



# ASBESTOS BULLETIN

Newsletter of the Asbestos Relief Trust & the Kgalagadi Relief Trust



March 2010

## Heart & Lungs Removal Awareness Campaign Live on Air

The Asbestos Relief Trust (ART) and Kgalagadi Relief Trust's (KRT) heart and lung removal awareness campaign went live on air from 15 — 26 March 2010.

The main objective of this campaign was to create awareness around the importance and the right of former miners to a post mortem examination of their cardio-respiratory organs, provided for under the Occupational Diseases in Mines and Works Act.

The campaign took the form of Public Service Announcements (PSA), which have been translated into different languages.

The PSAs were broadcast on community radio stations which include: Unitra FM, Takalani FM, Alfred Nzo Radio (based in the Eastern Cape), Barber-ton Radio (based in Mpumalanga) and Greater LebowaKgomo (based in Lim-

popo).

Negotiations are currently underway to broadcast the PSAs in the Northern Cape.

As part of the campaign, representatives from the ART and KRT as well as the National Institute for Occupational Health (NIOH) (which performs the post mortems), are being interviewed on the campaign message. Interviewees include Ms Zodwa Ndlovu and Ms Julian Mthombeni from the NIOH and Sr Phemelo Magabanyane, the ART & KRT's Palliative Care Nurse.

Podcasts will be made available on our website [www.asbestostrust.co.za](http://www.asbestostrust.co.za).

For more information about heart and lungs removal contact the National Institute for Occupational Health (NIOH) on 011 712 6519.

### Asbestos Trust Statistics as at 28 February 2010

#### Total Number of Claim Enquiries Received

Asbestos Relief Trust Enquiries:	12,355
Kgalagadi Relief Trust Enquiries:	1,218
Dual (ART & KRT) Enquiries:	1,575
Environmental Claims:	285
<b>Total Enquiries:</b>	<b>15,433</b>

	Asbestos Relief Trust				Kgalagadi Relief Trust			
	Claims Paid		Pending Payments		Claims Paid		Pending Payments	
	No.	Amount	No.	Amount	No.	Amount	No.	Amount
ARD 1	2485	R98,098,939	125	R4,494,891	770	R26,395,401	48	R1,908,756
ARD 2	321	R25,845,947	11	R330,432	108	R7,261,202	8	R386,091
ARD 3	27	R5,831,320	6	R1,466,864	15	R2,493,471	5	R1,029,991
ARD 4	170	R61,926,231	6	R2,112,281	74	R24,669,603	2	R537,051
<b>Total</b>	<b>3003</b>	<b>R191,702,437</b>	<b>148</b>	<b>R8,404,468</b>	<b>967</b>	<b>R60,819,677</b>	<b>63</b>	<b>R3,861,890</b>

#### Interpreting the Statistics (Definitions)

- **Enquiries:** refers to the total number of individuals who seek to lodge a claim with either of the asbestos trust and will include individuals who may or may not meet all the criteria to lodge a claim.
- **Dual Enquiries:** refers to individuals who seek to lodge a claim with both the Asbestos and Kgalagadi Relief Trusts
- **Pending Payments:** refers to claims that have been approved for payment but not yet paid due to outstanding banking details and/or the signed Release and Discharge form.
- **ARD1:** means asbestos related pleural thickening and/or asbestosis with mild to moderate lung function impairment
- **ARD2:** means asbestos related pleural thickening and/or asbestosis, with severe lung function impairment
- **ARD3:** means asbestos related lung cancer
- **ARD4:** means mesothelioma

#### News in Brief

- **Cancer Charity Workers (CCW)** - 4th February 2010 was World Cancer Day. The CCW held a prayer hour for cancer victims in Kuruman.
- **SA'S Chernobyl** - Journalist Kevin Davie visits Penge and finds a town living in what has been described an environmental hazard. Source: Mail & Guardian March 19 to 25, 2010. For more information visit <http://www.mg.co.za/article/2010-03-19-precious-and-the-asbestos-dump>
- **Italian asbestos case** - defendant Eternit SpA's lawyers question the territorial legitimacy of the Court in Turin. The next public hearing was scheduled to take place on 22 March 2010. More information can be found on: <http://asbestosinthedock.ning.com/>
- **Norfolk Family in Asbestos Case Fight** - People who worked at a Norfolk Hospital more than 40 years ago are being sought by the family of a retired nurse who died from asbestos-related cancer. She worked as an auxiliary nurse at St Michael's Hospital in Aylsham from 1967 until 1970 where her husband was a boilerman. Her family is seeking her former work-mates who might have evidence of asbestos at the hospital in case a compensation claim can be done. <http://www.eveningnews24.co.uk/content/eveningnews24/norwich-news/story.aspx?brand=ENOnline&category=News&Brand=ENOnline&Category=news&itemid=NOED14%20Jan%202010%2009%3A54%3A04%3A543>
- **Wigan widow wins landmark legal ruling on asbestos case** - A widow from Wigan, United Kingdom, has won a landmark legal victory which challenged the "20 million fibre rule" and which it is believed will pave the way for thousands of victims of asbestos to claim compensation. Della Sabin lost her husband Leslie Sabin to asbestosis but she carried on the legal battle he started before his death. More information can be found on: [http://www.manchestereveningnews.co.uk/news/1193282\\_wigan\\_widow\\_wins\\_landmark\\_legal\\_ruling\\_on\\_asbestos\\_case](http://www.manchestereveningnews.co.uk/news/1193282_wigan_widow_wins_landmark_legal_ruling_on_asbestos_case)
- **Asbestos Violations in Florida** - in Florida, United States, inspectors of the Environmental Protection Agency were alerted to asbestos violations occurring during construction work on local housing condominiums. Following the investigation, four men have been indicated on federal charges with allegedly violating environmental protection laws, conspiracy and making false statements. All four men were involved in the construction work upper level management positions. For more info: <http://www.mesotheiloma-attorney.com/asbestos-news/Four-Men-Indicted-for-Asbestos->

## LOCAL NEWS

### Staff Interest



Sr Faieza Omar

### It is sad to say goodbye

The Cape Town Office together with the rest of the ART and KRT staff bid farewell to Sr Faieza Omar, Occupational Health Nurse, pictured above. Sr Omar made a superb contribution to the work, ethos and professionalism of the Trust over the past 5 years and she will be sorely missed. We wish her all the best for her future endeavors.

### Easter Horse Show

Both Lynette Byrne and Kerry Byerley were due to take part in this year's Easter Horse Show at the Kaylami Equestrian Park from 27 March 2010 to 5 April 2010. Lynette had to pull out due to her horse picking up an injury and Kerry's horse, Captain, tragically died on Tuesday 23 March.



Kerry Byerley on Cool Customer

### The Asbestos Interest Group takes their concerns to Kimberley

On 12 March 2010, the Asbestos Interest Group (AIG), a Northern Cape-based community asbestos advocacy group, held a march to the Premier of the Northern Cape's Office in Kimberley.

A memorandum was handed over to the Premier's representative, Mr Patrick Mabilo. The following key concerns were raised:

- Lack of community awareness of the dangerous of asbestos exposure;
- High levels of asbestos pollution in houses/schools/roads and abandoned mines and dumps;
- Inadequate healthcare facilities for all who live in areas polluted by asbestos;

- Collapse of heart and lung removal services which are essential for ODMWA claims, particularly in the Northern Cape;
- Lack of statutory compensation for environmentally exposed communities;
- Inadequate and delayed statutory compensation/benefits under ODMWA for former asbestos miners residing in South Africa.

According to the AIG it was a peaceful march with over 200 participants.

The AIG has demanded feedback within 21 days from the Premier.

### The United Kingdom's Ministry of Justice announces measures to support people who have been exposed to asbestos

On 25 February 2010 the Ministry of Justice announced the following measures:

- An extra-statutory scheme of fixed payments of £5 000 for individuals who had begun, but not resolved, a legal claim for compensation for pleural plaques at the time of the 27 October 2007 House of Lord's ruling.
- The creation of an Employer's Liability Tracing Office to help people who have developed an asbestos related disease trace the relevant insurer and obtain compensation.
- Increased upfront payments for mesothelioma sufferers and their dependants.
- A commitment to expand research in the area, including the establishment of an international network of medical practitioners.
- Consultation on a the creation of an Employer's Liability Insurance Bureau which will act as a fund of last resort for asbestos sufferers who cannot trace insurance records is currently underway.
- A working group of relevant parties to examine litigation practices and procedures for compensation claims relating to mesothelioma and to identify options for streamlining them in order to reduce the time taken to conclude cases.
- Consideration of changes to the law to clarify the limitation period to bring a claim for mesothelioma and to resolve differences in claims settled before or after death.
- Simplifying the process of bringing claims against insurers of companies which no longer exist.

<http://www.justice.gov.uk/news/newsrelease250210a.htm>

## INTERNATIONAL NEWS

### Protests Against Indian & Canadian Governments for Asbestos Use

New Delhi: Trade unions, human rights activists and workers demonstrated in front of FICCI House on 5 February 2010 and called upon the governments of India and Canada to halt the trade in white asbestos. They urged them to invest in addressing the occupational and safety concerns of workers and consumers using asbestos and ensuring compensation to all harmed by asbestos.

A joint letter was also sent to Dr Manmohan Singh, Prime Minister of India, calling upon him to immediately ban asbestos and ensure passage of the White Asbestos (Ban on Use and Import) Bill 2009 pending in Parliament.

Dr Singh and Quebec's visiting premier, Mr Jean Charest, were called upon to stand up to the powerful asbestos industry in both countries.

Trade unions and human rights activists requested Mr Charest to stop shipping chrysotile asbestos to India when his own government is spending millions of dollars to remove chrysotile asbestos from Quebec's schools, hospitals and buildings.

The speakers appealed to Mr Charest, who was on a trade mission promoting education and science and accompanied by Quebec university presidents, to respect Canada's tremendous human rights record and put people over profit and tell the truth about chrysotile asbestos.

Trade unions and human rights activists urged Dr Singh to face the truth that Quebec is exporting its public health tragedy to India even as it has stopped use of chrysotile asbestos in its own country.

The Indian government should recognise that in the face of declining use for asbestos in developed countries, corporate greed has forced a shift in asbestos trade toward developing countries.

The protestors sent a powerful message that their countries cannot be turned into global dumping grounds through transfer of hazardous industries and hazardous waste without regard for labour, human and environmental rights.

Source: [http://www.mynews.in/News/Indian\\_and\\_Canadian\\_Govt\\_betray\\_workers\\_by\\_opposing\\_a\\_ban\\_on\\_Asbestos\\_N37311.html](http://www.mynews.in/News/Indian_and_Canadian_Govt_betray_workers_by_opposing_a_ban_on_Asbestos_N37311.html)

### World Cancer Day Celebrated

**4 February World Cancer Day**, a day designated by the World Health Organization (WHO) during which individuals across the globe are invited to learn more about one of the leading causes of death worldwide. WHO and the International Union Against Cancer believe that at least 84 million people may die from cancer by the year 2015 unless intervention measures are taken.

The theme for 2010 was "Cancer Can Be Prevented Too". WHO recommends that people avoid smoking cigarettes and using tobacco products, adhere to a healthy diet and exercise plan, protect themselves from diseases that may lead to cancer and limit their intake of alcohol, among other precautions.

Certain forms of cancer, including some types of leukemia as well as mesothelioma, are considered to be quite rare but still contribute to the "global burden" of cancer. Mesothelioma is a fatal form of cancer that manifests in the lining of the lungs. About 2,500 people in the United States will be diagnosed with mesothelioma this year but thousands more worldwide will also face this disease. Attributed to exposure to asbestos, a natural occurring and carcinogenic mineral, mesothelioma has no cure and is particularly aggressive.

<http://www.transworldnews.com/NewsStory.aspx?id=170020&cal=10>

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The Editor welcomes contributions, comments and suggestions.

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