

**I am a lawyer. I have been with Slater and Gordon for nearly 25 years, beginning in the 1990s as a young lawyer working with asbestos victims.**

**But no-one wants to talk about lawyers, myself included. Today, I am going to talk about a different vocation – that of artists – and the work they have done over the past 50 years since the closure of the Wittenoom mine. I will start with a story:**

In 1988 a traveller and his wife were driving through Western Australia. They weren't your average tourists. They weren't chasing glorious landscapes.

Instead, they had travelled around Australia looking for harsh industrial sites, where man (& industry) had drastically altered the skyline, sometimes destroying the spirit of the place but in some strange way, sometimes replacing it with another.

They'd been through Queenstown where the Mt Lyell Copper Mine had turned Tasmanian wilderness into a moonscape. They'd also travelled as far as Australia's Antarctic outpost where years of research and exploration had littered one of the world's last remaining pristine landscapes.

Now – their next quest - they wanted to see Wittenoom.

They drove through the Hamersley Ranges, a single car on an empty road. A highway bypassed the town, its existence barely mentioned. Not a place anyone was encouraged to go.

They reached Wittenoom, a disappearing town nestled in this spectacular gorge Country.

A town of ghosts.

They approached the only hotel for a room. 'Sorry, nothing' said the man behind the bar. They left and wandered around the town. A few hours later, when it became clear to the locals that this couple weren't journalists, a room became available.

The artist was here to paint his impression of this industrial landscape. But this was nothing he'd struck before.

The scars weren't marked by dying trees and polluted waterways. No hundred smoke stacks dominated the skyline.

Instead he felt an eeriness and quiet beneath a brilliant blue sky.

He felt a deep, deep sadness of a place that had once boomed – and busted... hundreds of lives driven into the slag heaps that had now blown across the landscape. A town whose life had been reduced to a black ooze, coughed up and snuffed out.

The artist I speak of is my father in law, Jan Senbergs.

His painting hangs today in Perth's Gallery of Western Australia and was recently exhibited in the National Gallery of Victoria.

It's called Blue Angel of Wittenoom.

A small print of that painting is shown here today. Wittenoom is a town is nestled into the Pilbara landscape – a 3.5 billion-year old landscape, full of fossils, etched into rock dating back 30 to 40,000 years. Dominating this landscape, looming – making the landscape shrink – is a figure, the shape of an Aboriginal Wand -jina spirit – coloured blue.

Jan said to me just the other day: *'I was taken by the beautiful landscape in a clear and vivid sky – and then seeing the abandoned structures of the mine site. It seemed like an empty and silent stage set where the actors had left, but most you sensed (you felt (was) a dark tragedy had been played well before you arrived'.*

The Blue Angel of Wittenoom – the angel of death. I find it an incredibly moving portrait and I sense that many in this

congregation has been visited by this blue angel of death - in some way.

For myself, as a young lawyer, I often work against the clock in a desperate bid to secure compensation for the families of dying Wittenoom workers. I have watched them put their cases again and again and again. I've watched them fight, literally, to the last breath to argue – each in their unique way - that *none* of it was fair.

And they were right.

We have studied the timelines. We have studied the findings of Dr Jim McNulty who visited Wittenoom between 1957 and 1962 reporting, with little doubt, that even brief exposure to blue asbestos was likely causing tumours. He wrote about it in the Medical Journal of Australia and sent a copy of this paper to CSR management.

They ignored it.

The blue dust continued to blow over the town, it kept filling the sky and the lungs of the workers and their families and their children.

And so, what use are artists amid this tragedy?

They are reminding us; just as others long before Jan Senbergs had done in this very same region all over the rocks of the Pilbara.

My father-in-law is in good company.

Tim Winton, another great artist of Western Australia, uses his elegant words to describe Wittenoom through the eyes of his character Lu Fox in *Dirt Music*:

He says of Wittenoom: *Almost everything has been pulled down and carted off to stop people living here. Front steps and concrete pads lie bare. Here and there a set of house stumps, a driveway. A forlorn school sign..... A few people seem to have persisted but mostly it's just empty streets and health warnings....'*

Lu Fox tells his friend about 'the asbestos mine that orphaned him', 'The mesothelioma and the monumental bastardry of the cover up'.

Monumental bastardry. (I like that phrase ...' Certainly from my point of view as a lawyer working in this field, I've felt that sometimes)

Last night I visited the offices of the ADSA and was struck by a photo of a family on the pin board, a Wittenoom family – 3 generations I'm told. 14 members of that one family had died from asbestos exposure. Monumental bastardry.

Peter Garrett sang about the workers who came to Australia full of hope, promised work and a future in Australia's expanding mining industry in his song *Blue Sky Mine*:

*...And the company takes what the company wants  
And nothing's as precious, as a hole in the ground  
Who's gonna save me?  
I pray that sense and reason brings us in  
Who's gonna save me?*

No-one was gonna save them. Not doctors, not lawyers, not (ironically for Peter Garrett) the politicians. No-one was gonna save them.

That is the whole point.

That is what we must remember.

That this was allowed to happen.

That people were allowed to be poisoned for profit when it was understood that their labours were very likely to end in death.

In developing countries we see industrial tragedies as a symptom of industry hell bent on growth: exposure to pesticides, chemicals, a recent toy factory fire in Thailand, a building collapse, Coal mine killings.

Yet, industry has forged on in the face of complaint, or warning or cries for help or resistance. The dollar, the yen, the greenback, the Euro, have been more important than a human life.

Wittenoom represents a place where a company said: 'My way, my interests, my hip pocket is more important than your life.'

And now – why is all of this so important to remember?

We live in a world where increasingly the gap between the (most) powerful and those with least influence is widening;– where a man can place the interests of the individual so far above the interests of the collective – and still be voted into one of the most powerful positions on the planet. In a world where the thrill of making a dollar may well trample the welfare and rights and health of others.

Wittenoom reminds us that in *this* world – and reminds us we *must* be on constant alert.

Coming back to Tim Winton, he says *'It's the pointless things that give your life meaning. Friendship, compassion, art, love. All of them pointless. But they're what keeps life from being meaningless.'*

Which brings me to the Asbestos Diseases Society of Australia. Your friendship, your compassion and your love. "Completely pointless' Winton might say, but – with you Robert and Rose Marie – you've ensured the story of Wittenoom shall never be meaningless. On behalf of all who have stumbled out of that mine – and many others - we can't say thankyou enough. In some ways - it's too small a word for what you have done.

This time marks the 50<sup>th</sup> Anniversary of the closure of the Wittenoom mine.

Now, more than ever, we cannot afford to forget what created this heartbreak. These thousands of heartbreaks.

And as for that Blue Angel. Well, listen carefully and you might just hear it whisper " It's all meaningless if we don't remember".