
**CONCERNS ABOUT SAFETY MANAGEMENT
TOGETHER WITH TWO WORKPLACE STUDIES
ABOUT TWO SPECIFIC PUBLIC INDUSTRIES
AND ENVIRONMENTS ENCOUNTERED
DURING MY PAST LIFETIME.
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FOR
THE SENATE ENQUIRY INTO WORK PLACE DUSTS.**

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I have made a separate file for attachments as names are recorded and there may be privacy issues, please consider this . It is important to me that you do accept my statement The attachments perhaps could be for your eyes only.

ATTACHMENTS

- 1 The asbestos environment Weymouth Building SA its effects on electrical maintenance staff, the safety standards generated and the application of those mandatory directives by the union and employer.
- 2 Asbestos hazards and their effects upon sailors RAN and RANR. In ships of the RAN. Containment in a disciplined environment and it's effects on individuals.

I INTRODUCTION

1.1 I approach this task with some reservations after accepting for a time the futility of making submissions that introduce the grime of the work place to Senate inquiries on safety issues over the years for no tangible response. Not one phone call or approach only a numbers of invitations to costly safety conventions by private bodies charging fees which I could never afford to listen to safety professionals who used the subject both as a meal ticket. and a profession.

Those industries who have a vested interest, in asbestos, insurers, educators, unions, corporations and last but not least the rapacious legal fraternity always appeared to hold center stage doing the lions share of lobbying.

No great weight rests with what people like myself have to offer which is a working life time of observation and hands on involvement on safety issues in the work place. First in a voluntary role as a elected minor union representative and then continuing on after my retirement. I have served on many safety committees and can attest to the quality of those meetings which involved all levels of management. Nobody ever meant to hurt any body management was always as responsive as it could be without endangering its executive role or challenging the authority of its hierarchy

Why do people suffer accidental deaths and injures? In the main because people are by nature careless and forgetful about their safety the old catch cry of compo in repose to work place injury creates the expectation of reward for injury of a safety net there to protect their interests. The unions blame the bosses and so it goes on. And little changes.

It is my contention through both observation and involvement that the enormous amount of national suffering generated through employers corporations and employees carelessness. stems in the main from the shortfall in safety motivation education investigation and documentation. Impart the safety message to our children and young adults at a time in their lives when they are most receptive as a captive audience with regular examinations..

Rather than rewarding people for their injuries spend those resources where it counts in the schools universities and colleges. The increasing complexity of modern living with its speed pleasure welfare, drugs, violence, and pornography is symptomatic of our times. Citizens can destroy their future sustaining horrific mental and physical injuries being assured that they will be looked after by the taxpayer. Enough. said.

1.2 About the year 1850 asbestos miners in Germany were reported as dying of a lung disease associated with their working environment. This appears to be the first recorded instance of asbestos related disease.

In 1932 the American government circulated nationally a request that industry investigate a alternative to asbestos..

Despite ten of thousands of deaths attributed to asbestos since those early warnings asbestos is still in use today. Though out the world it's use although restricted in some nations is still justified because of its unique properties.

Small pox was the endemic disease that is estimated to have killed 400 to 600 million people in its life time, asbestos has the potential to equal it in time once released it remains active forever.

Asbestos was just what industry needed as the industrial age blossomed and gathered momentum, it could be molded for any specific application was hard wearing and fire proof with excellent strength and compressive qualities. It also

provided a ready medium for sound containment, or exclusion. It was found to almost indestructible.

Blue asbestos because of its herring bone structure was the material preferred of the four different types available and the most dangerous to man..

Today after over a century of use asbestos continues to be identified as a major health hazard to all populations.

A air sampling station 400 miles from the nearest road at that time in the New Guinea High lands recorded asbestos fibers, (Readers Digest)

1.3 Blue asbestos (Crocidolite) was found could be divided indefinitely always retaining its herring bone structure thus burying itself into the pheura of lungs which then encapsulated it with defense secretions.

The secretions designed as a bodily defense could not dissolve asbestos. In time with regular breathing and muscular motion it works its way deeper and deeper into the pleura increasing the tissue damage sometimes passing though into the blood stream and lodging in other body organs.. Scare tissue with time develops into carcinoma of the lung or alternatively asbestosis establishes itself in lung tissue. It is not uncommon for asbestos related cancer to be identified in other organs.

An association with tobacco is well documented in research papers on long term asbestos injury, smokers are identified in literature as more likely to develop lung cancer as compared with non smokers tendency to develop asbestosis which slowly restricts oxygen intake over time until death.

As a child at Primary school blue asbestos was on display we pulled it apart it had long fiber's and looked like raw sheep's wool this is why it weaves so successfully into fire blankets and ironing board covers and the mittens used around wood burning fire places

1.4 I have spent a great deal of my spare time over decades investigating dangerous chemical environments. in two significant workplaces and I record my experiences and disappointments in attachments emphasizing both management's and workers failure to accept responsibility for exposures .

When blood flows or bones are broken then help is always there the injury is obvious and the cause evident. On the other hand injuries often far more significant such as anxiety illness or failure of body organs though exposure to the silent killers are always treated with suspicion We use more and more dangerous substances in our workplaces and a decades some times passes before the injuries surface.

Australia is unique climatically as it presents very dry highly industrialized summer environment with abundant atmospheric contamination and regular wind storms. The hot dry air and summer dust provide a constant recycling of effected dusts and consistent suspension of asbestos in the breathing zone. as road dust containing thousands of tons of past brake linings together with a past poor containment policy has provided a time bomb of indestructible contamination.

Overseas travel since retirement has enabled me to observe it's many environments. Including Russia, Austria, Spain, Germany, Switzerland, England Wales and Scotland. Something struck me as significant. All these countries enjoy a hot green wet summer during which every thing grows followed by a cold ice and snow winter, Spain being the single exception which tends to mirror our Australian climate. Countries that do not have a hot dry climate may have a vastly different asbestos illness rating as the asbestos is significantly encapsulated by the cold winters and wet summers.

2. MOTIVATION & JUSTIFICATION.

2.1 I am motivated through decades of involvement and observation concerning short fall in safety standards, in time creating files and documentation such as those in attachments, hoping against hope, that through my submissions, careful documentation my expressions of concern for society I would generate a response, some one with power and influence would read my submission take up my concerns and ask me "Max what are you on about," Thus I hoped in some small way I would influence change.

During this time frame I have been witness, to a parade of unnecessary and untimely deaths and injuries. Over time I experienced a ever increasing sense of loss, a over whelming sadness for these, workers who came to me as a minor and power less union official with their concerns and expectations expecting union support getting little or nothing. I witnessed them fade away, suffer and die. Being accepted into their lives I then often watched them humiliated by advocates in courts betrayed by often inexperienced council, paraded in front of judges who displayed little concern for their feelings and obvious discomfort thus in this way they experienced a last hurrah but ultimately win or lose nothing changed.

2.1 I offer my observations and experiences to you in the expectation that I can demonstrate the enormous past, present and future difficulties in managing asbestos exposure and auditing safety practice, As a minor supervisor in two entirely different work places.

First as a minor union official, I served on many O H S (Occupational Health And Safety Committees) both union and management. I under took all the safety training then available through T A F E TUTA and Telecom over 4 decades. retiring as a STO2 age sixty two years.. I also served for 22 years as a naval reservist retiring at 50 years of age as a CPO Electronic Technician Power. I was recalled and served till 55 years retiring for the second time.. Serving in most navy establishments reserve training ships and in ships crewed by permanent sailors always seeking in some small way to influence these workplaces. I worked to inform about and advertise the safe working practices propagated for both employees and employers alike.

During those years I was greatly troubled by the death of individuals known to me including my younger brother his wife and three very close friends who's deaths and diseases appeared to have been from industrial processes involving asbestos and thus were work related. Combined with these were many others either sent to me by my union or who sort me out. They each in time became part of my life and some still linger on for asbestosis some times takes many years to develop into a fatal illness.

2.2 My safety experience registered a significant absence of official investigation or interest in these sad events, demonstrating that poor safety engineering together with significant shortfall in safety education and application went unrecorded and unpunished. I is my contention that all persistent respiratory diseases thought to originate at the workplace should be subject to both careful scrutiny and mandatory audit of exposure to carcinogens.

My records identify work places and circumstances where people known to me during my working life time have gestated fatal lung injuries yet I am unable to identify one who has received favorable or friendly judicial outcome or has been able to fund legal representation. in the last decade.

2.3 I have spent both my time and money investigating work place related deaths and illnesses for no long term worth while result. It is my belief that there is a very obvious reason for this. Employees faced with the inevitability of early death elect to quietly fade away unable to justify a legal solution as it could mean the loss of their families future inheritance and sole major possession the family home. Another pressing consideration is they have to stay the course to get a judgement.

I asked a good friend who came to this country at eight years of age why he dropped his COMCARE compensation claim He replied." Max management has offered me redundancy if I drop my claim". He continued ". With the money I will buy a free hold house for my wife and a better a car. There will be money for my funeral for I have only months to live " .(Six children under sixteen years of age) At our last meeting he was wearing a apparatus designed to control pain on demand and shortly after wards he died. He was forty two years old

The granting of redundancy instead of compensation was entirely illegal under COMCARE I soon realized many others were on the band wagon. A major part of worker's compensation in the past and today is funded through redundancy and maintained through invalid pensions.. " Look Max" another from the same workplace pointed out to me "I will pay my depts., my mortgage, have money in the bank and a invalids pension." No doubt all eight parliaments today fund a very large number of invalid pensions which should have been the responsibility of insurers or industry not the taxpayer.

2.4 Each death I encountered over the years demonstrated quite clearly to me the increasing inequality in our society when safety short fall was suspected. Lawyers Doctors Safety professionals Insurance companies Management all seemed to combine to destroy the credibility of the claimant. Often management was sympathetic but was subservient to the insurer who had control .

It has been my experience (Four decades of past union membership and activity) that unions have very definite responsibilities and priorities. In the main they seek improvement in the worker's share of company profits.. They are always concerned about both safety management and its application. However full time officials seldom have the knowledge, resources or resolution to take on the costs of a individual claim for each case of industrial poisoning involves precedent and could generate a avalanche of follow on cases . Any union who entered this arena would risk its financial viability, Insurers will fight for ever to avoid precedent the highway to liability.

2.6 In Australia Laws are passed in seven different states and monitored by seven different safety authorities governing safety management of asbestos and other workplace poisons. The commonwealth also has a role in managing safety matters over it's employees and armed forces.

These laws are adjudicated by eight different courts serviced by eight different legal bodies who's loyalties appear to often favor wealthy corporations and privilege. I offer the death of a Victorian state governor (Navy) from asbestos cancer as compared with the death of a unknown .The means to make laws and enforce standards are not the prerogative of elected senators your findings are never the final solution.

3 ENVIRONMENTAL TIME BOMBS.

3.1 In South Australia stretching from West lakes to Outer Harbor you can drive for miles and see thousands of up market houses built over the last three decades. Their back yard fencing consist of substantial heavily fluted 40% cement 60% Hardy asbestos corrugated material. This was chosen because of the effect on galvanized iron fencing of salt born on the prevailing winds from wave motion and wind on nearby beaches.

This fencing slowly erodes away today due to cracks from earth movement (Reclaimed swamp and sand dunes) the hard wear of children pets and back yard sporting activities Fencing alterations, the effect of rain together with day to day temperature changes hot dry winds and seasonal climate changes.

Thus a entire population is at risk and who will pay? Considering the number of current successful claims involving this product which in the past was broken up dry or cut dry with friction saws on site..

Councils, State safety authorities and developers all appear to ignore what is a significant problem in both SA and elsewhere but what of the children exposed in infancy. Is this all in the too hard basket along with the lead problem frequently publicized over decades in Pt Pirie S A.

3.3 I have witnessed the dry cutting of heavy asbestos sheeting in a commonwealth work place exposing hundreds of employees that day to direct asbestos dust (A contractor was at fault) Management and employees have a responsibility to monitor and oppose all dangerous activities. The contractor only had to wet the asbestos and bag the waste and nobody would have been at risk. How many young men working in that environment years ago will develop a asbestos disease through no fault of their own. (Navy Establishment)

3.4 As a electrician on a Navy Attack Class Patrol Boat on presenting for work I observed a great cloud of smoke issuing from inside the ship. On closer examination I found two teen age boys grinding asbestos floor tiles with angle grinders. They had been working for several days without protection or supervision on work experience. I reported this to the officer in charge but he was not in the least interested. We were able to abstain suits and breathing equipment from a boat yard for but the damage was done. All involved should have been made accountable but there in lies the problem no body ever was accountable in the navy for asbestos exposure at that time and decades later those two children will develop lung disease and not even remember that exposure. There were other witnesses to this awful incident. This appalling apathy entrenched for decades in the navy is further expanded in the attachment providing information to a claimant, The problem lies in disciplinary provisions and as asbestos was part and parcel of every day life it was just accepted it was every where.

Don't think for a moment that the navy was not safety conscious people were trained in safety procedures daily accidents almost unheard of from my experience a rarity. Attack class patrol boats had a design fault, many sailors were electrocuted due to earth return though the ship's hull entirely a design problem but that is not relevant to your enquiry so enough said.. The crews were always expected to live with design shortfall asbestos or electrical but other wise safety performance at sea was exceptional.

Significant is my failure to discover in twenty two years of part time Navy service any documentation or safety equipment related to asbestos up till my retirement.

It has been my experience that when appalling safety shortfall is identified by those entrusted to implement mandatory safety procedures within the commonwealth nobody is punished. Over time laws are promulgated with the best of intentions and left to wither on the vine for want of money, resolve or discipline and nothing changes.

3.5 There are ample provisions for penalties in COMCARE Legislation now covering over more than twenty five years but I do not recall a single penalty being imposed by COMCARE since implementation of those rules. twenty five years ago.

We asked COMCARE why redundancy was being traded for compensation, as this practice was outlawed in the legislation being told. "TELSRA is it's own master in compensation matters having been delegated to manage COMCARE."

4 DIFFICULTIES WITH DEATH CERTIFICATES

4.1 My younger brother worked spraying asbestos cement he was then a member of the plasterer's union in SA. Each day it was necessary to mix batches of dry asbestos material and spray it wet on ceilings in the city of Adelaide. In time my brother became ill and distressed and was advised to get out of his trade the material was effecting his lungs.. He became a maintenance worker at a public hospital Where he contacted Bovine TB while working in the animal house at that hospital. He remarked "Stupid me Max, the doctors all wore protective clothing and masks but we just came and went we were expected to maintain every thing".

The experimentation carried out in a public hospital with endemic diseases represents monumental stupidity. To expose maintenance workers and a sick population to those diseases is criminal. My brother worked for many months though out the hospital when infected with bovine TB..

Another also contacted the disease a doctor he told me. The experimentation with endemic diseases in the grounds of a Public Hospital with its population of sick people is outrageous behavior. That the animal house I was told was on the tenth floor of the main hospital building for years and later shifted to an area underneath the main cafeteria should be verified. Was there a common air conditioning system?

On visits to his house during his earlier employment I sighted ample evidence of dry plaster in the laundry were his wife shook the dust from his clothing. Recently they both died of lung failure within months of each other. She of asbestos bystander's disease as she dusted my brother's overalls, were does it all end their two children will they also in time develop asbestos disease..

They both exhibited all the sighs of asbestos injury for years prior to death but oddly enough my brothers death certificate does not mention asbestos recording that he was a smoker. He was never a heavy smoker giving it up when still a young man decades earlier. When two or more substances combine to inflict chemical injury it is known as symbiosis

4.2 Historical evidence confirms that not one legal action in this country has ever been able to sustain a compensation claim for tobacco related illness. A recent tobacco judgement which would have set a precedent was defeated in the high court leaving the family with horrendous costs. Medical practitioners inevitably dwell upon a deceased worker's exposure to tobacco in death certificates (Example provided in attachments) Yet no current legal precedent justifies this. It has been my experience that medical practitioners and adjudicators are isolated by training and experience from the grime of the work place cannot understand the asbestos environment..

They ask questions that they can justify though their experience yet in not one incidence in my experience did a General Practitioner ask a claimant presenting with a airways disease questions about workplace exposure to contaminants.

Of course smoking is a health hazard but money together with taxes generated make it a protected industry after all who could claim today they did not know of it's dangers..

Another matter is the endless time spent away from their practices by doctors in unproductive and exhausting court appearances. And so most asbestos related deaths are laid to rest filed according to the actual cause of death for example pneumonia.

4.3 Some carcinoma cells very closely match tuberculosis and nocardiosis (A animal disease) are seen as just squarmious cell grouping and a guess is as good as it gets. Add to this the evidence that many other agents can cause cancer in body tissue primary source can lie elsewhere.

There is a need for a fixed and obligatory list of questions that should be asked by safety professionals and GP's regarding any persistent respiratory or heart mal function

Health professionals should not have to attend courts to enunciate the merit of their findings there has to be another way. I believe that a enormous percentage of asbestos related disease is unaccounted for and I include **in this two family and four close friends**

5 EDUCATING THE POPULATION PROMOTING CHANGE.

5.1 Safety quality can be audited though examination of insurance costs invalidity pensions, cancer spread, infectious diseases life expectancy, and the measure of what our society is prepared to spend in encapsulation, removal, safety training prevention and audit of dangerous waste. We must empower people to understand their vulnerability to the extra ordinary dangers that are today part and parcel of our advanced materialistic society.

You may ask what has this to do with current and future asbestos costs and who pays the core subject you will perhaps be debating., well it has always been my contention that safety judgments should always concentrate on the reasons why the accident happened not upon the claimant's version of events but on the employer's and workers safety performance education and management.. Financial penalties only promote claimants expectations subsidize rich lawyers and generate insurance costs. Management needs to understand their responsibility is to train their workers and sign post or eliminate all dangers .

5.2 Safety is not only workplace related it is our life time attitude to every event, environment , temptation , challenge or anxiety we encounter and how we nurture the safety of those dependant upon us. Most of the wastage of human life occurs away from the work place particularly with asbestos the genie well and truly out of the bottle. You may be able to change the way people are compensated for injury but you are concentrating upon doomed people with very short life expectancy What is the use of a large sum of money to a dying person they only hasten their end through anxiety enhanced by unrealized expectations. If you can alter people's safety attitude only then will safety climate change. Make dying people as comfortable as possible but concentrate upon causes prevention and safety training.

5.3 In addressing asbestos injury in Telstra pity the cable jointers and lines men who maintained the Australia wide copper matrix which interconnects the telecommunications network. Permanent officers with skills married to their employment. They work in asbestos cable pits replacing repairing and enhancing the copper wire and asbestos conduit matrix which provides most of our telecommunication interface. Always exposed summer and winter they provide a permanent population for present and future asbestos disease.

The navy recruits people for fixed terms imagine working in a engine room lagged in asbestos for twelve years, twenty years even longer with out protection. You were made captive by your legal obligations and could not do any thing about it because of disciplinary provisions in your employment. Refuse to work go to prison. Today the navy engineers asbestos out of its locally made war ships but buys older ships from overseas which will still be contaminated.

5.4 As our civilization progresses materials solvents and chemicals grow more toxic our lives more anxious transport accelerates and new uses for uranium powered devises are devised. The safety education of modern people must commence at primary and secondary school as a serious subject with promotion dependant on safety examination,

The safety standard achieved must determine the availability of complex or dangerous employment even to the right to own or drive a car, By dangerous employment I visualize police firemen truck drivers service people pilots refining industries hospitals the list would be extensive.

Careless people who will not be told or lack the ability to retain and apply safety knowledge must be protected from themselves. Every child must be educated about drugs life styles and dangers. If we continue to destroy the national health of our nation we will pay a price we cannot afford.

The proliferation of chemicals 10,000 new compounds each year are tools for industry that are not adequately regulated what of their future potential to harm us physically and genetically. Which of these will in time become the asbestos of the future.

6 RESPONSIBILITY WHO PAYS PAST & FUTURE COSTS

6.1 No doubt high on your committee's agenda will be the escalating costs of asbestos injury, the containment of long term costs and the damage done by Hardy Asbestos products, together with the on going reluctance of this Multi National to provide open ended support. for it's past chemical contribution to the toxicity of our modern structural environment .Government now expects this liability to be set in concrete. .

Hardy Asbestos was a commonwealth contractor its products were sort by Telstra then a totally public enterprise. The durability of this product was examined tested and certified by the Materials Section of Telstra in South Australia where I was employed for eight years as a inspecting officer. Later this contractual process migrated elsewhere. Hardy Asbestos I believe was the sole contractor with patents on the jigsaw pieces of piping cable pits and infrastructure comprising the underground matrix which provides the national copper network. Comprising Telstra's telecommunications earth encapsulated conduit .

Hardy Asbestos was a excellent contractor it's products were never criticized in reports generated at my work place and were of excellent quality and durability. They made no secret that asbestos was a major ingredient in their products they advertised it confidently in their logo. They in common with every other contractor supplied exactly what was specified in legally binding contracts. Woe betide them if the asbestos content was not up to scratch.

The toxicology of asbestos was well known and documented through out modern times yet responsible designers architects and technologists still specified it in contracts and specifications as demonstrated in the construction of South Australia's Weymouth Exchange a major modern switching center constructed in recent times. During my employment in the Materials Test Center of Telstra I studied and tested material delivered under contract these where assessed against the contract specifications and expected to compared with Australian, English, and American standards

Weymouth Exchange's asbestos climate is adequately described in attachments. Are we in the future to penalize every supplier of radio active technology chemicals, explosives or substances at some time in the future when some thing turns nasty and expect a corporation, insurer or company to compensate society for the damage? You get what you ask for in legal contracts nothing more nothing less. Past governments ignored concerns generated by historical knowledge about asbestos in their wisdom They welcomed asbestos based products into our environment against safety commonsense because it was the best and most cost effective material. They licensed asbestos mines in NSW, WA and in Central Australia for it was needed to help us

progress industrially so you cannot divorce past governments from some responsibility for their decisions.

6.2 Financial responsibility for asbestos the material which has blighted past and will effect all future generations cannot ever be quantified against future costs they represent as open ended events. The question is should this funding be the prerogative of a single company Hardy Asbestos as suggested by precedent or will it eventually rest with all user groups the miners, manufacturers, governments, individuals, educators architects, designers, insurers builders and unions who all used it willingly and cannot claim they were entirely ignorant of its potential to harm.

7. SUMMARIZING

7.1 Asbestos injury was first noticed in Germany in 1850 and its toxicity was the subject of a U S A industry recommendation for change in 1932. Today we have three separate populations involved, the first consists of those already dying then we have amongst us the hosts perhaps you or I slowly gestating this awful disease and lastly those yet to develop it.. I use the word develop for nobody is immune to the particles suspended in the breathing zone it would seem that you only need enough to qualify.

7.2 I have provided two attachments the first is about a specific environment within this document are described a host of extracts from documents they provide a legend which I feel convincingly demonstrates that you cannot control this problem with well meaning publications generated in air conditioned environments. The people I describe are licensed and trained to work in the telecommunications industry and bound to their employers usually for their working life time. Telstr's cabling will remain encased in asbestos for ever the cost of replacing it has been put at 15 billion dollars,

To remove this asbestos encased cabling matrix from our cities would spread asbestos every ware it will remain in the ground for the for seeable future. The second are the sailors I worked with they had no alternative but to live and work in asbestos impregnated ships always conscious of the dangers they were under a contact to work where they were sent, they had no control. Each of these two groups were encouraged to make a working life time commitment to their employer.

7.3 You must enter the education system and impose safety discipline as a national strategy where the right to enter at risk work places is governed by your safety attitude though both ,education and examination and exclude those who are unwilling to adapt well advertised safety procedures. Today lack of safety motivation and discipline has created a entire population of invalid pensioners and mentally deranged living dead amongst these are asbestos casualties most of whom were well aware of the dangers.

Following on from primary and secondary safety studies there is a need to train a entirely new generation of safety professionals through universities and colleges who can investigate industrial accidents attend courts and give expert witness.

For the existing population asbestos is being slowly engineered out of buildings and replaced by a host of new carcinogens solvents metals and chemicals. At risk today include those employed in the removal of asbestos within our manufacturing and domestic infrastructure.

7.4 Trades people their assistants miners and process workers who in the past manufactured used or fitted asbestos based products are not scribes. Although often highly skilled they are not always able to advertise their concerns. When they become

ill from asbestos exposure their life expectancy is short, very few live long enough or have the resources to spend in litigation. The failure of middle management to police the workplace asbestos hygiene always available in Telstra's libraries and on station in the past amply demonstrates the appalling lack of safety audit in the Telstra at that time. The navy had no alternative in the past as asbestos was always in the environment both populations were prisoners by profession.

7.5 Asbestos is a stealthy foe it's microscopic particles are odorless and invisible often taking decades to end life making the history of workplaces, the safety climate, and safety literature provided important factors in determining blame but do not overlook child hood exposures in towns were asbestos infiltrated their landscape and playgrounds.

.8 CONCLUSIONS

8.1 Historically war disease and famine were the population parameters of mankind, The post war population explosion has generated a mobility for man and the need for vastly improved quantity and density in animal husbandry. This in time creates new endemic diseases.

Habitat's in the third world have migrated to traditionally low lying and mountainous unstable and denuded geographical locations which today sustain a large proportion of the world's poor. Aids, dementia, autism, chemical poisoning, cancer terrorism together with destructive lifestyles climate change and natural disasters are the modern challenges. Asbestos is just one of these new parameters which now present as established or emerging population challenges.

8.2 I have traveled widely and witnessed the passing of three generations, today drugs materialism endemic corruption and life style induced madness fill our prisons creating a homeless tribe all dependant on taxes welfare or charity. As a nation we stagger under a escalating tax burden and our courts witness a passing parade of litigants disappearing into the legal jungle. We must end forever the cargo cult of compo and insist upon every person working in some capacity.

8.3 Asbestos injury is the end result of mans inability to accept his own vulnerability and the failure of governments, educators employees and employers to develop safety strategies and containment in the past. Through education regulation and discipline as a national goal we can turn things around. Today we lack the resolution, determination and leadership to spend time and money were it is most effective to create the safety attitude necessary in a modern technological society the schools and work places.

8.4 You cannot single out asbestos in spite of the extraordinary costs being imposed upon our nation past and present cleaning up buildings mining sites and land fills and sustaining the injured without dealing with the life style excesses that leave us providing for a population of invalid pensioners and the drug induced mentally ill. Through drugs cars alcohol preventable diseases violence and anxiety illnesses we watch our nation pay out and our liabilities grow. The major part of our prison populations today consists of drug dealers, drug dependant thugs and the drug induced mentally ill.

8.5 We as a nation now suffer the enormous tax burden which provides for the thoughtless disabled we should end for ever the cargo cult of compo and insist upon every person working in some capacity.

8.6 The money spent upon litigation in this country over the adjudicating of blame for shortfall in safety engineering consumes the major part of the any damages awarded. The legal profession has the executive role and the key to the compo treasure chest, they eat the golden goose the victim gets the left over. There needs to be a searching enquiry into costs why litigate at all if the person has the disease make them comfortable as possible and spend resources on educating the future work force. There should be no golden goose only care for the injured why spend a money on blame nobody is punished for safety shortfall. Nothing is gained for life is usually short for those suffering asbestos disease.

8.7 I am told the high costs of registration combined with the limitations of the Federal compensation market place discourages legal expertise and the crossing of state boundaries a great pity .It is time for the barriers to be taken down between states for the laws regarding commonwealth employees have common denominators in standards and insurance matters. The smaller states are subject to a incestuous legal Mafia skilled in commonwealth matters, One day a barrister works for a union claimant and within a month there he is representing the employer or the insurer. He has a foot in each camp can play one against the other.

8.8 Some time in the future society will accept that the wastage of human life expectancy with it's premature deaths and invalidity costs can be managed through education first at primary and secondary level then university, only those who reach a mandatory standards will be licensed to work in at risk employment. This will be over sighted by a front bench minister Federally with a single national court adjudicating performance. Sadly it will not be in my life time.

8.9 Those I describe in attachments were either indentured public servants or under disciplined contract they were tied to their employment by iether job skills or by law. To refuse to work with asbestos meant the loss rights or prison.

8.10 Today Hardie Asbestos is facing condemnation for canceling 1.9 billion in compensation commitments, here. A deal was done did NSW got it wrong.

The Australian page 6 November 7th 2005 Ian Higgings

James Hardie Chief Executive Louis Gries will this week have to confront allegations he was sacked from his previous job for falsifying safety statistics at a US factory. Mr Gries had been named in wrongful dismissal and workplace bullying case. Business leaders academics shareholders and unionists have called on Mr Gries to say why he was sacked from former asbestos producer United States Gypsum.

And so the obstrafusion and gobbledygook intensifies as the legal fraternity gathers for the kill over this immense amount of money which should only be spent on the victims comfort A life is a life equally precious be it a miner or a governor the compensation granted equal.

8.11 Discouraged after 4 decades of involvement with work place injuries working free gratis part time witnessing appalling injustices at times that are never resolved I ask myself many times why give false hope to people for no matter how carefully you research the cause the evidence is seldom paraded. The case is often settled out of court and court proceedings are not recorded there is no precedent. Mr. Bently (See Attachment) my friend of many years died after years of searching for a lawyer who would listen and expedite a judicial hearing. Insurers and corporations know full well

time is on their side they face down claimants with a mountain of money defending precedent and wait for claimants to die. Is that justice?

Allan M McIntyre

Allan M M McIntyre