

# G.A.R.D.S INC. NEWSLETTER

## Inside this issue:

HAPPY NEW YEAR	1
PLANNING MEETING	1
WWW.GARDS.COM.AU	2
ASBESTOS DAY	2
SECRETARY'S REPORT	2

## Did you Know?

- Steve McQueen, Hollywood icon, was a victim of mesothelioma.
- Erin Brockovitch now knows about asbestos in the Valley: we wrote and told her!
- GARDS has two oxygen respirators available free of charge. Contact Lyle Seear for details.
- Apparently, you need a Masters degree to work with our community in asbestos support. See LCHS job description for further details.

## HAPPY NEW YEAR AND WELCOME ALL MEMBERS

Well it is the start of 2002 and I would like to start this newsletter off with introducing the new executive of GARDS INC. They are:

PRESIDENT; LYLE SEEAR

Phone 51671376

VICE PRESIDENT; TREVOR CALLOW

Phone 51342208

SECRETARY; CHERYL WRAGG

Phone 95573713 or 51273790

ASSISTANT SEC & TREASURER ;

VICKI HAMILTON

Phone 51278219

TWO EXECUTIVE COMMITTEE MEMBERS

FAY NEEDHAM & DOROTHY ROBERTS

Phone 51272038 Phone 51274174

GARDS INC is now officially incorporated **HOORAY!!!** and we look forward to another active year.

From our official separation from

## PLANNING MEETING

A planning meeting has been organized for Thursday the 24th of January to be held at the Moe Lions Club Hotel, Lloyd St Moe (just near Gippsland Heritage Park and McDonalds). This meeting will commence at 6.30pm and all our members are most welcome to attend. We will be organizing what GARDS should be involved in in the coming months. Please come along

Latrobe Community Health Service on the 16th of October, 2001 the GARDS network have been extremely busy.



SO LONG LCHS FROM GARDS  
INC

Our separation from LCHS has freed GARDS and enabled us to become a more effective organization to work on behalf of individuals and families effected by asbestos.

From our new beginning GARDS has 33 fully paid up members and has received expressions of interest from many more individuals and concerned families. It is a very positive start to what will be a very busy year for all of us.

with your ideas we would love to hear them. Coffee and tea will be provided and drinks can be purchased from the bar.

## A BIG THANKS TO MOE LIONS CLUB HOTEL

GIPPSLAND ASBESTOS RELATED DISEASE SUPPORT NETWORK

GARDS INC  
PO BOX 111  
MOE  
VICTORIA 3825

Email: victan@nef-tech.com.au

**GARDS THE PROTECTOR.**

**Soon to be on the web**

Welcome to 2002 and the first edition of the new GARDS newsletter. ***This year is already shaping up to be a busy one. The Ethics Panel consideration and determination on our complaint about the lung function review project is not yet over with GARDS seeking further information and clarification about recent recommendations from the Panel.*** We have also made contact with the community of Libby, in Montana, USA. Built around a vermiculite/asbestos mine, the families of Libby face similar problems as Latrobe Valley families with illness and a State government that doesn't want to know. We hope to build a working relationship with Libby in ways that will help both communities. ***In March, GARDS will hold its second wreath laying ceremony outside Hazelwood power station main entrance. Each year we'll rotate the ceremony to places of asbestos exposure in Gippsland.*** This year the old Lurgi gas plant near Morwell will be demolished. Highly contaminated with coal-tar residues/asbestos, GARDS was concerned to learn that the site remediation contract for the gas plant has been awarded to CMR who also project managed Yallourn power station demolition. GARDS is taking an active interest and communicating our views to the State government. ***On January 24th, GARDS is holding a 2002 planning meeting. This will include identifying ways to raise enough money to afford renting a permanent home for GARDS and covering telephone/administration costs. We also hope to grow the GARDS newsletter & we'll be looking for ideas and regular contributions from GARDS members.*** Thanks again to supporting organisations and donors: Maurice Blackburn Cashman, Moe Lions Club Hotel, AMWU, CFMEU (Mining/Energy, Build. Divs), ETU, International Asbestos Secretariat (UK), and the many individuals who came through last year. ***If you're thinking of joining GARDS, need support, or would like to become involved contact us or come to one of our meetings. GARDS Support meetings are on the last Tuesday of each month (arvo) and GARDS Advocacy meetings, last Tuesday of each month (evening).***

Cheryl Wragg, Secretary

## WWW.GARDS.COM.AU

At our planning meeting we will be discussing putting Gards on the world wide web. Mr. Trevor Watson has kindly volunteered his services to help us to get on to the web. We would like to thank Mr. Watson for offering his services for this task. If you have any ideas for our web site please bring them along for discussion. Things that have already been talked about is having an active page where people can register their names and tell us about their experiences and knowledge of asbestos issues. We would also like to see this web page with a Newsletter posted on it and the latest stories that are unfolding on asbestos issues. So if you can think of other things that this web site might be able to carry we would like try and use them.



**GARDS.COM.AU**

## ASBESTOS AWARENESS DAY

Asbestos Awareness Day was held on the 30th of November, 2001. The picnic was held at Apex Park, Moe and the weather wasn't that kind on the day but it was quite a turn out which saw about 40 people come and go during the afternoon.

WIN TV came along and filmed this event and interviewed two of the members.

Lyle Seear as President thanked everyone for coming and making this a special day for asbestos victims and their families.

Vicki Hamilton read an exert from the History of Asbestos which George Wragg first wrote in a GARDS Newsletter dated April 1994.

Mr. Bill Raymond lead us in prayer to remember those workers and their families whom have suffered and lost a loved one. The day was most successful.

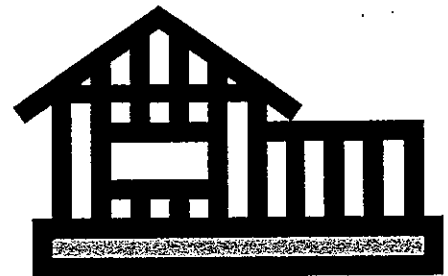
A Big Thanks to Fay Needham for organizing this day with help from Dorothy Roberts, Trevor and Elaine Callow, Lyle and Vi Seear.

# G.A.R.D.S INC. NEWSLETTER

## THANKS VALLEY POWER, HELLO LATROBE BUSINESS CENTRE !

Wonderful news for all GARDS members. In the last fortnight GARDS learned that our submission to Valley Power Community Fund was successful and on Friday, 8th of February GARDS delegation collected a \$10,000 cheque. We send another **BIG** thanks to all the people at VALLEY PEAKER POWER PROJECT.

After learning about this Trevor Callow, Fay Needham and Vicki Hamilton did an exhaustive search around the Valley to find the right place for the right price. *We finally found ourselves a place to call home.* GARDS is now situated at Latrobe Business Centre, formerly known as the LEAD Centre, in Newborough (before that this building was occupied by Yalourn Medical Society).



WHAT A WONDERFUL PLACE ...LATROBE BUSINESS CENTRE, NEWBOROUGH

Our new address is 36-38 Darlimurla Avenue, Newborough. Telephone No. 51 281218.

The facilities include a meeting room, board room and lots of space to display information and sit down and have a chat and a cuppa. GARDS also has its own office space, just follow the signs. People who use public transport should note that the bus stops right near our building.

in the very near future to celebrate our good fortune. We will talk about this at our first afternoon support group meeting and evening advocacy meeting on the 26th of February. We would also like to take this opportunity to thank those who have stood by us and particularly MOE LIONS CLUB HOTEL, CMFEU (Luke Van Der Muelen and Dave Pillar) who gave us shelter during the storm.

We will be organising an Open Day

### Inside this issue:

REVIEW THIS .....	2
A YEAR SINCE 4 CORNERS	2
FOR THE RECORD	2
NEWBOROUGH MAP	3
GARDS INFORMATION	4

### DID YOU KNOW...

- The previous head of the Australian Mesothelioma registry, Dr. Jim Leigh said that the majority of future Asbestos injuries will be caused by poor demolition practises.
- The Federal US government spent \$12 million AUS on a health screening project for the asbestos-affected community of Libby, Montana (6,000 people)
- The Victorian State government proposed asbestos health review - \$200,000 AUS for the Latrobe Valley Community (70,000 people)

## GARDS ACTS ON BALFOUR HALL DEMOLITION

Following concerns raised by Moe residents in the *Latrobe Valley Express* (28/01), GARDS has organised a **Community Information meeting , 7.30pm Tuesday the 19th February at Latrobe Business Centre, Newborough.** We have invited WorkSafe Victoria representatives to report on the demolition, action they have taken (and will take) about poor demolition practises on this site. Maurice Blackburn and Cashman will also be represented to take questions on legal issues. All concerned residents are invited to attend.

Although we don't know who brought this to public attention, GARDS sends 'Moe resident' a big WELL DONE !. The only way to stop poor demolition practises in our community is to tell shonky operators - "It's not on".

## REVIEW THIS MINISTER KOSKY *er...* MINISTER LENDERS

At the time of writing this newsletter GARDS was awaiting the decision of the joint DHS-Royal Melbourne Hospital Ethics Panel on the proposed 'Lung Function Review' project. Our opposition to this project comes from the intended exclusion of contractor employees (including the construction work force) and families exposed through take home exposure. Further we believe the involvement of the Victorian Managed Insurance Authority (VMIA), the workers compensation and public liability insurer for the SECV, in the project poses a major conflict of interest. Last but not least GARDS has major concerns about the secretive way the government cooked up the proposed project, excluding GARDS, unions and the wider Latrobe Valley community during the project's development.

The proposed project will not :

- Evaluate the operation of the Lung Function Testing Program
- Assess Lung Function Test results of people on the program
- Provide meaningful information that can be used to assess contractor employees and families exposed through take home asbestos contamination.



KEPT SECRET TILL THE  
LAST...

GARDS believes the proposed project is designed to check whether we and unions are telling the truth about the size of the asbestos problems in our region. While the government procrastinates, families of the Latrobe Valley are still waiting for proper medical and health support.

## A YEAR SINCE FOUR CORNERS CAME TO THE VALLEY

As we approach the first anniversary of the broadcast of ABC-TV's "Power Without Glory" now seems a good time to reflect on our situation and whether things have changed over the last twelve months, for better or worse, on asbestos issues. Unquestionably, *Four Corners* gave the Valley asbestos situation a media profile we had only dreamed of previously. While interest in Melbourne continued for a while afterwards, Gippsland regional media including TV, radio and print have maintained their interest and commitment to the issue. This has proved a very much-welcomed source of support to GARDS and up-to-date information to the regional community. In contrast, the response of the State government has been disappointing, except the efforts of WorkSafe Victoria who seem committed to building better processes and communication with the Valley community. The same could not be said of government departments with responsibility for the health and compensation dimensions of the asbestos issue. Twelve

months ago, we were not blaming the current State government for neglecting the problems but, instead, reminding them they had inherited responsibility for the failure of previous administrations. Today, we can now say that this State Labor government is to blame for actively neglecting the asbestos problem, and trying to silence our criticisms. Further, local members Keith Hamilton, Ian Maxfield and Christian Zahra give every appearance of turning their backs on the Valley community and the crisis asbestos illness is bringing to so many families. Let's hope that new Minister John Lenders, who replaces Minister Lynne Kosky as the responsible Minister, will take a new and better approach by acknowledging the problems, and properly resourcing the many areas of need in our midst. Perhaps he could take the lead set by the construction workforce at the Valley Peaker Power resources. When community, workers and government come together real change is possible. Let's hope we can get government to the table in 2002.

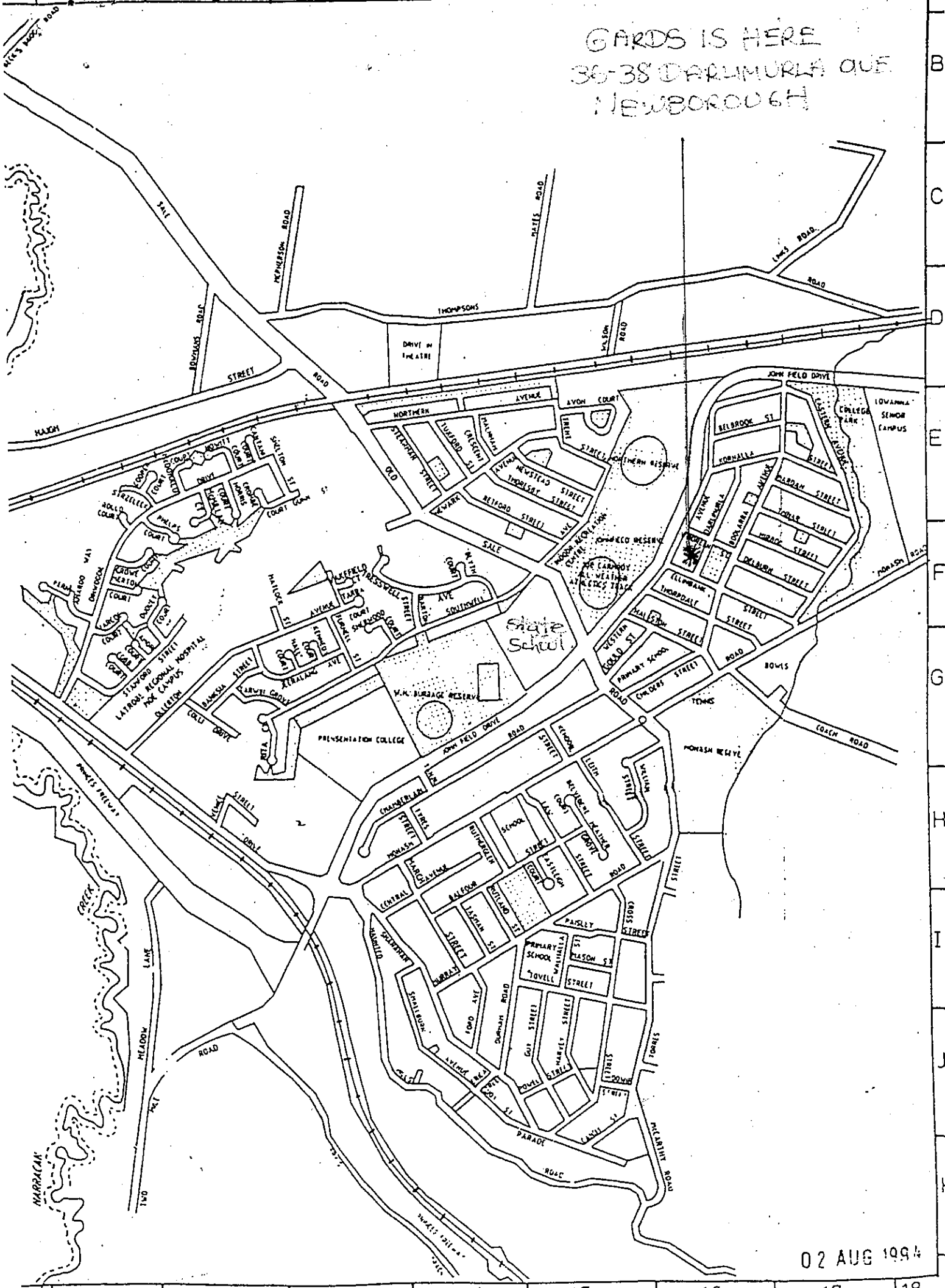
## FOR THE RECORD...

Recently Latrobe Community Health Service advertised for an Asbestos Community Development Officer. For the record the submission for this position was written by GARDS who was, in turn a member of an asbestos working group. The working group was co-initiated by GARDS and LCHS to identify ways of assisting the Latrobe Valley Community on asbestos related problems. The working group agreed that the first step in helping the community was to get a full time worker for GARDS who could then identify other sources of funding support for the commu-

nity. LCHS agreed to *auspice* the submission for the full time position through government on the basis that, if successful, the resources would be given to GARDS (at this time we were not Incorporated). In September, 2001 GARDS was told by Department of Human Services that the submission was successful. However over the next month it became apparent that LCHS had decided to keep the money and take credit for writing the submission. **GARDS has made asbestos a high profile public issue.**

11 12 13 14 15 16 17 18

GARDS IS HERE  
36-38 DARLIMURLA QUE  
NEWBOROUGH



11 12 13 14 15 16 17 18

## **GARDS (Gippsland Asbestos Related Diseases Support)**

36-38 Darlimurla Avenue  
NEWBOROUGH 3825  
VIC  
PO BOX 111  
MOE 3825  
VIC

Phone: 03-51281218  
Fax:  
Email: [vicstan@net-tech.com.au](mailto:vicstan@net-tech.com.au)

## **GARDS: Guarding the Community**



## **WHAT GARDS IS ALL ABOUT**

**GARDS SUPPORT**—provides support and information to asbestos sufferers, their families and carers. This includes home visits by GARDS volunteers, a telephone advice service, and drop-in service at GARDS office. GARDS support also conducts a monthly meeting (1.30pm-3.30pm on the last Tuesday of the month) where guest presenters are invited to provide information about regional support services, and other areas of interest and assistance. The meetings also provide a gathering place for experiences. GARDS Support is open to anyone exposed to asbestos or suffering from asbestos disease.

**GARDS ADVOCACY** is the organisational, activities and advocating arm of GARDS. GARDS Advocacy meetings are 7.30pm-9.30pm on the third Tuesday evening of the month (except February 2002) providing a focal point for information sharing, problem identification and campaign development. People interested in becoming active in GARDS Advocacy are required to take out GARDS membership. GARDS Advocacy is focused on improving health support services and compensation arrangements to asbestos sufferers, and their families, ensuring asbestos-related issues are kept in the public eye, and ridding our environment of asbestos.

## **ABOUT GARDS**

### **EXECUTIVE**

President:	Lyle Seear ph. 51 67 1376
Vice-President:	Trevor Callow ph. 51 34 2208
Secretary:	Cheryl Wragg ph. 51 273790
Assistant Sec./Treasurer:	Vicki Hamilton ph 51 278219
Executive Members:	Dorothy Roberts ph 51 274174 Fay Needham ph. 51 27 2038
GARDS Membership:	\$4.95 Joining Fee
GARDS Annual Fee:	\$11.00 (employed) \$2.75 (pension/conc.)

**THE GARDS OFFICE WILL BE OPEN EVERY MONDAY BETWEEN THE HOURS OF 9.30AM-2.30PM CALL IN AND HAVE A CHAT & CUPPA.**

### **GARDS Support & Advocacy meetings:**

***GARDS Support:*** last Tuesday of the month 1.30pm-3.30pm

***GARDS Advocacy:*** Tuesday 26th February, 7.30pm - 9.30pm starting in March (3rd Tues of the month)

Meetings held at GARDS, C/-Latrobe Business Centre, 36-38 Darlimurla Ave., Newborough (old Yallourn Medical Society building, Newborough)

### **Up-Coming Events**

#### **GARDS Support :**

**February:** Latrobe Valley Palliative Care Services

**March:** Aromatherapy and Bowen Therapy

#### **GARDS Advocacy:**

**February:** Dr. Tony LaMontagne, Monash Uni.

**March:** Wreath laying Ceremony

***GARDS Community Meeting: Balfour Hall demolition, 7.30pm February, 19th***

# G.A.R.D.S. INC. NEWSLETTER

**Inside this issue:**

BALFOUR HALL UPDATE	2
OPEN DAY CELEBRATIONS	2
DONORS & SPONSORS	2
GARDS REFERENCE LIBRARY	3
YOU'RE NOT ALONE ASBESTOS MEMORIAL	3
STORIES NEEDED AD SPONSORSHIP	3
GARDS INFORMATION	4

**DID YOU KNOW...**

- Dr. James Leigh coordinator of the Australian Mesothelioma Register says that there have been 25,000 deaths in Aus from Asbestos and the future estimate is that there will be 10,000 more mesotheliomas and 20,000 more lung cancers by 2020.
- Many industrial nations compensate about two asbestos-related lung cancers for every mesothelioma. Australia compensates one lung cancer for every 10 mesothelioma - A 20 fold difference from other industrial nations.

## MONASH MEDICAL STUDENTS LEARN ABOUT L.V.

Starting in late March, first year medical students will be taught about toxic exposures in the work place using the Latrobe Valley situation as the central case study. The module has been developed by Dr. Tony LaMontagne, Senior Lecturer Monash Medical School. Tony will be attending the April GARDS Advocacy meeting to talk about this development. Dr. Tony will also talk about his recent success in winning a health promotion Fellowship from the Victorian Health Promotion Foundation. Lasting 5 years the Fellowship includes the development and implementation of health promotion strategies designed to assist people who are at a high

risk of developing an asbestos disease. These strategies will be developed in close consultation with GARDS and the wider Latrobe Valley community. If you would like to participate in this process please come to the GARDS April Advocacy meeting.

\*\*\*\*\*

### PHOTODYNAMIC THERAPY

Recently Gaye Trevan and Cheryl Wragg visited one of 5 surgeons in Australia who is practicing Photodynamic Therapy. This technique is suitable for some people with Mesothelioma. It involves injecting the patient with a special dye that colours the pleura and then surgically removing as much of

The pleura as possible. This is then followed by treating the chest cavity with red laser light for two hours. Patients of this therapy must not go out in the sun light for six weeks afterwards. This procedure is not a cure for Mesothelioma however it does remove pain and fluid build up associated with this disease. Some patients can also benefit by a few more extra years of better quality life.



## WREATH LAYING DAY 2002

Our annual Wreath laying day was attended by approx 40-50 people at the Brodribb Road reserve near Hazelwood Power Station. The day was made even more special by Mr. David Duncan who was

our very special Scottish Bag Piper. He piped the men at Hazelwood Power station out at the end of their shifts as a salute to them and in remembrance of their work colleagues that have been

affected and passed away. Thanks also to our speakers Luke Van Der Muelen, Dave Pillar & Les Medley: their contributions to the event made it a very special one. **Remember March 6th for 2003.**

## BALFOUR HALL UPDATE

The community information meeting was well attended on Tuesday 19th FEB. Residents from the Truscott Rd area voiced their concerns and fears over the poor demolition procedures and particularly the health & well-being of their children and themselves. At the meeting, Gaye Trevan (Maurice Blackburn Cashman) explained that people who think they may have been exposed should have their names and details of the exposure lodged with an asbestos register that will hold the information for

30+ years. GARDS has tracked down the names of the property owner and the demolition contractor involved in the poor practices. The owners are Valley Group and the contractor is Building Bitz Demolition Pty Ltd (Wonthaggi). We will be distributing this information with an asbestos registry form to all residents in the Truscott Rd area and strongly encouraging people to register. GARDS will also recommend to WorkSafe, for inclusion in the new Asbestos Regulations, that it be a

requirement for details of contractors (including Asbestos contractors) to be displayed at all demolition sites. Also GARDS, together with the CFMEU, will be contacting Latrobe City Council requesting that details of all demolitions in Latrobe Shire be supplied to WorkSafe. Thanks to Mary Chojnacki, George Crick & Robert Stockdale (WorkSafe) &



Gaye Trevan from M.B.C Lawyers.

## OPEN DAY CELEBRATIONS

Our Open Day was a great chance for our members and supporters to get together and chat over a cuppa and some wonderful food made by our terrific members. As you may already know, our long standing leader, Mr. Lyle Seear, was awarded the Senior Citizen of the Year for Latrobe City. At the GARDS Open Day, Lyle was again awarded with our highest honor: a GARDS LIFE MEMBERSHIP. We are very proud of Lyle and the work he has done over the

years starting with the establishment of GARDS more than a decade ago. Lyle has extended a personal line of support to a great deal of families who other wise would have had to battle alone against the scourge of asbestos disease. A special thanks must also go to Lyle's family for their unwavering support for Lyle and his work. Vi Seear also deserves an award for the most scrumptious Devonshire tea in the Valley.

The other presentation made was to Peaker Power workforce in thanks for their financial support to GARDS. Mr Alan Tyrer accepted the award on behalf of the men. All who attended the day remarked on what wonderful facilities we have at Latrobe Business Centre. The GARDS group are very proud of the facilities that we can offer to our members. **PS** . If anyone knows someone wanting to rent office space at the centre, with meeting facilities attached, please tell them about Latrobe Business Centre.

## DONORS, SPONSORS & SUPPORTERS "THANK YOU"

Over the last 5 months GARDS has received support from many different people and organizations We would like to acknowledge some of these wonderful supporters: Marion Taylor for her great blanket, John Leckey (Latrobe Valley Funeral Services) name badges , Robbie Rae (Transvid) photos & videos, Trevor

Watson (Skills-on-Line) web page expert, Jason Hender for IT support, Vanessa Hall for her bookkeeping skills, Photos and Frames courtesy of Trevor Callow and Lyle Seear, Mark Cattanach (Butchers), Graeme Hamilton for all the unseen jobs that wouldn't get done otherwise, Maurice Blackburn & Cashman legal advice,

David Duncan Scottish piper, AMWU & CFMEU, & Moe Lions Club Hotel.





## GARDS REFERENCE LIBRARY.... Donations welcome

GARDS has started building a reference collection of books, papers, videos and pictures on asbestos exposure and the Latrobe Valley situation available for lending to GARDS members please feel free to come in anytime while the office is open to browse.

This month Robbie Rae donated Blue Murder, the story of Wittenoom by Ben Hill. Lyle Seear donated some wonderful photos of old Yallourn Power Stations and Yallourn township which have been framed by

Trevor Callow and now hang in the GARDS office.

If you have any books, videos or papers about Yallourn, the SECV, or the Latrobe Valley and you would like to donate them, please contact GARDS office or drop in with your donation.

GARDS is also looking for a copy of the following books if anyone has one that they no longer want, they are:

**Brown Coal Mine by Kath Ringin**

**Yallourn Power Station History  
1919 -1989 by Colin Harvey**



INFORMATION

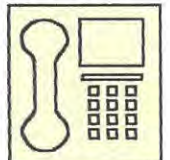
## YOU'RE NOT ALONE...

If you have recently lost your husband to asbestos disease, you will find support and friendship at GARDS Support meetings. Held on the last Tuesday of the month (1.30—3.30pm), GARDS support is an informal gathering for carers and families and provides opportunity to share your experiences, hear from others, and learn more about support services. In March, GARDS Support has invited Ronnie Clark, Bowen Therapist to talk about the therapeutic

value of this gentle form of massage and movement. In April, GARDS Support has invited Latrobe Valley Palliative Care to talk about the services they provide. Later in the year, we will invite a financial counsellor to talk about financial management. If you have any suggestions for special presentations at GARDS Support, please contact Fay Needham or Dorothy Roberts (51281218) or drop in at GARDS on any Tuesday.

### ASBESTOS PERPETUAL MEMORIAL

If you know of a family member or a friend who is not on our Asbestos Perpetual Memorial and would like them included could you please get in touch with Vicki Hamilton so she can arrange a badge to be made. Latrobe Valley Funeral Services, Ollerton Ave, Moe, sponsor our memorial.



## YOUR STORY IS IMPORTANT TO US...

Now that the GARDS newsletter is up and running we are looking for stories to publish... your story is important to us.

In the face of terrible problems, Latrobe Valley families continue to show enormous courage and strength. If you want to write something of your experience, reminisce about a loved one, or tell us your views, your contribution would be

very welcome.

We would like this newsletter to be owned by GARDS members and be a voice for your concerns, opinions, and experiences. All contributions should be no longer than 200 words and sent to us during the first week of the month.

The newsletter comes out during the second or third week of the month, for a six month period, and will then

revert to a quarterly newsletters.

**SPONSORS**  
IF ANY BUSINESS, ORGANISATION OR INDIVIDUAL WOULD LIKE TO SPONSOR OUR NEWSLETTER WE WOULD LIKE TO HERE FROM YOU. THERE WILL BE ADVERTISING SPACE IN THE NEWSLETTER FOR THESE SPONSORS. WE HAVE A SIZABLE CIRCULATION. PLEASE CONTACT VICKI HAMILTON.



GREAT IDEA

## Gippsland Asbestos Related Diseases Support

36-38 Darlimurla Avenue  
Newborough 3825

PO Box 111  
Moe 3825

Phone: 51281218

Fax: 51273844

Email: [gards@datafast.net.au](mailto:gards@datafast.net.au) **NEW!**

**GUARDING THE COMMUNITY**



## ABOUT GARDS

### EXECUTIVE

#### President:

Lyle Seear Ph. 51671376

#### Vice President:

Trevor Callow Ph. 51342208

#### Secretary:

Cheryl Wragg Ph. 51273790

#### Assistant Secretary/

#### Treasurer:

Vicki Hamilton Ph. 51278219

#### Executive Members:

Dorothy Roberts Ph. 51274174

Fay Needham Ph. 51272038

### GARDS SUPPORT-

Provides support and information to asbestos sufferers, their families and carers. This includes home visits by GARDS volunteers, a telephone advice service, and drop-in service at GARDS office. GARDS support also conducts a monthly meeting (1.30pm-3.30pm on the last Tuesday of the month) where guest presenters are invited to provide information about regional support services, and other areas of interest and assistance. The meetings also provide a gathering place for experiences. GARDS Support is open to anyone exposed to asbestos or suffering from asbestos disease.

### GARDS ADVOCACY-

Is the organizational, activities and advocating arm of GARDS. GARDS Advocacy meetings are 7.30pm-9.30pm on the third Tuesday evening of the month providing a focal point for information sharing, problem identification and campaign development. People interested in becoming active in GARDS ADVOCACY and have voting rights are required to take out GARDS membership and annual. GARDS ADVOCACY is focused on improving health support services and compensation arrangements to asbestos sufferers, and their families, ensuring asbestos-related issues are kept in the public eye, and ridding our environment of asbestos.

### GARDS Membership Fee:

\$4.95

GARDS Annual Fee:

\$11.00 (employed)

\$2.75 (pension/conc.)

### THE GARDS OFFICE IS OPEN

**MONDAY:** 9.30AM-2.30PM

**TUESDAY:** 1.00PM-3.00PM

**THURSDAY:** 12 NOON-3.00PM

**FRIDAY BY:** APPOINTMENT

Call in for a chat and cuppa

### GARDS SUPPORT MEETINGS:

Last Tuesday of the month, 1.30pm-3.30pm

### GARDS ADVOCACY MEETINGS:

3rd Tuesday evening of the month, 7.30pm-9.30pm

### UP & COMING EVENTS

#### **GARDS SUPPORT:**

March: Bowen Therapy/Aromatherapy

April: Palliative Care

#### **GARDS ADVOCACY:**

April: Dr. Tony LaMontagne, Monash University

May: To be announced

June: David Pargeter, Director of Social Justice Unit, Uniting Church



# G.A.R.D.S. INC. NEWSLETTER

## Inside this issue:

Medical students learn about the Latrobe Valley	2
Visiting Law Professor to GARDS Inc.	2
GARDS and FOI	2
GARDS Inc. goes West	1 & 3
A prayer	3
LEGAL LINE—GAYETREVAN	3
ALL ABOUT G.A.R.D.S. INC.	4

## LOSS, GRIEF AND BEREAVEMENT COURSE

GARDS has arranged a short course in Loss, Grief and Bereavement with Gilead Downs Family Therapy Centre, Trafalgar for some of our executive and anyone else who may be interested in doing the course.

The director Dr. Harvey Miller has taught counseling and family therapy and practiced as a family therapist both here in Australia and overseas since 1981. Dr. Miller is also an accredited counsellor, counselling supervisor and educator with the National Association for Loss and Grief (NALAG), and for eleven years was the Campbell Edwards Lecturer in Pastoral Studies at a national Theological College in Melbourne.

The course will consist of 4 x 3 hour sessions. The course is for people who want to

develop a sound understanding of the nature of loss and grief, and gain skills in caring for people who have experienced loss and bereavement and become more confident in offering support to grieving and bereaved people.

The course will cost approx \$120 per person (we have applied for funding and hope to be able to off set this cost for participants). The course will be conducted at the GARDS premises on 4 consecutive Fridays which will commence at 1.00pm—4.00pm If you are interested in doing this course it will be conducted in approx May-June. If you would like to know more about this course and would like



Understanding Loss, Grief and Bereavement

some brochures on this you can contact Vicki Hamilton at the GARDS office or at home on 51278219.

**This course is for anyone who wants a better understanding of people who are in grief and loss.**

### DID YOU KNOW

- 99.7% OF PEOPLE WITH UP TO 10 YEARS EXPOSURE WHO WORKED AT THE SEC & WHO DEVELOP ASB. LUNG CANCER NEVER CLAIM FOR COMPO.
- AT MINISTER JOHN LENDER'S MEDIA CONFERENCE HE SAID THERE WERE 40 CLAIMS ON THE SEC BOOKS INSTEAD OF THE REAL NUMBER OF 402.
- GARDS & LV STORY WENT GLOBAL THRU AAP REUTERS & BBC (LIVE)

## GARDS Inc. Goes West!

GARDS Inc. is setting up a Melbourne-based chapter to provide information, referral and support about asbestos. Called Asbestos Information and Referral-GARDS Inc. (or AIR-GARDS), the initiative will aim to provide a basic

level of support and information. Over the next three months, we hope to have a shared office and meeting space in the Melbourne-CBD (near Flinders St.), establish a support group, and a telephone

advisory service

(1 day per week). Financial support for AIR-GARDS is being sought from the State government and other organisations.

Continued page 3

## First-year Monash Medical Students Learn about the Latrobe Valley

As reported in the March edition of *GARDS Inc. Newsletter*, first year Monash medical students were about to learn about the asbestos problem in the Latrobe Valley, the result of an initiative by Dr. Tony LaMontagne, Monash Medical School. On Tuesday, 9th April, Lyle Seear & Cheryl Wragg (GARDS Inc.) and Peter Gibbons (AMWU) travelled out to Monash Clayton, where we met other 'resource people' for the ten groups of students: occupational physicians, government officers, medical researchers, media, as well as GARDS. We were taken to

meet our students, forty-four in all, and we spent the next two hours talking with them, and answering questions about the LV asbestos problem from a worker/union/survivor perspective.

Student response has been very positive, feed-back from Monash tutors is that they have never seen first year students so engaged! Lyle Seear said "I think it was valuable, they seemed to get a lot out of it and so did we. We want good doctors and we are very pleased at the opportunity to help them become good doctors. It's a very positive step".



## 'Visiting Law Professor addresses GARDS' Inc.

Visiting Professor of law, Harry Glasbeek, has been invited as the guest presenter at the next GARDS Advocacy meeting, Tuesday May 21st.

(We will send out a notice to confirm his attendance and remind you about this event).

Professor Glasbeek, from York University in Canada, specialises in corporate criminality including industrial murder and manslaughter, and corporate social responsibility.

This includes knowledge of occupational exposure to asbestos and related disease and death with a particu-

lar focus on North America.

Professor Glasbeek is also familiar with the Latrobe Valley situation - in the 1950s when he was a student he worked for the SECV at Yallourn power stations over two summer seasons!

This should be a special event and we invite you to come along.

**Reminder: Guest presenter at the June GARDS Advocacy meeting is David Pargeter, Director, Social Justice Unit, Uniting Church. David will speak about the role of his Unit and his time as industrial chaplain in the SECV, Latrobe Valley.**

## ' News Special: Coming Soon - GARDS reveals government numbers

By now, most people would be aware of FOI documents requested by GARDS from the Victorian Managed Insurance Authority and the SECV.

They begin to reveal the size of the asbestos problem in the Latrobe Valley.

We are compiling a special hand-out showing and summarising the information for GARDS members.

We will send this on to GARDS members via a special mail-out.



FOI documents start revealing the real picture

## LEGAL LINE - GAYE TREVAN

I have worked in the area of asbestos litigation almost exclusively for the past 13 years. In upcoming editions of this newsletter, I intend to give you some examples of the types of legal cases that are now presenting in relation to asbestos disease. However, I first want to try to dispel some myths about the bringing of claims because it seems that the statistics of those diagnosed with asbestos disease don't correlate with the numbers of people receiving compensation.

Did you know that it is possible to bring a claim against a company that is no longer in existence? You can. Investigations are undertaken to identify the workers' compensation insurer at the time, and once found, the claim proceeds just as any other.

If you were self employed, you might think you'd have no one to sue. Wrong. A claim could be brought against the manufacturer of the asbestos products worked with, or the occupier of the premises where the exposure occurred. Smoking in conjunction with asbestos exposure, greatly increases the risk of contracting lung cancer. If a diagnosis of lung cancer is made,

provided there are medical indicators of asbestos exposure, there is an entitlement to claim compensation, regardless of a smoking history.

It's also worthwhile noting that:

- Involvement for the person who brings the claim can be greatly minimized.
- Resolution of claims is quick, usually between three and six months.
- 99% of asbestos claims settle out of court.
- Compensation is usually in the hundreds of thousands of dollars.
- A claim should be initiated during the persons lifetime.
- You should not be asked to fund the case.

Gaye Trevan is a legal executive with Maurice Blackburn Cashman. Register your exposure on their asbestos specific database by telephoning

(03) 9605 2729, or contact GARDS Inc.

## A Prayer from Les Medley, industrial chaplain.

Source of all life,

We are grateful for the cherished memory of our loved ones: *Yet we hope their memory finds an appropriate place in the rest of our living.*

Their dying has left unfinished business: *Give us the inspiration and passion to fulfill dreams.*

We realize the physical death is an inevitable part of living: *Urge us to live life to the full with eager expectation.*

Death confronts us with an ultimate mystery: *Help us to respect life with humility, sacredness and awe.*

Remembering, thanksgiving and hope heals our grief, from it new hope is born: *Affirm us as new selves, help us to embrace a new and authentic future, faithfully and in peace.*

It is the power of love that enables us. It transcends time and space and the boundaries between life and death: *Steadfast love and hope never ceases. It is faithfully there, anew every morning, May we be at Peace.*

*The Lord Bless you and watch over you. The Lord make his face shine upon you and be gracious to you. The Lord look kindly on you and give you peace.*

## 'GARDS Inc. Goes West' from page 1

While the Latrobe Valley has the highest concentration of asbestos-related disease in the State, asbestos was used in buildings and other infrastructure all over Victoria. Much of this asbestos is still out there dispersed across the community just like the asbestos disease occurring in Melbourne but spread

across a far bigger population than the Latrobe Valley. This makes it much harder for asbestos disease sufferers to find each other and develop networks of mutual support. Through AIR-GARDS we hope to create a much needed contact point.



AIR-GARDS will  
provide a telephone  
information service

## GIPPSLAND ASBESTOS RELATED DISEASES SUPPORT INC.

36-38 Darlimurla Avenue  
Newborough 3825

PO Box 111  
Moe  
VICTORIA 3825

Phone: 51281218  
Fax: 51273844  
Email: gards@datafast.net.au

GUARDING THE COMMUNITY

# G.A.R.D.S. INC.

GIPPSLAND ASBESTOS RELATED DISEASES SUPPORT INC.

### GARDS Inc. SUPPORT

Provides support & information to asbestos sufferers, their families & carers. This includes home visits by GARDS volunteers, a telephone advice service, & drop-in service at GARDS office. GARDS Inc. support also conducts a monthly meeting (1.30pm-3.30pm on the last Tuesday of the month) where guest presenters are invited to provide information about regional support services, and other areas of interest & assistance. The meetings also provide a gathering place for experiences. GARDS Support is open to anyone exposed to asbestos or suffering from asbestos disease.

### GARDS Inc. ADVOCACY

Is the organizational, activities & advocating arm of GARDS Inc. GARDS Advocacy meetings are 7.30pm-9.30pm on the third Tuesday evening of the month providing a focal point for information sharing, problem identification & campaign development. People interested in becoming active in GARDS Inc. ADVOCACY & have voting rights are required to take out GARDS membership & annual. GARDS Inc. ADVOCACY is focused on improving health support services & compensation arrangements to asbestos sufferers, & their families, ensuring asbestos-related issues are kept in the public eye, & ridding our environment of asbestos.

## ABOUT G.A.R.D.S. INC.

### EXECUTIVE

#### **PRESIDENT:**

Lyle Seear Ph. 51671376

#### **VICE PRESIDENT:**

Trevor Callow Ph. 51342208

#### **SECRETARY:**

Cheryl Wragg Ph. 51273790

#### **ASSISTANT SECRETARY/ TREASURER:**

Vicki Hamilton Ph. 51278219

#### **EXECUTIVE MEMBERS:**

Dorothy Roberts Ph. 51274174

Fay Needham Ph. 51272038

#### **GARDS MEMBERSHIP FEE:**

\$4.95

#### **GARDS ANNUAL FEE:**

\$11.00 (EMPLOYED)

\$2.75 (PENSION/CONC.)

### THE GARDS OFFICE IS OPEN

**MONDAY:** 9.30AM-2.30PM

**TUESDAY:** 1.00PM-3.00PM

**THURSDAY:** 12 NOON-3.00PM

**FRIDAY:** BY APPOINTMENT

Call in for a chat and cuppa

### GARDS SUPPORT MEETINGS:

Last Tuesday of the month, 1.30pm-3.30pm

### GARDS ADVOCACY MEETINGS:

3rd Tuesday evening of the month, 7.30pm-9.30pm

### UP AND COMING EVENTS

#### **GARDS SUPPORT:**

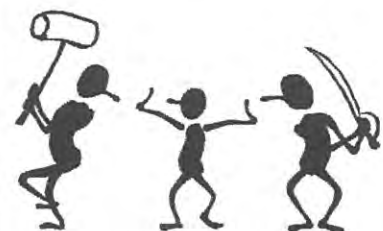
April: Palliative Care

May: To be announced

#### **GARDS ADVOCACY:**

May: Professor Harry Glasbeek, York University, Canada (to be confirmed)

June: David Pargeter, Director of Social Justice Unit, Uniting Church



ALL FOR ONE, ONE FOR ALL

# G.A.R.D.S. INC. NEWSLETTER

## Inside this issue:

SPEAKING PUBLICLY	2
ALP cont.	2
AIR-GARDS	2-3
Asbestos Regs. review	3
GARDS round-up	3
ALP Motion	4-5
About GARDS	6

## DID YOU KNOW?

- "Indirect, marginal & not an objective of the program" is how the SECV assessed the health benefits of the SECV Lung Screening Program in 1984.
- The most commonly used brake shoes/disc pads are 45% asbestos.
- Mesothelioma Work. Comp. claims average \$183,396; Meso. Pub. Liability claims average \$61,415

## PROFESSOR HARRY GLASBEEK — SUCCESS

On Wednesday 15th of May our very special guest Professor Harry gave an all inspiring in depth look into corporate social responsibilities and corporate criminality with a reference to the SECV, Risk, and the Insurance Industry.

Professor Harry told the audience that they were not alone in their plight for social justice and fair compensation for all. These issues are happening in other countries around the world.

He spoke at length about the neglect of the blue collar worker and the failure to protect those workers in industry. The Professor said "Asbestos was one of those silent killers that had been ignored by management long after they knew of its deadly effects with no regard to the consequences for workers".

Professor Harry spends 6 months of the year here in Australia and 6 months in Canada. He said he would be honored to come back again sometime and touch base with our members.

The meeting was attended by about 30 interested people and radio media.

Professor Harry told those in attendance that the work of GARDS was an **HONORABLE** and **JUST** cause to fight and to keep up the good work that the organization has been doing. He also told those in attendance that the people who supported GARDS and worked in the organization were **NOBLE** people.

Professor Harry's speech was taped on the night and is available for borrowing for interested people who could not attend the meeting. If you would like to listen to this speech you can contact Dorothy Roberts on 51274174.



## ALP STATE CONFERENCE

The Labor Party's STATE CONFERENCE held little joy for the people of the Latrobe Valley.

A concerted effort by both GARDS executives and good people within the Labor party tried to have our plight heard at state conference so that the party members themselves could discuss and debate the issue.

On Saturday our Federal member seemed to be very interested on the asbestos issue BUT by Sunday that interest had waned.

The member for Morwell was absent on the day the motion was to be heard at State Conference.

Continued on page 2.

## GARDS SPEAKING PUBLICLY

GARDS was very privileged in the last 3 weeks to have been asked to come along and speak to two organisations.

Our first engagement was at Hazelwood Rotary where we were made to feel most welcome. Vicki Hamilton spoke on the good work that GARDS does in the community and what GARDS is all about. Lyle Seear spoke about asbestos issues and working with and around asbestos in the work place.

Lots of questions were asked from the floor and the Rotarians found a new understanding of the issues.

Our other venue was at the Co-operating Church in Churchill.

We were given a lovely breakfast, after which Vicki Hamilton and Lyle Seear proceeded to inform a new group of interested people about the asbestos issues.

GARDS welcomes the opportunity to speak to community organiza-

tions—if you are a member of another organization who wants to know more contact Vicki Hamilton or Lyle Seear to organize a speaker.



### AIR-GARDS: East Brunswick demolition

On Wednesday May 22nd GARDS Inc. co-hosted a community meeting with Coburg-Brunswick Community Legal Centre for residents in the Arnold-Linden Street area of East Brunswick. Around 6 weeks ago, an illegal demolition in this densely populated residential area resulted in asbestos emissions for two days. After local resident action, WorkSafe officers attended the site. Workers on the site ran to their cars and drove away as quickly as they could. WorkSafe is

now investigating the matter. At the meeting, there were reports from Alan Beacom, WorkSafe Regional Manager (Construction), Mark Higginbotham, Councillor, Moreland City Council, Gaye Trevan, Maurice Blackburn Cashman, and Cheryl Wragg GARDS/AIR-GARDS.

Moreland City Council is very concerned about the apparent lack of coordination between various levels of government and across government departments. (Continued p 3)

**Moreland City Councillors have committed to meeting with Government Ministers and advocating an all-of-government approach to the identification, safe removal, and disposal of asbestos.**

### ALP STATE CONFERENCE from page 1

The very vocal member for Narracan and defender of the Latrobe Valley was there on the day BUT, on our issues, seemed to have lost his voice.

We were encouraged by many good people within the Labor Party who approached offering support and congratulations to GARDS on our wonder-

ful campaign to *Get the asbestos issues out there and talked about.*

But it was very disappointing to see such a lack of support for a very major issue for the Valley from our local elected representatives.

**A copy of the motion is included in this newsletter.**



**WHERE WERE YOU ???**



## AIR- GARDS: EAST BRUNSWICK cont. from 2

Moreland City Councillors Mark Higginbotham and Fraser Brindley undertook to approach the State government seeking co-ordination inside government to improve the situation. Cheryl Wragg said: "When there is an asbestos problem in your neighborhood or even your backyard, people don't want to be given the bureaucratic run-around. There are too many examples of this occurring in the Valley, Melbourne and elsewhere in the State. The State Government needs to identify and sort out dysfunction inside government that allows bad demolitions to continue."



Asbestos cement sheeting removed badly causes dust emissions

As with Balfour Hall, issues inside government like the contracting out of building permit processes, continue to produce an information void inside local council and between eg. Council and WorkSafe.

GARDS has written to Latrobe Shire seeking their assistance and a meeting about these matters. At time of publication, we were still waiting for a response from Latrobe Shire.

Meanwhile, GARDS has received complaints about a bad renovation involving asbestos in Sinclair Ave, Morwell and an asbestos contamination problem in Wells St., Morwell.

## Review of Asbestos Regulations

On Friday, 17th May GARDS representatives participated in a public briefing in Melbourne about the new asbestos regulations. Lyle Seear, Graeme Hamilton, Trevor Callow, Fay Needham, and Lesley Daley attended.

GARDS representatives advocated that regulations need to be backed up with proper compliance, that government needs to sort out lack of co-ordination between departments, authorities and agencies, and that

asbestos is being used in the automotive industry with increasingly lax attitudes toward employees and public safety.

Lesley Daley spoke about the need to increase the amount of years records about asbestos exposure are held up to 60 years.

GARDS members are now preparing a written submission to WorkSafe Victoria about the new regulations.

A copy of the draft regulations are available at the GARDS office. Anyone wishing to make input should contact GARDS asap.

The deadline for public comment on the draft regulations is 30th May, 2002.

If you wish to make comment direct, send your submission to Gary Radley, Legislation branch, WorkSafe Victoria, GPO Box 4306, MELBOURNE, Vic. 3001

## GARDS News Round-Up

Recently, GARDS received another set of FOI documents, this time from the SECV. These documents are about the SECV lung screening program established in 1980-81. Some of these have been sent to specialist doctors for their comment. In addition to the comments from the documents cited in the 'Did You Know'

column on page 1, the documents also say that the lung screening program was subject to complaints from employees, recordkeeping was bad but overall 'it achieved the industrial relations priorities'!

Did you notice that the last GARDS newsletter had the wrong edition

number. Instead of reading Issue 3, it should have read Issue 4.

A big hello to long time GARDS member Arnold Needham who has been in hospital (Melbourne) and GARDS Executive Member, Fay Needham, who has recently been unwell but is now feeling better.

## Urgency Motion: Asbestos - Care and Compensation (Amended version)

Documents recently obtained through FOI from the State government's insurance authority, the Victorian Managed Insurance Authority (VMIA), reported that more than 100,000 SECV employees (Latrobe Valley) were comprehensively exposed to asbestos until the early 1980s. This number does not include family members exposed daily through 'take-home' exposure.

The documents also show that, over the last fifteen years, more than 400 people have made successful compensation claims for asbestos-related injury incurred from the SECV.

In their reports to the State government, actuaries Trowbridge Consulting, and Taylor Fry, warn repeatedly that the total claim numbers must be treated as conservative relative to the actual incidence of asbestos disease in the community. For example, a 1996 analysis of claim numbers by asbestos-disease type shows that only 0.3% of people exposed for *up to ten years* who develop asbestos-related lung cancer ever appear on the books. Of people exposed for *more than ten years* who develop asbestos-related lung cancer, only 41% ever appear on the books.

When the FOI documents came under recent media and public scrutiny, the State government responded with another set of numbers not previously revealed: Minister Lender's office acknowledged concern about 6,000 ex-SECV employees whom they consider at high risk of developing asbestos-related illness.

That concern, however, did not result in any measures from the State government to help these people.

The Latrobe Valley community has been demanding a comprehensive public health response to a comprehensive industrial disease epidemic in their midst. They want and need an occupational medicine clinic with specialist diagnostic facilities, and medical research facilities. They want and need more hospital beds, as well as a twenty-five bed palliative care hospice, and a thirty-bed respite care facility.

The 6000 people identified by the State government need and deserve targeted health programs designed to improve their health outcomes; as well as counseling and family support services; and information about compensation entitlements.

*Yet, to-date, the State government has committed to a \$200,000 'mortality count', also known as a 'lung function review project', designed to check the dead/alive status of 3,600 ex-SECV employees.*

The mortality count will not help people whose lives have been, are being and will be maimed and destroyed by asbestos disease, nor reduce the distress carried by their families. **However, the mortality count, funded by the VMIA, will help the State government to assess more accurately its compensation liability inherited from the SECV.** To-date, the Finance Minister has not revealed what he believes to be an acceptable level of liability before committing to a comprehensive program of assistance for anxious, sick and dying workers, and their families.

**Hundreds of industrially exposed, injured and terminally ill *public sector workers*, and their families, who cannot access necessary health and support services during the peak of an asbestos epidemic, have been told to 'wait and see' until after the VMIA does the 'numbers'.**

There is a growing view across the Latrobe Valley community that this State Labor government is more committed to protecting its surplus than it is in saving workers' lives and helping ease their distress.

The position taken by the State government to-date is not compassionate. It is not morally ethical. It is not financially responsible. Nor is it politically sustainable.

This Urgency Motion asserts that the State government must change its position and adopt a very different approach to asbestos and its legacy of disease and death, human *and* financial loss. *The mortality count project must be scrapped.*

The Victorian State Labor government has the opportunity to change history by stopping the eighty-year practice of minimizing compensation claim numbers by neglecting the specialist medical and health needs of asbestos victims and their families.

*The State government must commit to a comprehensive public health response to asbestos related problems, designed and implemented in concert with the Latrobe Valley community as a matter of urgency.*

The Victorian State Labor government has the responsibility to avert a potential crisis in the State's asbestos liability portfolio and the equally important responsibility to deliver just and reasonable financial compensation and economic support to asbestos victims and their families.

The NSW Dust Diseases Tribunal and Board offers a successful model of compensation and integrated health and medical services to asbestos disease victims and their families. It provides just and reasonable compensation, and represents a significant move away from individual litigation to a more financially stable State-based 'universal' dust diseases injury and care scheme.

*The State government must commit to establishing a new set of asbestos injury compensation and insurance arrangements as a matter of priority.*

### **Motion**

This State Conference calls on the State Government to honor its responsibilities to care for workers and their families, employed by the SECV and other State instrumentalities who were exposed to asbestos and are now suffering from asbestos-related injury and death.

1. State Conference calls on the State government to scrap its mortality count of ex-SECV workers.
2. State Conference calls on the State government to commit to a comprehensive public health response to asbestos-related problems in the Latrobe Valley region.
3. State Conference calls on the State government to institute new arrangements for handling compensation claims modeled on the NSW Dust Diseases Tribunal and Board.

**Moved:**

**Seconded:**

**GIPPSLAND ASBESTOS RELATED DISEASES SUPPORT INC.**

36-38 Darlimuria Avenue  
Newborough 3825

PO Box 111  
Moe  
VICTORIA 3825

Phone: 51281218  
Fax: 51273844  
Email: gards@datafast.net.au

**GUARDING THE COMMUNITY**

**G.A.R.D.S. INC.**  
**GIPPSLAND ASBESTOS RELATED DISEASES SUPPORT INC.**

**GARDS Inc. SUPPORT**

Provides support & information to asbestos sufferers, their families & carers. This includes home visits by GARDS volunteers, a telephone advice service, & drop-in service at GARDS office. GARDS Inc. support also conducts a monthly meeting (1.30pm-3.30pm on the last Tuesday of the month) where guest presenters are invited to provide information about regional support services, and other areas of interest & assistance. The meetings also provide a gathering place for experiences. GARDS Support is open to anyone exposed to asbestos or suffering from asbestos disease.

**GARDS Inc. ADVOCACY**

Is the organizational, activities & advocating arm of GARDS Inc. GARDS Advocacy meetings are 7.30pm-9.30pm on the third Tuesday evening of the month providing a focal point for information sharing, problem identification & campaign development. People interested in becoming active in GARDS Inc. ADVOCACY & have voting rights are required to take out GARDS membership & annual subscription. GARDS Inc. ADVOCACY is focused on improving health support services & compensation arrangements to asbestos sufferers, & their families, ensuring asbestos-related issues are kept in the public eye, & ridding our environment of asbestos.

**ABOUT G.A.R.D.S. INC.****EXECUTIVE****PRESIDENT:**

Lyle Seear Ph. 51671376

**VICE PRESIDENT:**

Trevor Callow Ph. 51342208

**SECRETARY:**

Cheryl Wragg Ph. 51273790

**ASSISTANT SECRETARY/  
TREASURER:**

Vicki Hamilton Ph. 51278219

**EXECUTIVE MEMBERS:**

Dorothy Roberts Ph. 51274174

Fay Needham Ph. 51272038

**GARDS MEMBERSHIP FEE:**

\$4.95

**GARDS ANNUAL FEE:**

\$11.00 (EMPLOYED)

\$2.75 (PENSION/CONC.)

**THE GARDS OFFICE IS OPEN**

**MONDAY:** 9.30AM-2.30PM

**TUESDAY:** 1.00PM-3.00PM

**THURSDAY:** 12 NOON-3.00PM

**FRIDAY:** BY APPOINTMENT

Call in for a chat and cuppa

**GARDS SUPPORT MEETINGS:**

Last Tuesday of the month, 1.30pm-3.30pm

**GARDS ADVOCACY MEETINGS:**

3rd Tuesday evening of the month, 7.30pm-9.30pm

**UP AND COMING EVENTS****GARDS SUPPORT:**

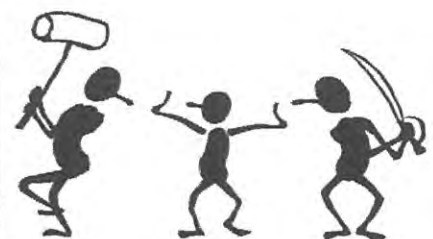
**May:** Peter Arbour, CentreLink

**June:** Financial & Investment Advisors

**GARDS ADVOCACY:**

**June:** David Pargeter, Director of Social Justice Unit, Uniting Church

**July:** Dr. Tony LaMontagne, Monash (Pahran)



**ALL FOR ONE, ONE FOR ALL**

# ASBESTOS NEWS

**Inside this issue:**

LEGAL LINE—WALLY REID'S STORY	2
COUNSELLING	2
NEWS IN BRIEF	2
TRIBUTE TO ARNOLD NEEDHAM	3
GARDS NEWS ROUND-UP	3
ABOUT GARDS	4

**DID YOU KNOW?**

- 1929 A Life Insurance company in the US finds that half the men working at Johns Manville & Raybestos asbestos plants for more than 3 years develop lung disease.
- 1st century AD: Roman historian Pliny notes that slaves weaving asbestos cloth sicken & die. He describes the use of respirators made from animal bladders.

## A SERVICE TO REMEMBER

The memorial and celebratory service at St. Aidans Anglican Church, Newborough was the first ever service dedicated to asbestos sufferers and their families in the Valley and one which will be long remembered by all who participated. The Reverend Stephen Morrissy presided over the service which brought together St. Aidan's and GARDS members in a deeply moving and emotional tribute to the spirit of Valley people.

The service opened with a song so appropriately sung by Michelle Fitzgerald.

Cheryl Wragg read from Jeremiah 20: 10-13.

Vicki Hamilton paid tribute to the many workers who came from all over the world to make the Valley and indeed Victoria what it is today

and to praise them for their strength, dignity and courage in the face of adversity. She urged the congregation to remember with pride those workers and their family members who lost their lives as a result of the environment in which they worked and lived in. These workers and their families have contributed more than most.

Lyle Seear spoke from the heart about the caring way in which GARDS moves within the community extending the hand of friendship and comfort. He gave memorable instances of his experiences and the work of others and linked this back to the story of the good Samaritan.

The congregation made mention that they would like to see this remembrance

and celebration service in other churches across the Valley and conducted as an annual event on the church calendar.

A big thank you also to the **Magdalene Centre and the Anglican Parish** for its donation to GARDS which will be used to buy books for the GARDS library.



**WE WILL REMEMBER**

## A TRIBUTE TO TWO GREAT GARDS MEMBERS

This month has been a very sad month with the passing of Mr. Les Barton and Mr. Arnold Needham.

Both of these men have been very active in GARDS and they will be missed greatly.

Mr. Barton was a very kind and generous soul and Arnie Needham who has been a long term GARDS member has contributed enormously to the success of GARDS. We will remember them always with fond memories.

Our deepest sympathy goes out to these two truly wonderful families in their time of sorrow. Included in this newsletter is an excerpt of John Daley's essay on Arnold his grandfather.

## LEGAL LINE BY GAYE TREVAN

Wally Reid, aged 56, who was part of the SEC lung function screening program, was told in April 2000 that he need not come back because he had consistently demonstrated 95% lung capacity.

In November 2001 Wally, who had always been exceptionally fit and active, couldn't catch his breath. To appease his wife, he went to a local doctor. That started a roller coaster of medical appointments and tests, which ultimately lead to his diagnosis with mesothelioma.

Wally had had heavy exposure to asbestos during his employment with the SEC from 1962 until 1993, having spent most of his time at Hazelwood Power Station.

A claim was issued on behalf of Wally out of the Supreme Court of Victoria against the State of Victoria who took over the liabilities of the former SECV. The Court ordered that the case proceed expeditiously, and it was given priority over other matters. Wally Reid alleged that the SECV had been negligent in having exposed him to asbestos when it was known to be dangerous, and that the exposure was the cause of his mesothelioma. He

claimed compensation for:

- Pain and suffering and loss of enjoyment of life;
- Past and future lost income due to his incapacity for work;
- Medical and associated expenses;
- The cost of nursing care that he would need in the future.

In the days leading up to the trial of Wally's action, the State of Victoria admitted liability. The effect of that admission was that it was no longer necessary to prove Wally's asbestos exposure while working in the power stations had caused his mesothelioma, or that the former SECV could have done more to have protected him. It is the first time that the former SECV have admitted liability in a claim arising from asbestos disease.

Wally Reid's case was settled out of court for a confidential, yet significant sum.

The tragedy of Wally Reid's illness, and the devastating effect it has had on his life cannot be overstated. However, he is to be congratulated for his cour-

age and for standing by his principles. Wally hopes that his stand will assist and encourage others to pursue their entitlements.



*Gaye Trevan is a GARDS member and volunteer. She is a Legal Executive with Maurice Blackburn Cashman solicitors. If you need information or advice call Gaye on 9605 2729 or contact GARDS Inc. ph. 51 281218*

## COUNSELLING COURSE



Our counselling course began on the 21st of June and we are now half way through. We have 9 participants in the course and thanks to Dr. Harvey Miller we are learning and consolidating a lot of our experience into a very effective manner in which to help care for our members. Course participants come from a range of back-

grounds and include full time professionals in community services as well as volunteers who care for the sick and elderly. All feel that the course is helping them in their work. Dr Harvey and GARDS are willing to organize a future course if anyone else is interested: we need at least 8-9 people.

## NEWS IN BRIEF

You may have noticed we've changed the newsletter's name following feedback that people were unsure what the newsletter was about. **Apologies to GARDS members that David Pargeter was unable to attend as previously advertised. David will attend later in the year.**

## A TRIBUTE TO ARNOLD NEEDHAM BY JOHN DALEY

Arnold Needham my Pop was born in 1936 and adopted in that same year. His adopted parents died before he was a teenager so it forced him to work full time in his very early teens. He tried out for South Melbourne Football club (now known as the Sydney Swans) in the Bobby Skilton days in the VFL, but after breaking both his ankles in the same game he obviously could not play at that elite level even after that squad requested him to play on. He believed his ability was not good enough for the high level required in VFL so he dropped back to a country team, which he played for 20 years. Most games he was ranked best on ground. He also had another love of hunting and fishing. Every weekend after football he would take his family up into the mountains around Mt. Erica to go deer hunting which helped out the crisis of not having food on the table. He never shot an animal he hunted unless he needed it to feed the family of six and they didn't waste one bit, even the left overs went to his hunting dogs so not anything was wasted.

In my Pop's mid-twenties working in the Latrobe Valley supporting his wife and four children. He worked many hours and many years lagging on

the asbestos. Lagging is slapping wet asbestos on to piping which is used for insulation. Other things he did with asbestos was to blow the asbestos fibres that are extremely dangerous on to the ceiling of the power plant to control the temperature hot/cold for the employees.

My Pop believed that the worst thing he ever did with his life was to work with asbestos and now he believes that his children and grandchildren will have to remove the deadly asbestos from the community. He said that this will leave people in the next sixty or seventy years time with shortened lives just like my grandfather is doing now.

The last few years my Pop and Nana have worked many hours helping setting up the Gippsland Asbestos Related Diseases Support Network (GARDS INC) which in the next few months will be setting up a similar organization for the people of Melbourne. This organization 'GARDS' is formed by just ordinary people, which my Nana and Pop are spokespersons for. Both of my grandparents have recently spoke on the Four Corners show it was a one hour special on my grandparents, Channel 10 News, A Current

Affair, other newspapers have picked up on the work that GARDS people have been doing for the community in and around the affected areas.

Now a days asbestos is still found in or around our homes and lives. It is used in building materials like old sheds, fencing, bungalows even housing. Friction products like brake pads are used in all cars in Australia. Organisations like GARDS have tried to make people aware of this. Even though they are taking the asbestos slowly out of these products there still has to be caution taken as the old materials still in place could contain asbestos.

I know my Nana, my Mum and I have given as much time of our lives possible caring for my Pop even if it was to only tell him stories of our achievements. I like hearing Pops stories because it makes him look forward to the next day in his life.

ARNOLD NEEDHAM

1936—2002

## GARDS NEWS ROUND-UP

We had a wonderful Support group meeting this month. Partnership Planning came along to talk about financial matters & everyone seemed to have lots of questions for them to answer. Thanks go to Chris Thatcher and Charles Witts for their great presentation. Don't forget this months Advocacy meeting guest pre-

senter will be Dr Tony LaMontagne.

At our next Advocacy and Support group meetings we will also have to decide whether the Asbestos News goes to a quarterly or every second month newsletter or does it stay the same as is? Don't forget that your stories and news items will be most welcome in our publication. Please

send them to Vicki Hamilton either by email—[gards@datafast.net.au](mailto:gards@datafast.net.au) or post to GARDS PO BOX 111, MOE 3825



## GIPPSLAND ASBESTOS RELATED DISEASES SUPPORT INC.

36-38 Darlimuria Avenue  
Newborough 3825

PO Box 111  
Moe  
VICTORIA 3825

Phone: 51281218  
Fax: 51273844  
Email: gards@datafast.net.au

GUARDING THE COMMUNITY

# G.A.R.D.S. INC.

GIPPSLAND ASBESTOS RELATED DISEASES SUPPORT INC.

### GARDS Inc. SUPPORT

Provides support & information to asbestos sufferers, their families & carers. This includes home visits by GARDS volunteers, a telephone advice service, & drop-in service at GARDS office. GARDS Inc. support also conducts a monthly meeting (1.30pm-3.30pm on the last Tuesday of the month) where guest presenters are invited to provide information about regional support services, and other areas of interest & assistance. The meetings also provide a gathering place for experiences. GARDS Support is open to anyone whose lives have been effected by asbestos & their families.

### GARDS Inc. ADVOCACY

Is the organizational, activities & advocating arm of GARDS Inc.

GARDS Advocacy meetings are 7.30pm-9.30pm on the third Tuesday evening of the month providing a focal point for information sharing, problem identification & campaign development. People interested in becoming active in GARDS Inc. ADVOCACY & have voting rights are required to take out GARDS membership & annual. GARDS Inc. ADVOCACY is focused on improving health support services & compensation arrangements to asbestos sufferers, & their families, ensuring asbestos-related issues are kept in the public eye, & ridding our environment of asbestos.

## ABOUT G.A.R.D.S. INC.

### EXECUTIVE

#### **PRESIDENT:**

Lyle Seear Ph. 51671376

#### **VICE PRESIDENT:**

Trevor Callow Ph. 51342208

#### **SECRETARY:**

Cheryl Wragg Ph. 51273790

#### **ASSISTANT SECRETARY/ TREASURER:**

Vicki Hamilton Ph. 51278219

#### **EXECUTIVE MEMBERS:**

Dorothy Roberts Ph. 51274174

Fay Needham Ph. 51272038

#### **GARDS MEMBERSHIP FEE:**

\$4.95

#### **GARDS ANNUAL FEE:**

\$11.00 (EMPLOYED)

\$2.75 (PENSION/CONC.)

### THE GARDS OFFICE IS OPEN

**MONDAY:** 9.30AM-2.30PM

**TUESDAY:** 1.00PM-3.00PM

**WEDNESDAY:** BY APPOINTMENT

**THURSDAY:** 12 NOON-3.00PM

Call in for a chat and cuppa

### GARDS SUPPORT MEETINGS:

Last Tuesday of the month, 1.30pm-3.30pm

### GARDS ADVOCACY MEETINGS:

3rd Tuesday evening of the month, 7.30pm-9.30pm

### UP AND COMING EVENTS

#### **GARDS SUPPORT:**

July: To be announced

August: LATROBE VALLEY FUNERAL SERVICES—John Leckey

September: Dr Harvey Miller—Family Therapist

#### **GARDS ADVOCACY:**

July: Dr Tony LaMontagne

August: To be announced







# ASBESTOS NEWS

Gippsland Asbestos Related Diseases Support Inc.

## Inside this issue:

COME ON MR BRACKS VALLEY WHISPER	2&3
THANK YOU LIST	4
LEGAL LINE GAYE TREVAN	5
PERPETUAL MEMORIAL	5
MANSLAUGHTER BILL	6
GARDS LOGO	6
ALL ABOUT GARDS	7

## DID YOU KNOW ?

The international Labor organisation says in a recent report that

- work causes more death & suffering than wars or drug & alcohol abuse combined.
- More than 2 million people die from work-related accidents or disease every year—equivalent to one death every fifteen seconds

## LENDERS REFUSES PROPER HELP ON ASBESTOS

Finance Minister John Lenders and local Labor MP Ian Maxfield attended the July GARDS Support meeting last Tuesday along with around eighty local people including many sufferers of asbestos, and their families.

At the meeting families spoke out about their experiences of inadequate medical and hospital services in the region and the enormous stress this is placing on seriously ill people and their families.

Concerns were also raised about demolition practices at the Traralgon Hospital, old Yallourn power stations and other government-owned sites containing asbestos and other toxic substances. These sites are owned and managed by Minister Lenders department (Treasury and Finance).

The Minister was questioned about the secrecy surrounding the proposed mortality count project and of objections were raised about the exclusion of contractor employees, and families. Strong concern was expressed about the

existing VMIA/SECV lung screening program.

Minister Lenders responded by re-committing the government to the mortality count project and announcing that the government will withhold further commitments for at least another twelve months until after the project results are known. GARDS has since contacted Mr. Maxfield to confirm whether the government intends ignoring the problems for longer than twelve months. GARDS secretary Cheryl Wragg said "the state government is refusing to help in the ways we need. Their only commitment is to superficial gestures. Their current stance is unethical and objectionable. We hope people remember this at the next election. "Concern about the continued neglect of asbestos disease-related problems in the region is shared across the GARDS network of families.

GARDS Assistant Secretary Vicki Hamilton called for the Latrobe Valley Community Hospital (Moe) and the adjacent (and vacant) aged care facility to be reinstated as a palliative care hospice and respite care facilities.

She said "this could be up and running in less time than it will take to complete the mortality count. We need proper facilities and help now. This State Labor government is condemning LV families, faced with asbestos disease, to at least another twelve months of suffering and indignity. This is being caused by inadequate regional health, hospital and medical facilities. They are refusing to help, they won't even agree to sit down and properly talk about the problems and appropriate responses."

During the run up to the State election, GARDS will contact each candidate for the seats of Morwell and Narracan to survey their responses to asbestos problems in the region. Ms. Hamilton said "We will let the community know what the candidates are saying and intending. The candidates will be judged accordingly by the community at the ballot.



## **Come on Mr. Bracks – a little justice and compassion for the Latrobe Valley**

Welcome to all new members who have recently joined the GARDS network of families. We also extend thanks to our supporters and donors.

In our community, at an individual, family and neighborhood levels, and amongst organisations and businesses, more and more people are putting their 'shoulder to the wheel'. As reported in *Asbestos News* and made real at our meetings, at our facilities and in the day to day activities of our network, GARDS is all about individuals, families, organisations, institutions and businesses in our community co-operating and collaborating to acknowledge the problems, provide support, and show active compassion.

At the July Support meeting of GARDS, Minister Lenders visited us where he spoke of compassion and the government's handling of damages payouts for victims. He also spoke of the government needing more information about the Latrobe Valley asbestos situation (from a limited mortality count project) in order to develop a response.

We were and are heartened that Minister Lenders came to meet with us - the government and the Latrobe Valley community must meet and work together to improve our situation - but we were also left wondering whether anyone in the government has learnt anything about the reality in the Valley and bothered to tell the Minister? For example, Mr. Lenders cited the government's instruction to speed up the settlement process as demonstration of its compassion. Yet for many, perhaps the majority of affected families in the Valley, this is off the mark. As the government's own documents report, the majority of people in the largest group of possible claimants, those who develop asbestos related lung cancer, *never make it to settlement because they never make a claim.*

Lung cancer, unlike mesothelioma, has a number of causes. Where tobacco is involved or an occupational history not taken, asbestos effects can be missed or discounted during medical diagnosis.

For these people the 'system' looks something like this.

1. Many die, they and their family unaware if asbestos was the culprit or part culprit.
2. If the person dies, only some families will seek an autopsy.
3. Some of these will seek legal advice about taking legal action.
4. It must be proven that a mis- or missed diagnosis occurred on the part of the doctor/s, hospital, or health service provider. Some families get past this point.
5. The now small minority who continue with action involving a misdiagnosis and -
6. are successful, may then lodge for a missed claim against the SECV.
7. The claim is processed by this government's 'faster' system
8. and will most likely be successful.
9. If the claimant dies during steps 2-8 the claim can continue and eventually, if successful, a damages payment will be made to the victim's family. However, the component of the payment that 'recognises' the pain and suffering of the victim is not paid. Entitlement to this, the largest component of the total payment for many, dies with the victim.

At what point/s does this system deliver compassion and justice to victims and their families?

Over the last eight or more months GARDS has been unfairly and incorrectly accused, by the State government and others, of being preoccupied with matters of money and damages payouts. For the record, our concerns are about justice and the best possible care for our community. Many families in the GARDS network believe that justice would be better served by sending those people to gaol whose workplace negligence maims and kills. Many also see justice were the State government to provide the Latrobe Valley with the medical, hospital and health services we want and need. Ensuring the economic care of victims and their families is yet another component of justice. So is demanding and expecting the prevention of future deaths from asbestos and other industrial toxins in the name and memory of those who have already lost their lives. To heal this situation, active compassion must be guided by justice.

Putting money ahead of people, the long-held position of the SECV and most state governments over the years, created the problem and set the pattern for neglecting the people. This is our long experience with a few important exceptions. In 1979 the SECV, under a liberal government led by Lindsay Thompson, acknowledged the situation and started taking action in co-operation with the people. The governments of Cain and Kirner continued and extended this commitment. But in 1992, the days of neglect and worse returned with the election of the Kennett government. In 2002, we ask the Bracks government 'how will you be recorded in the memory of our community: as actively compassionate and just? or putting money ahead of people and continuing the neglect?'

## FROM THE VALLEY VOICE TO A WHISPER

Our retiring member of parliaments voice was loud and clear on the asbestos issue in May, 1993 when he wrote in a local newspaper column that:

*"The second item of news was the publicity given to the asbestos related problems for so many people who worked in our older power stations in the Latrobe Valley. Families could also be affected by this killer material.*

*While I am surprised by the fairly negative reaction to this publicity by our community leaders, I have great sympathy for those families who have lost or who will lose a loved one due to asbestos.*

*We cannot pretend that it didn't happen and hope the problem will go away. What can and should happen is that we ensure there is a clear understanding of how and why the problem occurred and ensure it never happens again. I just happen to believe that people are more important than profits."*

Now when he really has the opportunity to make a difference his voice has become a whisper.

**QUOTE: PARLIAMENT AND YOU - BY KEITH HAMILTON MLA FOR MORWELL  
LATROBE VALLEY EXPRESS, MAY 1993**



**OFF**

# OUR SPECIAL THANK YOU LIST

**TO KATH PRUST & FAMILY  
FOR THEIR VERY GENEROUS  
DONATION ON BEHALF OF  
THEIR LATE HUSBAND & FATHER**

**TO FAY NEEDHAM & FAMILY  
FOR REQUESTING THAT MONEY  
DONATIONS BE MADE  
TO GARDS INC. IN ARNOLDS  
MEMORY**

**TO MAURICE, BLACKBURN & CASHMAN  
FOR THEIR GENEROUS DONATION  
TOWARDS OUR NEW BRANCH OFFICE  
AIR GARDS - MELBOURNE  
ALSO GAYE TREVAN WHO WAS  
INSTRUMENTAL IN GETTING THIS  
VERY GENEROUS DONATION**

**TO TREVOR WATSON, ROD Le LIEVRE  
& VICKI HAMILTON FOR THE WONDERFULLY  
DESIGNED LETTER HEAD AND ENVELOPES  
WITH OUR NEW LOGO ON IT. GREAT JOB  
GUY'S & GIRL.**

**TO CHERYL WRAGG FOR THE DONATION  
OF THE FRIDGE TO OUR OFFICE. WE CAN  
NOW HAVE A CUPPA ANYTIME.  
TO VICKI HAMILTON FOR THE CORDLESS  
JUG TO MAKE THOSE CUPPA'S WITH.**

## LEGAL LINE BY GAYE TREVAN

In November 2001 Barbara O'Shea, aged 50 and mother of three, first noticed that she was getting short of breath. Initially she was diagnosed with mesothelioma.

Barbara had not worked with asbestos. Her husband Lawrie, as a plumber regularly cut and handled asbestos cement flues used in the installation of gas appliances between 1975 and 1984. Barbara's contact with asbestos came through washing Lawrie's overalls and work clothing. Lawrie knew that asbestos was considered hazardous, but he had no idea that it could kill, nor that his work clothing was putting his family at risk.

Barbara issued a Writ against the State of Victoria, who took over the liabilities of the former Gas & Fuel Corporation who had employed Lawrie between 1975 and 1978. Amaca Pty Ltd (formerly known as James Hardie Pty Ltd) were also named as a Defendant to the proceeding as they had manufactured the asbestos flues he worked with, including while working as a self employed plumber. The basis of the claim was that the State of Victoria and Amaca Pty Ltd knew, or should have known that Lawrie's contact with the asbestos flues was not only risking his health, but also had the potential to contaminate his clothing, and thus put his family at risk of asbestos disease in the future.

As Barbara's health was deteriorating her evidence was recorded on video to be shown to a judge and jury at a later date. The Supreme Court ordered that her case be fixed for trial with priority, and it was listed for hearing on 29 July 2002.

On 26 July 2002 negotiations were taking place to try and resolve the case. However, as the State of Victoria and Amaca Pty Ltd would not agree to removal of a confidentiality clause, then Lawrie, to his credit, would not agree to settle despite his wife's fragile health.

Sadly, Barbara died on 27 July 2002.

Lawrie courageously stood by his principals and went to court on 29 July 2002. He could not agree to any settlement that would not allow him to talk about the circumstances of Barbara's asbestos exposure and her mesothelioma. Immediately prior to the commencement of the trial, and after further negotiations, the State of Victoria and Amaca Pty Ltd agreed to confine the confidentiality clause to the amount of settlement only. This enabled Lawrie to make public how incredibly dangerous asbestos is, and the sometimes tragic consequences of even minimal exposure.

Barbara's case was one of the first in Victoria to demonstrate the effectiveness of changes to legislation which enable people to be compensated for pain and suffering after death provided the claim has been commenced

during their lifetime. GARDS and others deserve to be applauded for their efforts and advocacy to ensure the implementation of this change.

The courage demonstrated by Barbara and Lawrie O'Shea is overwhelming. Lawrie hopes that by ensuring the case went public that others will appreciate the insidious nature of asbestos and that those who continue to come into contact with it take every possible precaution, and that future lives can be saved.

GARDS wishes to express their sincere sympathy to Lawrie and his family in their time of sorrow.

GARDS would also like to acknowledge that not all families receive public acknowledgement of their situation. To every family touched by asbestos our thoughts are with you.



Gaye Trevan is a GARDS member and volunteer. She is a Legal Executive with Maurice Blackburn and Cashman solicitors. If you need information or advice call Gaye on 96052729 or Free call 1800810812 or contact GARDS Inc. ph. 51281218

## PERPETUAL MEMORIAL—SPONSORED BY L.V. FUNERAL SERVICES

GARDS perpetual memorial honors loved ones afflicted by asbestos disease.

**It is open to all families, and there is no fee involved.**

If you would like your loved one to be remembered in the memorial, please call on Fay Ph. 51272038 or Doro-

thy on Ph. 51274174

**The GARDS perpetual memorial—a special community service sponsored by Latrobe Valley Funeral Services.**

GARDS has been very fortunate to have Mr John Leckey support this organization from its small beginnings. We value his support and thank him very much

very much for all he and his staff have done for us.

**THANK YOU SO MUCH**



# MANSLAUGHTER BILL DEFEATED

The article you are about to read first appeared in the I.D.S.A. Inc. News June, 2002. This article and the fate of the industrial manslaughter bill is highly relevant to our cause. We run this article for the interest of our readers.

The 'Crimes (Workplace Deaths and Serious Injuries) Bill', was recently rejected by the Legislative Council in the Victorian Parliament. This Legislation was previously passed in the Legislative Assembly, after amendments made by the Attorney General Hon. Rob Hulls and Independent member for Gippsland West. Hon. Susan Davies were accepted on 14th May 2002.

The challenge for the opposition was to come up with real and constructive amendments to the bill to assist the Government in reducing workplace deaths, but they've chosen to reject it outright, preferring to wait until the next election before announcing their own policy. We wait to see what eventuates.

This decision will disappoint many of the members of IDSA along with GARDS members. While the proposed legislation provided for penalties up to \$5 million for a company and up to \$180,000 and 5 years jail for individuals and management in cases of **gross negligence**, many of us feel that the threats of prosecution alone, would have assisted in achieving a heightened level in

awareness of safety in the workplace. No one wants to see anybody in jail, but the opposition, by blocking the passage of this legislation, are telling us that they are satisfied with the numbers of workplace deaths, which have consistently exceeded a level of over 30 each year, for more than a decade (**this number does not include the much higher number of deaths from industrial disease 'editors note'**).

Something needs to be done, no one should be sitting on their hands, we realize everyone should be responsible for themselves, but what about those who are ignorant of the workplace or the safety hazards. The only people who have knowledge of and the complete power and authority to do something in their workplace are the management. Make them take responsibility by making them fearful of the consequences.



# TRANSVID



Your precious video memories from fading away, put your Hi - 8, VHS or VHS-C tapes on to long lasting VCD'S (video disc) or DVD-R for future generations.

Super 8 film and 8mm film can also be transferred to disc

Act now before it's too late!

Phone Robbie at Transvid on 0418107139

Room 8, Latrobe Business Centre  
Darlimurla Avenue  
Newborough.



## NEWBOROUGH GRAPHICS AND SIGNS

Cars, boats, shops and general sign work.

contact Rod on 51262644



# NEW GARDS LOGO

As you may have noticed the front of the newsletter has had a change of face again. It now has the new GARDS logo.

Thanks to Trevor Watson from Skills on Line for creating this wonderful new logo. He has been working very hard on this project and our new web site. If you would like to see the web site just

go to [www.gards.org](http://www.gards.org)

If you have been to our offices in the last 2 weeks you would also have noticed our rather large signage which is located at the front entrance to Latrobe Business Centre.

You will start to notice this sign appearing all over.



Gippsland Asbestos Related Diseases Support Inc.

**GIPPSLAND ASBESTOS RELATED DISEASES SUPPORT INC.**

36-38 Darlimurra Avenue  
Newborough 3825

PO Box 111  
Moe  
VICTORIA 3825

Phone: 51281218  
Fax: 51273844  
Email: gards@datafast.net.au

[www.gards.org](http://www.gards.org)



Gippsland Asbestos Related Diseases Support Inc.

**GARDS Inc. SUPPORT**

Provides support & information to asbestos sufferers, their families & carers. This includes home visits by GARDS volunteers, a telephone advice service, & drop-in service at GARDS office. GARDS Inc. support also conducts a monthly meeting (1.30pm-3.30pm on the last Tuesday of the month) where guest presenters are invited to provide information about regional support services, and other areas of interest & assistance. The meetings also provide a gathering place for experiences. GARDS Support is open to anyone whose lives have been affected by asbestos & their families.

**GARDS Inc. ADVOCACY**

Is the organizational, activities & advocating arm of GARDS Inc. GARDS Advocacy meetings are 7.30pm-9.30pm on the third Tuesday evening of the month providing a focal point for information sharing, problem identification & campaign development. People interested in becoming active in GARDS Inc. ADVOCACY & have voting rights are required to take out GARDS membership & annual subscription. GARDS Inc. ADVOCACY is focused on improving health support services & compensation arrangements to asbestos sufferers, & their families, ensuring asbestos-related issues are kept in the public eye, & ridding our environment of asbestos.

**ABOUT G.A.R.D.S. INC.**

**EXECUTIVE**

**PRESIDENT:**

Lyle Seear Ph. 51671376

**VICE PRESIDENT:**

Trevor Callow Ph. 51342208

**SECRETARY:**

Cheryl Wragg Ph. 51273790

**ASSISTANT SECRETARY/  
TREASURER:**

Vicki Hamilton Ph. 51278219

**EXECUTIVE MEMBERS:**

Dorothy Roberts Ph. 51274174

Fay Needham Ph. 51272038

**GARDS MEMBERSHIP FEE:**

\$4.95

**GARDS ANNUAL FEE:**

\$11.00 (EMPLOYED)

\$2.75 (PENSION/CONG.)

**THE GARDS OFFICE IS OPEN**

**MONDAY:** 9.30AM-2.30PM

**TUESDAY:** 1.00PM-3.00PM

**WEDNESDAY:** By Appointment

**THURSDAY:** 12 NOON-3.00PM

Call in for a chat and cuppa

**GARDS SUPPORT MEETINGS:**

Last Tuesday of the month, 1.30pm-3.30pm

**GARDS ADVOCACY MEETINGS:**

3rd Tuesday evening of the month, 7.30pm-9.30pm

**UP AND COMING EVENTS**

**GARDS SUPPORT:**

**August:** Latrobe Valley Funeral Services - Mr. John Leckey

**September:** Dr. Harvey Miller - Family Therapist & Grief Counsellor

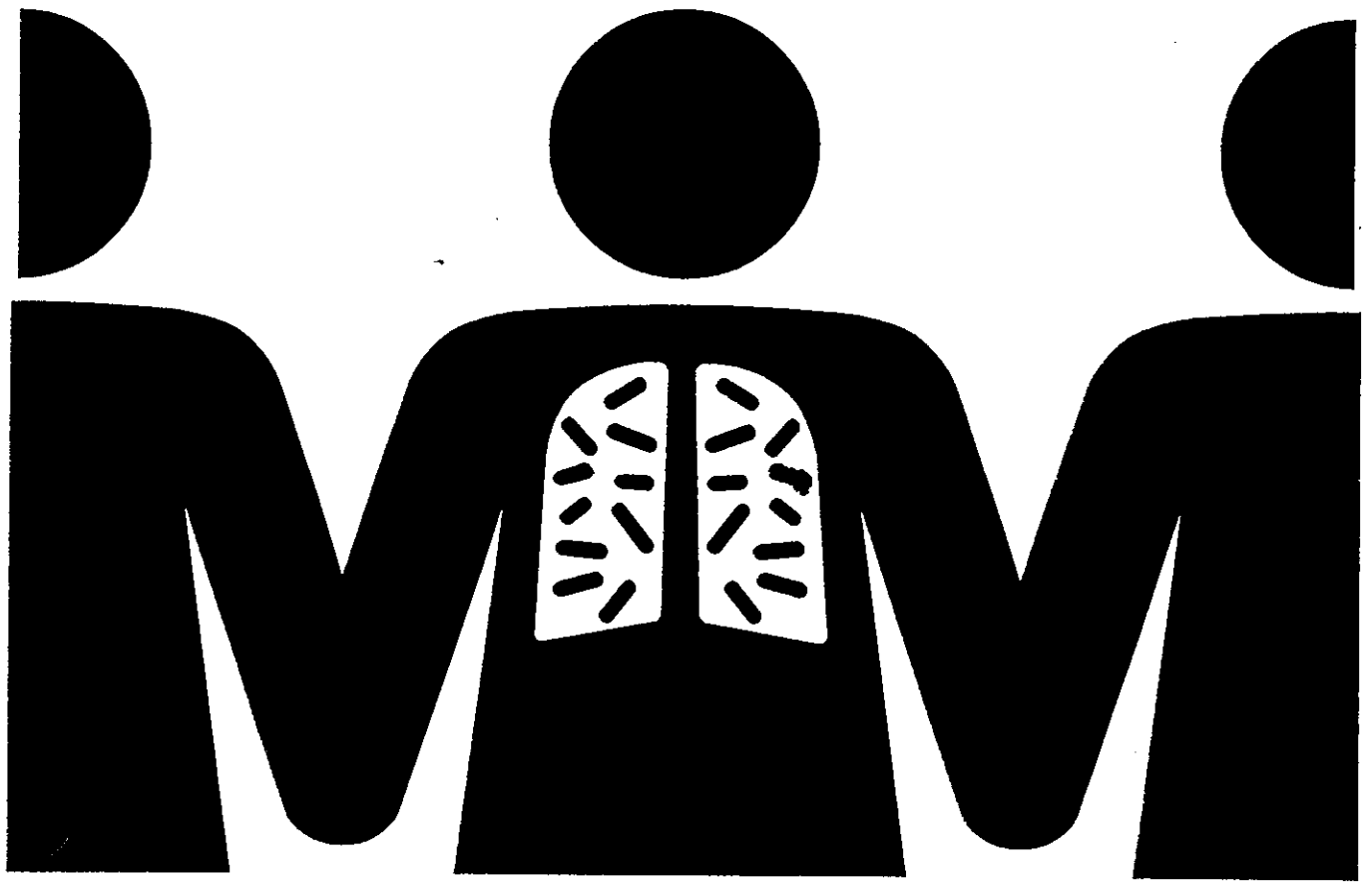
**October:** Karen Wetherman - Massage Therapist

**GARDS ADVOCACY:**

**August:** No speaker

**September:** To be announced





# **GARDS**

Gippsland Asbestos Related Diseases Support Inc.

---





# ASBESTOS NEWS



**Inside this issue:**

HOW TO FIND G.A.R.D.S. WEB SITE	2
G.A.R.D.S. LETTER HEAD	2
LEGAL LINE-GAYE TREVAN	2 & 3
ASBESTOS AWARENESS DAY	3
SPEAKERS OF INTEREST	3
G.A.R.D.S. NEWS ROUND UP	3
ALL ABOUT G.A.R.D.S.	4

## A.I.R. G.A.R.D.S IS NOW OPEN

Congratulations are the order of the day with the doors opening approximately 2 weeks ago on the A.I.R. G.A.R.D.S. office. (A.I.R. meaning-Asbestos Information Referral)

The office is situated at :

**Ross House, Level 2, Room 2,  
247 Flinders Lane, Melbourne.  
Telephone No. 03 96549555  
Fax No. 03 96503689**

The official opening of AIR GARDS will be on Monday the 25th of November between the hours of 11.00am and 12.00 noon to give everybody the opportunity to come and view the premises.

The office will be manned on Tuesdays between the hours of 10.00am—1.00pm .

Everyone is welcome to call in if you are in

the area and have a chat and cuppa during office hours.



**DID YOU KNOW**

THE QUEENSLAND ASBESTOS RELATED DISEASES SUPPORT SOCIETY ARE THE VERY PROUD OWNERS OF A LONG AWAITED "RESPITE HOUSE".

THIS BEING A FIRST IN AUSTRALIA. THE HOUSE IS AT THE MOMENT BEING RENOVATED AND THEY HOPE TO HAVE THE PREMIER OF QUEENSLAND DO THE OFFICIAL OPENING IN FEB/MARCH 2003.

GREAT WORK GUYS.

WELL DONE

### NOTICE OF G.A.R.D.S ANNUAL GENERAL MEETING

The G.A.R.D.S INC. Annual General meeting will be held on Sunday December the 8th. Time: 2.00pm.

The venue will be the G.A.R.D.S premises situated at Latrobe Business Centre, 36-38 Darlimurla Avenue, Newborough in the meeting room.

There will be no election of office bearers as the officers were elected for a 2 year period. However there are other items that need to be discussed. All G.A.R.D.S members and interested person are welcome to attend. Could you please bring a plate to

share for afternoon tea. For any further information please contact

Vicki Hamilton on Mobile 0407274173



## G.A.R.D.S WEB SITE

Our Web site ([www.gards.org](http://www.gards.org)) has been up for over two months now and has already had 134 visits with 638 pages viewed. Some people are still having difficulty finding the site using the Search button. Unfortunately the site is yet to be listed in search engines so to reach it, please follow the instructions below.



Type [www.gards.org](http://www.gards.org) into the Address box and press the Enter key

## NEW LETTER HEAD

G.A.R.D.S. now has its very own letter head. It has taken quite a few months to complete the lay out and design but it is now complete and at this very moment at the printers.

The lettering on the page will be in a Lilac/violet shade to match our web site. It has the location of both offices and telephone nos. as well as our PO Box, web site, email, fax and ABN no.

We would like to thank the following people for making this possible: Trevor Watson from Skills on line, Rod Le Lievre from Newborough Graphics, Pazzaz Printing, Trevor Callow and Vicki Hamilton. A job well done. It is wonderful to have people like this involved our organization.

## LEGAL LINE - GAYE TREVAN

In June 2002 Alan Morton, 72, was diagnosed with lung cancer. While Alan's local doctor told him that smoking was the likely cause, his specialist said that there was evidence of past asbestos exposure on the x-ray and that this probably also contributed to his illness.

Alan thought that there was nothing he could legally do. He had smoked for about 35 years, although he had given up 20 years ago, and a number of the companies where he came into contact with asbestos during his work as an electrician more than 30 years ago, had since gone out of business. Eventually, because of concern about what would happen to his wife after his death, Alan decided to inquire whether he did have any legal entitlements.

To his great surprise, Alan had a claim against his past employers, even though they had gone out of business, and, despite his smoking.

### DEREGISTERED COMPANIES

Most people are not aware that it is still possible to bring a claim against companies that have ceased to operate. Investigations are undertaken to identify who the workers compensation insurer was at the time the exposure occurred, and once that has been established, the company can be reinstated as a registered company and the claim can proceed just like any other. Solicitors experienced in asbestos

litigation will often keep records of the workers compensation insurers of companies, and are experienced in the necessary investigations and steps to be taken to enable defunct companies to be reinstated as registered.

### SMOKING, ASBESTOS & LUNG CANCER

Knowledge regarding the dangers associated with asbestos exposure can be shown to go back to at least the early 1900s and certainly by the 1950s, the increased incident of lung cancer in workers exposed to asbestos had been noted and recorded in medical and scientific journals.

While asbestos exposure alone is not a common cause of lung cancer, when it is coupled with a history of smoking, the risk of lung cancer developing is 50 times greater than that of non-smokers, and 5 times that of smokers without asbestos exposure. In other words, the combined effects of smoking and asbestos exposure are multiplicative and dramatically increase the risk of developing lung cancer.

Over the years, the courts have heard from various medical and scientific experts giving evidence about the role of asbestos in the development of lung cancer. Some sections of the medical profession continue to debate the extent of asbestos exposure for it to be said to have contributed toward lung cancer. However, the courts have accepted that there is no safe level of asbestos exposure known to ex-

## LEGAL LINE continued

When assessing the amount of compensation to someone who has been diagnosed with lung cancer who has been exposed to both smoking and asbestos, the courts will consider the medical evidence before them, as well as the level and extent of the exposure to each of the carcinogens. A discount will then be applied to the assessed compensation amount to take account of smoking.

### ALAN'S CASE

Not only was Alan surprised that he was actually able to make a claim, but also how little was required of him and how quickly it was resolved. Alan was seen at home so a statement could be taken about his work and asbestos exposure. About four months later the lawyers attended a

formal conference and following negotiations, his matter was settled out of court. Alan received more than \$130,000 in compensation, this amount being net of the 40% discount applied to take account of his smoking.

Alan was relieved with the outcome and the knowledge that his wife would be financially secure.

Alan's case demonstrates that it is possible to bring a claim for asbestos disease even if the asbestos exposure occurred many decades ago, the employer has since gone out of business, the asbestos exposure occurred with more than one employer, and where there is also a history of smoking.

## ASBESTOS AWARENESS DAY

We will be holding the annual Asbestos Awareness Day on Friday 29th November at Moe Apex Park, Waterloo Road (next door to Moe Race course). A non denominational memorial service will take place to remember those whom we have already lost to this tragic and preventable disease and also to those that are still fighting the battle of asbestos.

Following the memorial service there will be a BBQ lunch, could you please BYO meat/food. Coffee and tea will be provided. This is a world wide day for all who have worked and been touched by asbestos in some way. Please feel free to bring family and friends along to this.

## SPEAKERS OF INTEREST

In our up and coming meetings we will have as guest speakers:

Support Group - 29th October - Karen Wetherman -  
Massage Therapist

26th November-Dr. Harvey Miller-  
Family Therapist & Grief  
Counsellor

**CHRISTMAS BREAK UP FOR BOTH GROUPS WILL BE ON TUESDAY 17TH OF DECEMBER. COMMENCING AT 4.00PM. BBQ. SAUSAGES WILL BE PROVIDED. PLEASE BRING A SALAD/DESSERT. BYO DRINKS**

## G.A.R.D.S. NEWS ROUND UP

GARDS have had to take out public liability insurance on the oxygen concentrators that we give out to afflicted asbestos sufferers free of charge. It was difficult for us to find someone to cover us with this insurance but we have taken out insurance through the Municipal Association of Victoria. We accessed this by the Community Insurance not for profit web site. As you would be well aware these public liability insurances are very expensive but this was the cheapest for community groups. It has put a considerable financial strain on our organization and we are looking to

some generous people or organizations to help us cover this cost. If you know anybody who would like to help our situation please let us know.

I have been asked to put a **big thank you** into our newsletter to Graeme Hamilton for keeping two of the GARDS executive cars on the road. You have done a great job and they are running wonderfully.



## GIPPSLAND ASBESTOS RELATED DISEASES SUPPORT INC.

36-38 Darlimuria Avenue  
Newborough 3825

PO Box 111  
Moe  
VICTORIA 3825

Phone: 51281218

Fax: 51273844

Email: [gards@datafast.net.au](mailto:gards@datafast.net.au)

[www.gards.org](http://www.gards.org)



# GARDS

Gippsland Asbestos Related Diseases Support Inc.

### GARDS Inc. SUPPORT

Provides support & information to asbestos sufferers, their families & carers.

This includes home visits by GARDS volunteers, a telephone advice service, & drop-in service at GARDS office. GARDS Inc. support also conducts a monthly meeting (1.30pm-3.30pm on the last Tuesday of the month) where guest presenters are invited to provide information about regional support services, and other areas of interest & assistance. The meetings also provide a gathering place for experiences. GARDS Support is open to anyone whose lives have been affected by asbestos, their families & general public.

### GARDS Inc. ADVOCACY

Is the organizational, activities & advocating arm of GARDS Inc.

GARDS Advocacy meetings are 7.30pm-9.30pm on the third Tuesday evening of the month providing a focal point for information sharing, problem identification & campaign development. People interested in becoming active in GARDS Inc. ADVOCACY & have voting rights are required to take out GARDS membership & annual subscription. GARDS Inc. ADVOCACY is focused on improving health support services & compensation arrangements to asbestos sufferers, & their families, ensuring asbestos-related issues are kept in the public eye, & ridding our environment of asbestos.

## ABOUT G.A.R.D.S. INC.

### EXECUTIVE

#### **PRESIDENT:**

Lyle Seear Ph. 51671376

#### **VICE PRESIDENT:**

Trevor Callow Ph. 51342208

#### **SECRETARY:**

Cheryl Wragg Ph. 51273790

#### **ASSISTANT SECRETARY/ TREASURER:**

Vicki Hamilton Ph. 51278219

#### **EXECUTIVE MEMBERS:**

Dorothy Roberts Ph. 51274174

Fay Needham Ph. 51272038

#### **GARDS MEMBERSHIP FEE:**

\$4.95

#### **GARDS ANNUAL FEE:**

\$11.00 (EMPLOYED)

\$2.75 (PENSION/CONC.)

### THE GARDS OFFICE IS OPEN

**MONDAY:** 9.30AM-2.30PM

**TUESDAY:** 1.00PM-3.00PM

**WEDNESDAY:** By Appointment

**THURSDAY:** 12 NOON-3.00PM

Call in for a chat and cuppa

### THE AIR GARDS OFFICE IS OPEN

**TUESDAY:** 10.00AM-1.00PM

Call in for a chat and cuppa

### GARDS SUPPORT MEETINGS:

Last Tuesday of the month, 1.30pm-3.30pm

### GARDS ADVOCACY MEETINGS:

3rd Tuesday evening of the month, 7.30pm-9.30pm

### UP AND COMING EVENTS

#### **GARDS SUPPORT:**

**October:** Karen Wetherman - Massage Therapist

**November:** Dr. Harvey Miller—Family Therapist & Grief Counsellor

**Christmas Break up for both groups will be on Tuesday 17th of December. Commencing at 4.00pm. BBQ. Sausages will be provided. Please bring a salad/dessert. BYO drinks.**

#### **GARDS ADVOCACY:**

**November:** To be announced

