

# Plenary Presentation

## 3.3 ASBESTOS DISEASES FOUNDATION OF AUSTRALIA, INC.

ELLA SWEENEY

*President of the Asbestos Diseases Foundation of Australia, Inc.*

Ladies and Gentlemen,

My name is Ella Sweeney. I am President of the Asbestos Diseases Foundation of Australia. I suffer from asbestosis and pleural plaques.

I would like to begin by thanking the organizers of this conference.

I am grateful for the opportunity the conference provides to meet other people who are fighting the same problems as we are in Australia. We can learn so much from each other's experiences.

I know it makes me feel stronger and more optimistic when I hear about what other grassroots organizations of victims and their families and supporters are achieving.

I have used the word **VICTIM** deliberately. I know some people do not like it, but we believe that is exactly what we are.

We are not dying of natural causes. We are dying because of a product that made large profits for big companies. They kept silent about the dangers because of those profits and we have been and are being killed for those profits.

So we are victims – but we are not passive, helpless victims. We have a good, strong and healthy anger inside us and that gives us the energy and drive to work and make sure that the victims are cared for, that the workers are properly compensated, that the innocent are protected, and that the killers do not go unpunished.

### **ASBESTOS IN AUSTRALIA**

**Wittenoom:** The mining and milling of asbestos at Wittenoom in Western Australia is the greatest industrial disaster in Australia. It is comparable to the catastrophes at Minamata and Bhopal.

Thousands of workers, their wives and children, visitors, tourists and government officials were exposed to lethal levels of blue asbestos. There is no doubt at all that the company – CSR – knew that asbestosis and mesothelioma were the extremely likely results of working in their mine and milling plant at Wittenoom.

The deaths are continuing. The final toll is likely to be over 2,000.

**Baryulgil:** The original Australians, the Aborigines, have suffered greatly since the continent was invaded in 1788. They have lost the land they owned and have face and still face today widespread racism, poverty and disadvantage.

The tragic history of Baryulgil in a remote part of northern New South Wales is part of this history of abuse and discrimination.

In 1918, local Aborigines were forcibly removed to a reserve called Baryulgil Square.

About the same time asbestos was discovered at Baryulgil and small scale mining went on until 1925.

In 1940 the mine was opened again and continued to operate until the late 1970s.

James Hardie and the other companies involved knowingly exposed the Aboriginal workers to unsafe conditions in the mine and knowingly exposed the general community to asbestos in many ways.

For example:

- The mill produced an extensive dust cloud and this was often carried by the wind over the houses of the Aboriginal community.
- The Aboriginal mine workers were not provided with work clothes. Their own clothes, saturated with dust from the mine, were washed by the women, often with help from the children.
- Women and children went to the mine every day to take workers their lunch.
- The tailings heaps were near the mine. They had no fences round them and the Aboriginal children used them as slides, to dig in and for other games.
- The mine tailings were used extensively for surfacing, with tones spread on the roads, around houses and as play pits for the children throughout the Aboriginal settlement.

We do not know how many Aborigines died at Baryulgil. We do know the graveyard there is big and crowded.

In Australia, asbestos has been used in more than 3,000 products, including fibro sheets, insulation, fire proofing, lagging for pipes, boilers, corrugated roofing and walling, sheet wall lining, compressed flooring and partitions, downpipes and guttering, electrical switchboards, tile cements, caulking and spackling compounds, floor tiles, paints and sealants, textiles such as theatre curtains and felts, gaskets, friction products like brake linings and clutches, ironing blankets and simmering pads for the top of cooking stoves.

Thousands of Australian workplaces and homes have been built with asbestos-fibro roofs, floors and walls.

Public buildings, hospitals, schools, libraries, office blocks and factories have asbestos in their insulation, air conditioners and ceilings.

One in every three houses in Australia built before 1982 will have asbestos in them.

New South Wales, the Australian state where my foundation works, has the highest rate of asbestos disease in Australia as a result of the manufacturing, building, construction and refinery processes that have occurred in the State over many years.

The number of people diagnosed with mesothelioma and other asbestos-related conditions is rising every year. The numbers are expected to go on increasing until they reach a peak in the year 2020.

During the next ten years, there will be over 6,000 new cases of mesothelioma. Asbestos related lung cancer is at least twice as common as mesothelioma, indicating that we can expect 12,000 new cases by the year 2010.

### **ASBESTOS DISEASES FOUNDATION**

The Asbestos Diseases Society of NSW was formed on 15 May 1990.

The first meeting, at Parramatta Town Hall, was attended by almost 100 people, including Tom Cook, our first President, and the first Secretary, Mrs. Joan Hurd, whose husband Michael had died of mesothelioma.

For a number of years the Society operated from spare rooms in the homes of Tom and Joan. Meetings were held at the office of the Australian Manufacturing Workers Union (AMWU). From the earliest days the union supported the Society as it still does today.

Over time, the Society became stronger and had more resources. Eventually we were able to get a small office in the union building.

The Society changed its name to the Asbestos Diseases Foundation of Australia Inc. in late 1998.

The Asbestos Diseases Foundation is made up of victims of asbestos diseases and their families, friends and other interested people who want to support and help us. We include widows who have already borne the brunt of asbestos through the loss of their husbands.

We aim:

- to be available and accessible to all victims of asbestos-related diseases and their families at all times, and to assist and support the growing number of asbestos diseases sufferers and their relatives;

and also

- to make a significant contribution to awareness and understanding of the dangers of asbestos in the community and consequently to help reduce the numbers of victims in the future.

Until now we have existed on money collected through raffles, street stalls and similar activities as well as membership fees and donations from victims and sympathetic individuals and organizations including the Australian Manufacturing Workers Union, the Maritime Union of Australia, and the Construction, Forestry, Mining and Energy Union.

Over the years the Society, and then the Foundation, has provided on-going assistance in the form of information, support, counseling and legal assistance to members.

We hold monthly meetings which allow members to meet regularly, welcome new members, plan events, hear guest speakers, provide support and encouragement, and allow victims to openly discuss their experiences with fellow sufferers.

The Foundation publishes a monthly Newsletter which is a vehicle to provide members with current news and views, what issues the Foundation is dealing with, upcoming events, and updates on members and their health.

We are currently working to establish local groups in areas of high incidence of asbestos-related diseases. We do this using local hospitals for contacts, asking local newspapers to publicise the event (and they are usually happy to help, especially if we give them a human interest story), and then by word of mouth.

We hope to be able to visit these groups regularly, and also to bring them to Sydney several times a year so they can meet and spend time with members of other similar local groups.

We have been fortunate to get a government grant in the last year which allows us to employ a full-time counsellor. We also manage to raise enough money to pay a secretary three days a week and a very part-time campaign and policy manager who is an absolute treasure.

Every year in the last week of November we organize events to raise awareness of the dangers of asbestos.

This began as a day and has now expanded to National Asbestos Awareness Week. This includes prominent guest speakers and a memorial service with a moment of remembrance. We also have information stalls, displays, legal advice and other services for people.

### **NEW LEGISLATION**

The Asbestos Diseases Foundation played an important role in winning some of the most far reaching legislation ever enacted in Australia on behalf of asbestos disease victims in Australia.

The new law provides real justice to asbestos disease victims and creates a fast and efficient system that eliminates the terrible practice of death bed hearings.

In 1998 our Foundation and the Australian Manufacturing Workers Union put a joint proposal to the Attorney General for legislation to achieve the following changes:

1. Damages can now be awarded if a victim dies before his/her case goes to court but the case is already underway. This allows victims to spend their final days with their families and loved ones rather than in a courtroom.
2. Government compensation is not deducted from any compensation for pain and suffering. This overcomes the past situation when victims and their families who received social security benefits were penalized.
3. Legislation on time limits no longer applies to asbestos disease claims. As a result, huge amounts of time and money are no longer wasted on deciding whether a victim started his/her case within three years of knowing that she/he has a dust disease.
4. Victims can now sue insurance companies directly for damages where the company that employed them has gone out of business.
5. Compensation is now available where the spouse of a person who dies of an asbestos disease is a person of the same sex.
6. The government's Dust Diseases Board can now give grants of money to groups which help and support victims with asbestos-related diseases. (I might add that our Foundation was quick to take advantage of this change!)

This far reaching law was bitterly opposed by the asbestos industry and the insurance companies. James Hardie, CSR and others ran a huge campaign against the proposals.

The Foundation was able to successfully lobby members of the NSW Parliament so the legislation was passed without any changes.

We believe that this new law is our greatest achievement so far.

Other states in Australia are considering adopting similar laws and we have also had interest from around the world.

### **RESEARCH INSTITUTE**

The Asbestos Diseases Foundation is very proud that we are part of a campaign with the Australian Manufacturing Workers Union, the Maritime Union of Australia and the Electrical Trades Union to get the first **Asbestos Diseases Research Institute** established in New South Wales.

If the Institute is set up, its work will include:

- Developing research into the incidence of asbestos-related diseases
- Screening groups of people who are at risk
- Improving diagnosis, and
- Looking for better treatments for mesothelioma, others cancers and asbestosis.

### **NEW PROBLEMS**

There are always new problems!

We have a major problem now with chrysotile or white asbestos. Other asbestos is banned in Australia but workers here still have to work with friction products which contain white asbestos.

The corporations insist that this is safe. How many times before have we been told that one or another kind of asbestos is safe, only to see more working men and women die.

We recently heard about an international conference entitled “Chrysotile Asbestos: Strengthening Responsible Use” which is planned for November in New Delhi, India.

It is being organized by the Asbestos Information Centre of India, the Asbestos Cement Products Manufacturers’ Association (also from India), the Asbestos International Association from the USA and the Canadian Asbestos Institute.

These organizers say: “*Chrysotile ... can be used safely... The relevance of these products for developing countries of strained economies is so essential that it cannot be ignored.*”

The target market is the underdeveloped countries which are to be used to make these merchants of death rich now that bans have been placed on asbestos in the rich developed countries.

We have contacted Indian trade unions to warn them of this development and have sent them information on the dangers to workers from white asbestos.

Another problem that concerns us is news of asbestos in East Timor. Many of the homes and other buildings destroyed by the Indonesian forces and militia bands after the East Timorese voted for independence had asbestos in them.

We feel we must alert Australians to our responsibilities to our brothers and sisters in East Timor. They have been through so much death and suffering; they do not deserve mesothelioma and asbestosis as well.

### **WE CAN SUCCEED**

Grass roots community groups are the basis – the heart and soul – and the driving force behind campaigns to ban the use of asbestos, to win compensation for the victims, and to find cures for mesothelioma and asbestosis.

But we cannot do it alone, of course. We need to make and keep allies – trade unions, medical specialists, lawyers, politicians, anyone and everyone who can and will help.

Our kinds of groups never seem to have enough money or enough people for the work that has to be done. We are always on the edge, just managing.

And yet we have taken on some of the most powerful corporations and we have been able to move mountains because we are ordinary people with a just cause – and people power is the most powerful force in the world!

Warmest greetings from all of us in Australia to all of you who are fighting the same fight.  
**We will win.**