



Newsletter

August-September 2014

"There For Our Members Whenever and Wherever They Need Us"

Welcome to this edition of our newsletter

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Serial asbestos dumper will be paying fines until 2072, a Sydney court hears

A contractor who dumped eight truckloads of hazardous waste containing asbestos on residential land could be paying off fines for similar offences beyond 2072, a Sydney court has heard.

Dib Hanna, 38, has dozens of criminal convictions and more than 20 fines for illegally dumping building material across Sydney. In 2013, he was given a three-month suspended jail sentence and good behaviour bond for contempt of a court order to stop illegally dumping hazardous material.

The waste removal contractor is paying off hundreds of thousands of dollars in fines at a rate of \$300 a month through the New South Wales Debt Recovery Office. It is estimated the fines will not be paid off until 2072, when Hanna is aged in his 90s.

Hanna on Wednesday faced the NSW Land and Environment Court to be sentenced for dumping 80 tonnes, or eight truckloads, of building material containing asbestos on a residential land site at Picnic Point over the 2012 Easter holidays. He broke into the site and dumped waste that included metal, glass and material containing asbestos.

The dumping was caught on CCTV cameras and Hanna later pleaded guilty to four charges. He told the court he could not recall where the material he dumped at Picnic Point came from. He said someone showed him where to put it but he could not remember who.

Hanna said he was only paid a few hundred dollars for each load of building waste he transported and tip fees absorbed most of that money. The contractor said he was "sorry" and that he had health issues related to a stroke last year. Hanna has 'Damascus-like conversion' in witness box

Prosecutor Michael Wright said Hanna's actions were brazen and deliberate, and the consequences for the land owners - a couple who planned to build on the land - were serious. He called for a strong deterrent, given Hanna's prior convictions for dumping and the public health risks of dumping asbestos.

"These offences were deliberate and opportunistic in nature," he said. "He has a very long history of offending." Mr Wright added: "He will be paying fines until 2072."

He noted that under current legislation in NSW, a jail sentence was not available for Hanna's Picnic Point dumping offences but he could be fined up to \$250,000.

Defence lawyer Stephen Stanton said Hanna had experienced a "Damascus-like conversion" in the witness box and was remorseful for his crimes. He called on the judge to "show mercy" and mentioned his client's serious health problems.

But Justice Brian Preston questioned if Hanna's remorse is genuine, noting that he kept reoffending. The judge reserved his decision to a later date.

Hanna made no comment outside court. (By court reporter Jamelle Wells)

Something to Ponder?

**A bus station is where a bus stops. A train station is where a train stops
at my desk I have a work station**



KATZ_KORNER

COLD DAY IN CANBERRA

On the 14 July I attended the Pguards one day seminar in Canberra. It was well attended from groups all around Australia. It was hosted by Senator Lisa Singh from Tasmania who is a great advocate for Asbestos Awareness.

Several other Senators popped in to see what was happening in between their sittings.

The meeting was informal and we discussed amongst ourselves as to what each group is hoping to achieve and how best we can do this.

The main topic was renovations and the younger generation due to the popularity of the DIY shows on the television. With so many people out of work they will be undertaking to do this themselves to save money.

Peter Tighe CEO from the Asbestos Safety and Eradication Agency spoke on what their aims are.

Some of the venues we have planned for 2014

Riverland Field Days 19-20th September, Port Augusta Expo on the 16th October and numerous other community places. Asbestos Victims Memorial Day on Friday 28th November

WHYALLA SUB BRANCH

John Arthur reports

Hi All,

The Whyalla Group has received an invitation from the Whyalla Pink Spirits 'Breast Cancer Support Group' to set up a display pertaining to relevant interests of asbestos.

The Whyalla Pink Spirits are hosting a Health & Lymphoedema Awareness Expo on Thursday November 6th at the Mount Laura Homestead Reception Building, Ekblom Street Whyalla Norrie, at 9.30am To 2.30pm.

The Key Note Speaker will be, Professor Neil Piller, Neil is a Lymphologist and Director of the Lymphoedema Research Unit at Flinders Medical Centre. The Whyalla A.V.A. Group hopes to see many members there.

Many of our members are on the sick list at this time, we hope to see you up and about soon.

Meeting Dates:

Third Thursday of each month

Venue:

87 Essington Lewis Ave, Whyalla. Phone: 8645 0555

PORT AUGUSTA SUB BRANCH

Geoff Maul reports

Hi,

This past month or so has been fairly quiet although we have had a number of enquiries regarding asbestos and the handling of it. If you know anyone who may need some advice please get them to contact us, Colleen & I are back from our trip to Townsville nice holiday but good to get back home.

Thanks to Garry and others who helped with group for the month

We invite anyone, who would like attend, to come along to our monthly meetings which are held on the

First Friday of each month.

Venue: Port Augusta Bowling Club, Corner Marryatt & Jervois Street. You can contact Geoff on 8642 2884.

Coming event to put in your diary, 2014 Positive Aging Expo Thursday 16th October starting at 10am to be held in the Port Augusta Central Oval Community & Sporting Hub

E-cigarettes??

Whilst browsing through the recent Lung Net Newsletter I came across this article I thought this is interesting as I have seen quite a few people using these things but they say they are not really smoking?

Lung Foundation Australia is strongly urging relevant government agencies to further regulate access to e-cigarette devices and components, nicotine-filled cartridges and non-nicotine cartridges.

Lung Foundation CEO, Heather Allan, said the Food and Drug Administration (FDA) in America had recently introduced new guidelines and called on the Australian government to follow suit.

“At the moment there is confusion around who, how and when people can buy or use e-cigarettes, with different rules and interpretations in different states, and we believe it is vital for the industry as a whole to work together to offer the best solution for all people,” Mrs Allan said. “Public perception that e-cigarettes are a ‘healthier’ alternative to smoking should not be misunderstood to mean they are ‘healthy’,” she said.

While there are fewer toxins in an e-cigarette than in traditional cigarettes, there are no long-term studies on the safety of e-cigarettes and concern has been expressed about the small particles inhaled when “vaping” and their health impact, particularly on youth.

“We simply don’t know enough about how they work and the possible risks or benefits at this stage, which is why we advocate a cautious, regulated approach to their use.”

Mrs Allan said that there was also not enough data to support recommending the use of e-cigarettes as an aide to quitting smoking. Research, as it stands now, shows the most effective way to quit smoking is to get ongoing support from a health professional, using a combination of counselling and medication. “This could change as more research is published on this subject.”

Thinking about this maybe they are saying,

If it looks like a DUCK and Quacks like a DUCK then ????

**YOUR SOCIAL MORNINGS**

These mornings are held in our rooms at Level 3 - 60 Waymouth Street Adelaide on the SECOND Wednesday of every month, starting at 10am, but early birds are welcome, and you can stay as long or as little as suits you.

They are not formal meetings, so that gives each of you an opportunity to meet with and talk to others who maybe in a similar situation.

Remember you are not alone.**Dates for 2014 Social Mornings**

September 10th, October 8th, November 12th, December 10th, 2014



FROM AVA's LEGAL ADVISOR ANNIE HOFFMAN

The "Third Wave" Victims of Asbestos

Unfortunately, in recent years, we have seen more and more "third wave" asbestos victims contracting mesothelioma. The third wave victim is the home handy man and renovator using or removing asbestos products.

In a recent "third wave" case, Turner Freeman partner, Tanya Segelov, obtained a landmark settlement on behalf of Stephen Wickham against Amaca Pty Limited (formerly James Hardie & Coy Pty Limited). Mr Wickham was exposed to asbestos as a result of home renovations carried out in Perth in 1994. 19 years later Mr Wickham was diagnosed with mesothelioma.



Mr Wickham brought a claim against James Hardie alleging that they should have warned him of the dangers of home handyman work in relation to their product. He argued James Hardie should have run a public awareness campaign educating the public in relation to how to identify their asbestos products in the home, and how to handle the products safely. In addition, evidence was called that suggested that James Hardie could have made an asbestos free product from the 1960s had it tried.

Mr Wickham's case ran for two days in the Dust Diseases Tribunal of NSW, after which the case settled for a confidential sum. Despite the fact that no judgment was delivered, the evidence called in the case will be extremely beneficial to the "third wave" of asbestos victims. It is these types of cases which reinforce the need to educate the public in relation to the dangers of exposure to asbestos so that future renovators can safely avoid exposure to asbestos dust.

Please Put This IMPORTANT Date In Your Diary NOW

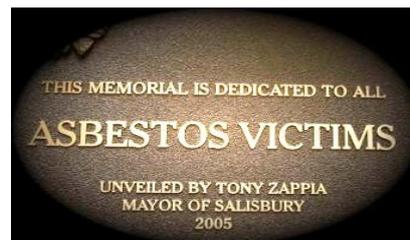
Asbestos Victims Memorial Day

DATE: Friday November 28th 2014

VENUE: Pitman Park SALISBURY

TIME: 10:30 am to 11:30 am

Speakers TBA



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