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PARLIAMENTARY DEBATES



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Asbestos

SPEECH

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Senator SINGH (Tasmania) (18:54): I rise to speak about the legacy of asbestos in this country and in relation to some recent movements on this issue. I last spoke in this place about this deadly carcinogen during Asbestos Awareness Week, in November. At that time I spoke about the launch of a new parliamentary group for asbestos related disease, as well as the newly identified problem of exposure to asbestos through home renovations, and the obligations of renovation TV programs to raise awareness regarding the safe removal of asbestos. *The Block*, a Channel 9 program, recently did just that by running an awareness segment a fortnight ago. I have also been advised by Channel 7's *Better Homes and Gardens* program that they too take their obligations regarding asbestos awareness seriously and, during previous programs, have also focused on the dangers of this substance. I would like to take this opportunity to commend *Better Homes and Gardens* and *The Block* and call on other similar programs to follow their lead.

The problems associated with asbestos in this country are far deeper than just this. I recently travelled to Western Australia to meet with Robert Vojakovic AM, president of the Australian Asbestos Disease Society. It may have been an average working day for the majority of people in Perth, but others focused on ensuring that they had their regular check-up with Dr Greg Deleuil. The waiting room was packed, and these were just a small sample of the thousands of people ADSA had helped over 30 years or more. I had always known that the work of ADSA was enormous, but the true breadth of the support they provide to those living with asbestos related disease hit me when I entered ADSA's Perth premises. There were so many people, so many files of deceased sufferers who had lost their lives way too soon.

The majority of victims of asbestos in Western Australia were exposed to the deadly carcinogen from the mining of blue asbestos at Wittenoom, which is today a ghost town. From the early 1940s until 1966 more than 20,000 people resided at Wittenoom, including nearly 5,000 children. These residents were exposed to the blue asbestos fibres being mined in the region, putting many in the high-risk category of developing lung cancer, malignant mesothelioma, asbestos and other pleural plaques. To date more than 2,000 Wittenoom inhabitants, including both workers and their family members have died from asbestos

related disease. This burden of disease is not confined to Wittenoom residents alone. Each year, more than 600 Australians die from asbestos related disease, with this figure not expected to peak until 2020. It is vital that medical researchers continue their search for effective treatments and ultimately a cure.

In a bid to raise much needed funds for such research, just last week Robert, his wife and a team of ADSA supporters walked from Kalgoorlie to Perth in a bid to raise funds for the children of Wittenoom. The walk was the brainchild of Derryn Carnaby, and her motivation was highly personal as both of her parents and two of her brothers died from asbestos related diseases they contracted through exposure at Wittenoom. Over five days the group made the 600-kilometre trek from Kalgoorlie to Perth, something I am told many labelled as just plain crazy. The walkers were greeted by more than 150 people when they completed what is now being known as the ADSA Inaugural Walk.

Upon their arrival at the ADSA headquarters, Robert Vojakovic said: 'So many people think that asbestos is a thing of the past, but it is not. It is in the air we breathe and the houses we live in. People need to be confronted with this knowledge so they can take appropriate steps to protect themselves and their children. Awareness is crucial.'

I was pleased to personally donate to this important cause. Also, ADSA were pleased to receive a message from the Prime Minister in support of their efforts. I would like to take this opportunity to commend Robert, his wife, Rose, and all the volunteers and staff who work so tirelessly in a bid to minimise the impact of asbestos related disease in Western Australia.

Of course, the curse of asbestos goes well beyond our sovereign boundaries. In fact some parts of the South East Asia cannot buy enough asbestos building materials for the development of their towns, villages and cities. Without proper safeguards for workers or regulations for inhabitants, it is like stepping back in time to the 1950s in Australia all over again. Too many countries simply ignore the warnings of the World Health Organisation and the ILO in favour of a cheap building product and of progress. They are condemning so many people to illness and a slow death. It is heartbreaking and frustrating all at once.

The global ban initiative continues, though, from trade unions and activists such as Laurie Kazan-Allen, the coordinator of the International Ban Asbestos Secretariat. I met Ms Allen on her recent visit to Australia. She is an inspirational woman who works tirelessly in pursuit of a global ban on asbestos as well as campaigning for the rights of those affected by asbestos related disease. Ms Kazan-Allen and I spoke about a number of asbestos related matters, including the need for internationally recognised guidelines regarding the diagnoses of asbestos related disease, something I have also raised recently with the Minister for Health, Tanya Plibersek MP.

We also spoke of the recent win for victims of the Eternit company, with an Italian court sentencing the former owner and major shareholder of Enternit, a fibre-cement company in Italy, to 16 years jail each over the negligence shown to workers who died from an asbestos related disease. The trial, which lasted five years, set a precedent around the world and is the biggest trial against a multinational for asbestos related deaths.

The push for a global ban must continue, and I believe Australia is very well placed to lead the international community in such an undertaking. The Australian Labor Party has already committed to the idea of leading international calls for a global treaty to ban the use of, and trade in, asbestos. It suggests we do this by leading diplomatic efforts and by hosting a 'Global Alliance Against Asbestos Conference' here in Australia. The ALP updated its party platform at national conference last year to recognise the legacy asbestos leaves, particularly on vulnerable people in the developing world. As a Western nation in the Asian region I believe Australia should play a mentoring role to our poorer neighbours in sharing the processes which led to the 2003 ban and the regulations we have implemented in this country since that time. How countries such as Canada can continue to mine and export asbestos truly beggars belief.

We must remember that the victims of asbestos related diseases are not just confined to the regions in which this cancerous substance was mined, as it was loaded onto trucks, shipped off through the cities and ports of the country and poured, pressed and mixed into manufacture as well. Asbestos invaded the lives of thousands of Australians far from where it came. Australia has experienced two waves of asbestos related disease. The first was associated with the mining of the substance and manufacturing of asbestos products and the second wave from asbestos use was in industry, mostly in the building and construction industry.

But asbestos related diseases are not limited to the thousands of workers who were exposed before the carcinogenic nature of this substance was known. As I have spoken about previously in this place, we are now seeing a third wave of asbestos related disease, linked to home renovations. The reality of this was highlighted by the recent death of Everest-man Lincoln Hall. Mr Hall, who survived a night on Mount Everest in 2006, minus shelter and appropriate equipment, was exposed to asbestos as a child while helping his father build a cubby house with asbestos sheeting. Mr Hall's death is a stark reminder that asbestos does not discriminate.

Last week, seven directors of a company were found to have committed breaches over the company's asbestos compensation fund. That company, of course, was James Hardie. When the company was moved offshore in 2001 it issued a media release which said a compensation foundation was fully funded and would provide certainty for the victims. The reality of course was very different, as the fund was \$1.5 billion short and soon faced bankruptcy. The High Court rejected the arguments of the directors, who claimed they had not approved a statement issued to the Stock Exchange before the company moved offshore 11 years ago. I think this is an important reminder that company directors provide accurate information to their board, and those on the board must read this information and ensure the accuracy of public statements that follow. When they fail to do this, they will be held to account—that is what the High Court has now put in place. I commend ASIC in this process for staying the course for five years and seeing this important case out. The decision by the High Court of Australia sets a strong precedent regarding company directors' liability. And through that process justice has finally been served for the many victims of the infamous James Hardie company.