

## **CTV Families Group Open Letter to the:**

Rt. Hon Jacinda Ardern, Prime Minister, Rt. Hon Winston Peters, Deputy Prime Minister, Hon. Andrew Little, Justice Minister, Hon Jenny Salesa, Minister for Building and Construction, Hon David Parker, Attorney General and Hon Dr. Nick Smith, MP

Sent by Professor Maan Alkaisi, Spokesperson CTV Families Group

22 October 2019

## **Crisis of Safety and Confidence in our Engineering, Building and Construction Industries**

Dear Prime Minister, Deputy Prime Minister, Ministers and Dr Smith,

Following the findings from The Canterbury Earthquakes Royal Commission of Inquiry, the CTV Families Group had high expectations that, amongst other outcomes; lessons would be learned in the hope that we would never see a repeat of the CTV tragedy.

Sadly, nearly nine years on, we are seeing significant issues reported in the media, concerning critical and systemic failures within our engineering, building and construction industries, which we believe demonstrates that the Government has shown itself to be clearly incapable of addressing.

### **In the last two weeks, Radio NZ reported:**

- [critical structural parts, which were either defective or missing in 1100 buildings scanned since 2016;](#)
- [Palmerston North City Council had known for 18 months that two-thirds of the buildings it had investigated are, or probably are, deficient to withstand earthquakes.](#) However, council officials tried to block releasing their investigation to Radio NZ; and
- [an investigation from Engineering New Zealand prompted by poor building designs has found system-wide problems and that basic mistakes are slipping through with no technical auditing programme for structural engineering design in the building sector.](#) The report highlighted the fact that there was no way of knowing how many engineers are turning out bad designs, including bad seismic designs.

On the 22 February 2011, my wife, Maysoon Abbas, and 114 others died, when the CTV building collapsed during the Christchurch earthquake. We find it extremely disturbing that almost 9 years later, New Zealand is now facing, what is best described as a: **“Crisis of Safety and Confidence in our Engineering, Building and Construction Industries.”**

The Government adopted rightly a proactive stance to reform our Gun Laws following the mosques shooting in March of this year, when the world was watching. However, almost 9 years

after the CTV tragedy we have structures that have been built and are continuing to be built, which pose risk to human lives.

We have three questions:

- 1. Why is the government apparently ignoring the recommendations of The Canterbury Earthquakes Royal Commission of Inquiry, by not taking immediate steps to ensure public safety and engineering good practice?**
- 2. Who is responsible if one of these buildings at risk were to collapse tomorrow and there was a loss of lives?**
- 3. What message the government sent to the construction industry when it failed to prosecute the engineers responsible for the deficient design of the CTV building?**

We wish to remind you that it was government officials that made promises and gave assurances that **lessons would be learned, that they would ensure we have the right building codes, with more rigorous building inspection system, and that the circumstances, which led to the collapse of the CTV building, would never be repeated.**

What the CTV Families asked for was real action but what we got were empty statements. Our repeated requests for the government to honor the 115 lives lost by improving the standard of building codes and making our buildings safer to occupy, have been ignored.

Unfortunately, after almost nine years, no one has been held accountable for the tragic collapse of the CTV building, no justice and no closure for the families here in New Zealand or other sides of the world. We ask what message has this sent to the practicing engineers and construction industry.

The police decision not to prosecute the engineers responsible for the defective design of the CTV building and the government inaction has contributed, in our opinion, to the critical issues now impacting on New Zealand building industry and the lack of serious building inspection, which have continued to compromise our public safety.

The police investigation that came after a royal commission of inquiry found in 2012 that the CTV building should never have been granted a building consent. There were more than 300 structural flaws in its design, which meant it did not meet code requirements of the day and was unable to withstand the shaking of the February 2011 earthquake. Irrespective of the royal commission of inquiry determination, the Deputy Solicitor-General (Criminal) consider this “normal practice” and recommended no action against the engineers responsible for the design, when peer reviewing the original police decision to prosecute. He also stated in his review that CTV tragedy had marginal public interest and he expressed an apparent concern regarding the health of the engineer. However, his peer review did not mention the 115 people that died, those that

survived, some with life changing injuries, or the mental health and wellbeing of the victims' families.

It comes of no surprise to the CTV Families that New Zealand is now confronting a Crisis of Safety and Confidence in our Engineering, Building and Construction Industries.

We also believe that the lives lost in the PGC building, the Colombo street building collapse on the bus and other locations in Christchurch, all represent similar stories of a failed public safety, as does the Pike River tragedy and numerous work-related incidents.

When the decision was announced on the 30 November 2017 that after an intense, three-year investigation into the CTV building collapse that the police would not to press charges, Justice Minister Hon Andrew Little said, "those involved have walked away scot free and that is not right". Following a meeting with Minister Little, the CTV Families Group left with an expectation that perhaps what they considered was a significant injustice with a failure in the decision-making process, would be corrected. Sadly, we were mistaken.

The CTV Families Group has made many formal approaches to the government in their pursuit of accountability and justice, all to no avail.

The tragedy of the CTV building collapse, which resulted in one of the most tragic and unnecessary losses of life in the history of New Zealand, will always be linked with building and engineering design and public safety.

On behalf of the CTV Families Group, I am requesting the government take immediate steps to address the Crisis of Safety and Confidence in our Engineering, Building and Construction Industries. This we owe to 115 people that lost their lives in the CTV building, to make sure they did not die in vain.

**In the immortal words of William Wilberforce, "Having heard all of this you may choose to look the other way but you can never again say that you did not know."**

To all of you, the CTV Families Group says, "Will you help us?"

Yours sincerely



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