our differences, we are all human beings confronting a reality too awful to contemplate, and especially now, we need each other very badly. Thank you.

Mr. Dent.

Motion To Adjourn, Carried

**MR. DENT:**

Mr. Speaker, I move, seconded by the honourable Member for Yellowknife South, that pursuant to Rule 29, that the Assembly be adjourned.

**MR. SPEAKER:**

Your motion is in order. All of those in favour? All those opposed? The motion is carried.

---Carried

This Legislative Assembly, to show respect for the miners who perished on Friday, to their friends and to their families, will adjourn for the remainder of today. Thank you very much.

**---ADJOURNMENT**