



ASBESTOS VICTIMS ASSOCIATION
(S.A. INC.) Est. 2000

Newsletter

June-July 2017

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

Welcome to this edition

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CHANGING of the GUARD

Due to health it is becoming more difficult to perform the work as President of Asbestos Victims Association. Kat Burge will be the new President, many of you know Kat is a strong and a very caring person.

I will continue working with AVA and as mentor for Kat so we will continue to fight for fairness and the best outcome for you.

Nothing really changes other than the contact number will go to Kat's MOBILE
So any contact you may make to us will go to Kat.

Peter Baxter has taken on the role as Vice President

This is a big job to take on but she is continually updating her skills and I will be there if she needs to bounce things off me.

Let me say it has been both heart breaking & rewarding with the achievements AVA has gained for victims.

Neve Sargeant with her Da Leo Ryan

Executive Committee

President

Kat Burge

Vice President

Peter Baxter

Office Manager/Treasurer

Pam Sandys

A V A Advisor

Terry Miller

Chairperson

Gloria Hinks

Events

Maxine Williams

Les West

Lesley Shears

Doreen Ryan

Rosanna Tepper

Tracy Dietrich



Leo passed away 22nd November, 2016 from epithelial mesothelioma.

Neve celebrated her 11th Birthday on The 8th April this year and asked her friends to donate to AVA in memory of her Da in lieu of gifts.

We aren't sure of how much she raised but her friend's and the families all thought it was a fabulous idea

MAXINELucindale Show 17th and 18th March

A very well attended show by the public and beautiful weather both days.

The AVA stand (diligently set up by Pete Baxter) displayed maps of areas where Asbestos is still being mined today, where Asbestos can be found in and around the home and work place also information on products being illegally imported into Australia today.

People interested were Farmers, particularly regarding renewal of irrigation pipes and how to go about it and disposing of Asbestos pipes.

Renovators, particularly the young ones who have purchased or inherited old homesteads.

A child of 12 digging around in back yard finding broken Asbestos pieces just under the top surface of the ground, where a old Asbestos building had been pulled down. (fortunately his family had educated him about the health dangers of it).

Pam did a great job handing out bi-folds with information in them. We were kept busy getting them ready for her **"Well done Pam"** showed your passion for getting the message out their to the public.

PAM's REPORTTradies Show - Friday to Sunday (26th - 28th May 2017 - Adelaide Showground.

AVA found this show to be the best one we've done at this venue.

From beginning to end, we were kept busy answering queries and handing out informative material.

We had many questions on the following:

- Many young people wanted to know about safe removal and disposal of asbestos.
- Others were interested in health related information.
- Some asked how they could report being exposed to asbestos.
- Still others asked about legalities or compensation.
- Identification was another topic of interest.
- Current issues, such importation and use of imported items containing asbestos.
- Too many told us about loved ones who had lost their life to an asbestos disease.

We also gave away many information bags and it was pleasing to see so many of the younger generatio asking about asbestos.

Asbestos around the Home

<http://www.avasa.asn.au>

There were many good comments regarding the VIDEO we have on our web site if you have not yet seen it please take a little time on the site and take a look the site

MEMBERSHIP 2017 /2018

Membership has fallen due again and again we have not made any increase it remains at **\$10.00 per year** and this go's toward postage.

Please continue your valued membership, It falls due **JULY 1st each year**

SPONSORS

AVA would also like to thank our much needed and valued sponsors and hope you will continue to sponsor AVA through 2017 / 2018 in our fight to look after victims.

AVA Applauds legal victory for victim of James Hardie products

The first-ever award of exemplary damages against James Hardie, in recognition of the reckless indifference the company showed to the lives of customers when they continued to knowingly sell deadly asbestos products, has set an exciting legal precedent that may benefit thousands of current and future asbestos victims, according to the Asbestos Victims Association S.A.

AVA S.A. President Kat Burge said the decision handed down this morning by the South Australian District Court, which included the largest compensation payout awarded to an asbestos victim in the state, was a significant win for everyone exposed to asbestos by James Hardie.

“To have a judge not only award a record compensation payout, but for the first time to include exemplary damages against AMACA (James Hardie) sends a significant message,” Ms Burge said.

“To have the courts say clearly that not only did James Hardie continue to sell products that they knew could kill people, but that this reckless disregard for human life was motivated by their ‘thirst for profit’ confirms the extent of their appalling corporate behaviour.”

District Court Judge Brian Gilchrist this morning ordered Amaca Pty Ltd, formerly known as James Hardie & Co Pty Ltd, to pay a total of \$1.062 million in compensation to 70-year-old Stonyfell man Anthony Latz after he contracted the incurable lung cancer mesothelioma as a result of inhaling asbestos fibres while constructing a fence with James Hardie asbestos cement sheeting.

Judge Gilchrist found James Hardie was well aware by the time that Mr Latz bought the product that it could kill him, yet they didn’t provide warnings or suggest safety precautions. He concluded that this reckless indifference for his life was motivated by James Hardie’s “thirst for profit which it valued ahead of his safety.”

Ms Burge said the decision would hopefully help the thousands of Australians who are expected to develop asbestos related diseases in the coming decades as a result of exposure to James Hardie products.

“The legal precedent set by this case is important for ensuring better compensation outcomes for current and future victims,” she said.

“I also hope that this case provides an important deterrent to any other companies that might be considering selling products that they know are dangerous, so the horrific legacy of asbestos is never again repeated.”

Kat also said “that while exemplary damages are part of the Dust Diseases Act 2005 not every claim would be eligible. Annie Hoffman from law firm Turner Freeman has handled claims like this one above the first against AMACA, but also against BHP

EXEMPLARY DAMAGES SA ASBESTOS VICTIM

On 26 May 2017 His Honour Judge Gilchrist of the District Court of South Australia handed down judgment in the matter of *Latz –v- Amaca Pty Limited (formerly James Hardie & Coy Pty Limited)*. Mr Latz was represented by Turner Freeman partner, Annie Hoffman. He was diagnosed with mesothelioma in October last year. He had previously been exposed to asbestos whilst building a fence using "Super Six"

The judgment is also significant as it is the first time that an award for exemplary damages pursuant to Section 9(2) of the *Dust Diseases Act* has ever been made against Amaca Pty Limited (formerly James Hardie & Coy Pty Limited). Section 9(2) of the *Dust Diseases Act* provides that a court should make an award of exemplary damages against a defendant who knew that the injured person was at risk of exposure to asbestos dust and also knew at the time of the exposure that exposure to asbestos dust could result in a dust disease.

The award of exemplary damages is significant as these damages are awarded not to compensate, but to punish the defendant for their conduct.

For further information on exemplary Damages speak to your legal representative

kat



**Kat & Pete prepare Tradies Show Friday to Sunday (26th - 28th May 2017
Adelaide Showground.**

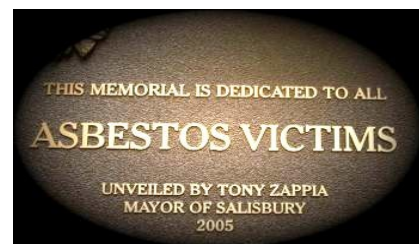
Asbestos Victims Memorial Day

DATE: Friday November 24th 2017

VENUE: Pitman Park SALIBURY

TIME: 10:30 am to 11:30 am

Speakers TBA



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