



COMMONWEALTH OF AUSTRALIA

Proof Committee Hansard

JOINT STANDING COMMITTEE ON FOREIGN AFFAIRS,
DEFENCE AND TRADE

DEFENCE SUBCOMMITTEE

Reference: Royal Australian Air Force F111 workers and their families

MONDAY, 28 JULY 2008

BRISBANE

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**JOINT STANDING COMMITTEE
ON FOREIGN AFFAIRS, DEFENCE AND TRADE**

Defence Subcommittee

Monday, 28 July 2008

Members: Senator Forshaw (*Chair*), Mr Hawker (*Deputy Chair*), Senators Arbib, Mark Bishop, Cormann, Ferguson, Fifield, Moore, O'Brien, Payne and Trood and Mr Baldwin, Mr Bevis, Mr Danby, Ms Annette Ellis, Mr Gibbons, Ms Grierson, Mr Hale, Mr Ian Macfarlane, Mrs Mirabella, Ms Parke, Ms Rea, Mr Ripoll, Mr Robb, Mr Robert, Mr Ruddock, Ms Saffin, Mr Bruce Scott, Mr Kelvin Thomson and Ms Vamvakinou

Defence Subcommittee members: Mr Bevis (*Chair*), Mr Baldwin (*Deputy Chair*), Senators Mark Bishop, Cormann, Fifield, Forshaw (*ex officio*), Payne, and Trood and Mr Gibbons, Ms Grierson, Mr Hale, Mr Hawker (*ex officio*), Mr Ian Macfarlane, Mrs Mirabella, Mr Robert, Ms Saffin, Mr Bruce Scott and Mr Kelvin Thomson

Members in attendance: Senators Mark Bishop and Forshaw and Mr Baldwin, Mr Bevis, Mr Hale, Mr Ian Macfarlane and Mr Robert

Terms of reference for the inquiry:

The committee will investigate and review claims for compensation from former F-111 deseal/reseal workers including the Commonwealth's response to the health and support needs of former F-111 deseal/reseal workers and their families. The Committee should ascertain whether the response was adequate, whether it was consistent with the findings of the Study of Health Outcomes in Aircraft Maintenance Personnel (SHOAMP) and whether the overall administration and handling of the program was adequate.

The Inquiry will consider the adequacy and equity of the Health Care Scheme in meeting the health and support needs of participants and their families and whether this was consistent with the SHOAMP findings. Matters to be considered will include, but not be limited to:

- The differences, and transitional arrangements, between the interim health scheme and the final Health Care Scheme;
- The timing of cessation of access to the Health Care Scheme;
- The range of treatment and health benefits provided under the Health Care Scheme;
- Whether the current Health Care Scheme is consistent with the range of treatment and health benefits available to persons under other Health Care Schemes;
- The adequacy of arrangements under the Health Care Scheme affected family members (including widows) or serving members; and
- If the Health Care Scheme is not considered to be an adequate response to the health and support needs of participants and their families, consider and report on possible alternatives that are considered to be adequate in light of the findings of SHOAMP and other Health Care Schemes.

The Inquiry will consider the adequacy and equity of the financial element of the Ex Gratia Scheme and whether it was consistent with (i) the findings of SHOAMP, (ii) the Health Care Scheme response (iii) the Tier definitions, and (iv) one off payments to other veteran groups. The Inquiry will consider, but not be limited to:

- Whether the lump sums available under the ex gratia scheme were appropriate;
- Whether the lump sums available were appropriate given the findings of the SHOAMP;
- Whether the lump sums, when considered along with the benefits available under the Health Care Scheme, were appropriate;
- Whether the lump sums available under the ex gratia scheme were appropriate, when considered along with the full range of benefits and compensation available under other Commonwealth or State statutory schemes;
- Whether the lump sums were consistent with the definitions of Tiers of participants;
- Whether the lump sums were consistent with other one-off payments made to veteran groups;
- When assessing the question of adequate remedies whether regard should be given to the establishment of a dedicated administrative assessment and settlement scheme, and

- If the lump sums available under the ex-gratia scheme are not considered to be financially adequate, discuss what compensatory payment would be appropriate in light of the SHOAMP findings, other one-off payments made to veteran groups, and the full range of benefits and compensation available under other Commonwealth and State statutory schemes or common law damages available under Australian law.

The Inquiry will consider whether the overall handling and administration of ex gratia and compensation claims was appropriate, timely and transparent for both participants and their families. The Inquiry will consider whether, but not be limited to:

- Cross agency cooperation was effective;
- The documentation and records held by both Agencies as they relate to deseal/reseal activities was adequate;
- The standard of evidence required to substantiate a claim was reasonable and, if not, whether alternative standards of proof may be used when making an eligibility determination;
- There has been equitable treatment of service personnel, public servants, civilian employees and contractors involved in deseal/reseal activities;
- Staffing resources were adequate to produce a timely result;
- There were unreasonable delays in the process, taking into account the complex nature of issues; and
- The overall handling and administration of ex gratia and compensation claims was appropriate and timely.

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Subcommittee met at 2.30 pm

CHAIR (Mr Bevis)—I declare open this public hearing of the parliamentary inquiry into the F111 deseal-reseal workers and their families by the Defence Subcommittee of the Joint Standing Committee on Foreign Affairs, Defence and Trade. I welcome all those who are here today. The committee will hear from a number of individuals this afternoon: Mr Ian Fraser, Mr Gerard Murray, Mr Phillip Moon, Mr Peter Flannery, Mr Barry Gray and Mr William Knilands.

It is customary in circumstances like this, where the media may be present, to also make the following statement, and I will make the same note I did when I did this a week ago in Canberra—it has worked wonderfully in the last 100 years of the Australian parliament and I am sure it will work equally well today. I refer the media who may be present at this hearing to the need to fairly and accurately report the proceedings of the committee.

Members of the public who are present at this hearing should be aware that these are formal proceedings of the Parliament of Australia and they should refrain from distracting witnesses or members of the committee during the deliberations. I seek your cooperation in that regard. Some of you will be aware that the committee took evidence in Canberra last week from the Department of Defence, from the Department of Veterans' Affairs and from the Commonwealth Ombudsman.

Earlier today the committee visited Amberley and had the opportunity to be briefed there and also to look at the F111 frames and fuel tank entry points and areas in which people were involved in these activities. Today and tomorrow the committee will be taking evidence from a range of people who were involved in various aspects of the deseal-reseal program. The evidence that we have been given in writing and which we will also be exploring in the hearings today and tomorrow is particularly important to the course of this inquiry. It provides an important opportunity for those who were involved, who have first-hand experience and who participated in the deseal-reseal program in its various guises and in different parts, to present their case in an open and transparent public hearing to the committee of the Parliament of Australia.

We regard this as an important part of our process in seeking to arrive at deliberations later this year. The terms of reference for the committee require us to provide a report to the parliament by the end of this year, and that of course will be a public report, which will be open for all to see, including all of our recommendations.

[2.34 pm]

FRASER, Mr Ian Raymond, President, F111 Deseal-Reseal Support Group Inc.

HENRY, Mrs Kathleen Mary, Vice-President, F11 Deseal-Reseal Support Group Inc.

CHAIR—Welcome. Do you have any comments to make on the capacity in which you appear?

Mr Fraser—I am here to represent those that are not here, but I am also a desealer and a victim of the process.

Mrs Henry—I am the widow of a 482 Squadron aircraft maintenance personnel.

CHAIR—Thank you for your introduction. I advise that, whilst the subcommittee does not require you to give your evidence today on oath, these are proceedings of the parliament and therefore have the same standing as proceedings of each of the respective houses. Witnesses should note that all answers to questions and additional comments should be directed to the committee. Any evidence provided here today is subject to the privileges of providing such evidence as required by the standing orders of the Senate. With those formalities done, I invite you to make any opening statements that you wish.

Mr Fraser—Thank you. I presented a submission which is on the public record. The thoughts behind that submission are to show where we have been in history and the cannon fodder attitude attached to the work that we did, leading obviously to the future and hopefully a good outcome. I do not know whether you want me to read that submission.

CHAIR—No. All members of the committee have got the written submission. I was not anticipating that you would read the text. I thought there may be some aspects in particular that you may wish to highlight or some additional information that you would want to give to the committee.

Mr Fraser—We have some additional information that we want to present from last Monday's evidence. You can just take my submission as written, and it is presented as a holistic view rather than a personal view of the problems that I have had. On Monday, DVA gave you some statistics, and I know you are a great fan of statistics after having read the transcript and watched the webcast. I got a few giggles from the webcast. Watching that while trying to do some work was an interesting juggle.

One of the things that DVA seem to be very good at is presenting statistics that do not mean a great deal. There is one core thing that DVA need to be asked, and that is: how many claims have they accepted that have resulted in zero compensation? The act under which those are accepted is the 1971 act. There are a good deal of desealers from program 1, who are generally the most ill, who have found themselves lumbered under this act where DVA have accepted their claims, and they can put that in statistics and say they have, but no compensation has been forthcoming

to those people under that acceptance. That is something I think you need to put to DVA and get some real-world numbers, not statistics. It goes to the core of the problem.

I am a group 1 desealer. I spent time in the tanks. I get a 90 per cent general rate pension, and my total compensation to date is about \$27,000, not counting the ex gratia payment, which is not compensation. On page 12 of 21 of the Defence submission they talk about the spray seal program, and I will read this:

The less rigorous spray seal program ran from 1996 to 1999. This process involved a basic clean and then a spray of sealant in the tanks with aircraft off-line for several weeks. While the chemicals were also relatively benign, the exposure to airborne particles of sealant exposed maintenance staff to a hazard. This program involved RAAF Personnel from 501 Wing (Fuel Tank Repair Section).

I suggest that Defence did not read their BOI. A report by Dr Stefan Danik presented to the BOI rates the spray seal program's chemicals as toxic as SR51. I am not sure where Defence was going with that one, but certainly they are not playing with a full deck.

Mrs Henry—They classed them as high-risk rankings—nine out of a possible nine—the SR51 and the MMS425 primer, the PR2911 sealant, all of which were employed during the spray seal program.

Mr Fraser—Yes, we found it odd that they would call the chemicals relatively benign when there is evidence to suggest that that is not true. Page 13 of 21:

Defence acknowledged the Inquiry finding that there had been serious shortcomings in safety management concerning F-111 fuel tank maintenance. The Deseal/Reseal programs were found to have exposed maintenance staff to toxic chemicals of various sorts and combinations which had caused, *'long-term damage to their health'*. In short, F-111 fuel tank maintenance staff had been badly let down.

The question to me is: why are we here if they acknowledge this? For the last 10 years I have been fighting and I sit here. Why? It is acknowledged. I found that surprising in evidence.

The effects on families from the chemicals associated with the deseal-reseal process remains an issue. There was no evidence found during the health study of any association between deseal-reseal exposure and miscarriage or stillbirths, but the original concerns could not be addressed during SHOAMP. A study was commissioned into the spouses. This was a psychological study.

Mrs Henry—Ethics committee approved and done by the university in Perth.

Mr Fraser—The results of that study were handed back to Air Force and handed back to DVA some two years ago. This report does indicate concerns in outcomes for families. RAAF and DVA have not acted on these and there is a continuing failure of duty of care to our community by that inaction. When we were planning for SHOAMP, I sat on the SHOAMP committee and attended all but one meeting of that committee. During that, we had the second meeting of the

consultative forum for the health study of personnel involved in F111 fuel tank deseal-reseal program. Curiously, that committee had a name change from meeting No. 7:

Mr Fraser raised a number of issues that related to the spouses, partners and/or children of personnel involved in the deseal-reseal program. Essentially the issues raised were: what is the rationale for including children in the health study? What entitlements are available to dependents under DVA's legislation? Will spouses be included in the examinations and do precedents exist that extend to entitlements for spouses?

Mr Maxwell provided the following responses to the issues raised:

In initiating the health study through the board of inquiry, RAAF had requested that children be included.

That did not happen:

The nature of concerns raised to date suggests that it would be prudent to take this course of action. It was DVA's intention to ensure that the processes relating to this are as unobtrusive as possible. In part, the process will entail the inclusion of a questionnaire in general about reportable birth defects in children. The responses will be examined against the Australian Institute of Health and Welfare.

This goes on for several responses. We do not ask for that to happen. As a group, the wellbeing of our wives and children is core and important to us, and it has been ignored. It was promised and did not happen.

CHAIR—Are you reading that from some SHOAMP—

Mr Fraser—Committee meetings, yes. That is the second.

CHAIR—If you are able to provide us a copy, that would be useful.

Mr Fraser—I have a full copy of those minutes on my computer here, but I am sure the department can get those minutes for you. There should be a full history of all those meeting minutes.

CHAIR—If it is agreeable to you, we will accept that as an exhibit for the purposes of our inquiry.

Mr Fraser—Certainly.

CHAIR—Thanks.

Mr Fraser—There is a bit more in that, but you certainly understand where I am going with that. From the board of inquiry, volume 2, chapter 6: this particular piece of evidence relates to issues surrounding the ex gratia. It was identified that the 482 Squadron workers during the BOI had met a lot of the criteria and had spent as much time in the tanks as many of the core desealers had; again, evidence from the BOI supporting their position and all of a sudden after the BOI, their positions have been reversed and they have been excluded.

Mrs Henry—Report of the board, volume 2, chapter 6, page 77, Extent of the problem, 6.3:

The catalyst for the RAAF wings Deseal/Reseal program was a defect report raised by 482SQN in July 1981. The nature of the defect was described as: 'During the past three to four years, the incidence of fuel leaks from F-111C wing tanks has increased in frequency. This Defect Report is raised to highlight the increasing maintenance effort being expended on repairing wing tank fuel leaks. Wing tank leak repairs can require expenditure of anywhere between a few manhours and, in the worst case, hundreds of manhours. The net result of the increasing incidence of wing tank fuel leaks is increasing expenditure of manhours and decreasing on-line availability of the F-111 aircraft.'

Then the next section is the 482 Squadron recommendation that 3AD be tasked to carry out a prototype investigation deseal of one set of wings. That was raised in 1981 and the wings program started in 1986, so it shows there that it was a problem and had been for three to four years.

It meant that a lot of time and effort was being expended by 482 Squadron personnel in keeping the entire fleet serviceable when the wings were all delaminating. They continued to do so for another five years after that until the program started. This is also from the board of inquiry and it shows that it was an ongoing problem for 482 Squadron personnel. They do meet the criteria just because they were handling 23 to 24 aircraft constantly. By just after 1981, we got the D models, so that added to it as well.

Mr Fraser—From the evidence given on Monday, 21 July—the reference to that is FAD8 Joint—a question from Mr Baldwin:

What was known about all the different chemicals—SR51, SR51A ...

The list of chemicals from that question, and the response from Air Vice Marshal Brown was:

It changed over time. When the chemicals were first used the Air Force went to people to find out whether they were safe to use. The initial thoughts were that they were. Subsequently, it was found out that there was toxic—

In the evidence that we submitted to you is a document dated 16 August 1967:

Nearly all the cleaning and sealing chemicals used on materials are toxic and/or inflammable: 1967.

Let me suggest to you that Defence knew that these things were very toxic. This is one of their own documents from the aircraft manufacturer. We open ourselves to questions.

Mrs Henry—No, there is more.

Mr Fraser—I apologise. There is Kathleen's folder. We had a meeting on Saturday and went over these things. I apologise for that.

Mrs Henry—Just going through Defence's comments on their presentation to the committee, there are only three more points where we would like to assist you with clarification. The third cancer and mortality study: at the QUEST meetings with DVA in Brisbane in September 07, I raised this issue of when it was being done. We were advised in the minutes that the study had been done and it was under review and that they would have more information for me in December 2007. They did. They said it was currently in printing and would be released and sent out to all of us in March 2008. We still have not seen it.

Mr Fraser—The study that they spoke about in evidence is the second study.

Mrs Henry—This is the third study.

Mr Fraser—So the third study did exist and does exist but, for some reason, has not been made public.

CHAIR—I would expect that we will be having a further session with Defence and DVA, so we will explore that, along with a range of other things that may come up today and tomorrow. We can clarify it then, but I appreciate your drawing that to our attention.

Mr Fraser—On the subject of studies, we would like that spouses study tabled.

Mrs Henry—And we would like our results, as spouses.

CHAIR—It might be an appropriate time, if you have concluded your opening remarks, for me to invite members of the committee.

Mr Fraser—Kathleen had one other point.

Mrs Henry—One last one, sorry; some actual figures: Mr Forshaw asked questions about the ages and the break-up of ages for the desealers.

Senator FORSHAW—Yes.

Mrs Henry—This is a presentation made by Dr Keith Horsley at the second SHOAMP consultative group. I will also give this to you. He did a full presentation on what they expected the health study to do. In that, he provided good statistics that answer your question. The first one is the analysis of the board of inquiry list. There are 859 males, 23 females, not 460; 816 RAAF, 63 civilians; oldest born in 1928, youngest born in 1979. They also have a graph of all the years of birth there for you and the break-up of all the people in the programs, the numbers in all the programs. Where are they now? Dead, 10; overseas, 37; Australia, 711; unknown, 121.

Mr Fraser—Those figures are out of date on death, obviously.

Mrs Henry—And where they are by state and where they are by overseas country, and the full things that were to be done in the study—the mortality study, the cancer incidence, multiple sclerosis, motor neurone disease, neurological/psychological examination, general medical examination, birth defects and cancer in children. That was all part of the presentation of what the health study was going to do. Out of that list I just read, they only did two of them.

CHAIR—When was that presented to you?

Mrs Henry—That was March 2001.

Mr Fraser—So the department had those full statistics and somehow along the way those statistics have changed in evidence.

Senator FORSHAW—I did not realise it was such a good question I asked.

Mrs Henry—It saves Defence doing it.

Senator FORSHAW—My recollection was that they said they would have to take it on notice.

Mr Fraser—There is your answer, sir.

Senator FORSHAW—Thank you very much. Could we have that document tabled?

CHAIR—That is presented as an exhibit for the inquiry.

Mr ROBERT—You indicated you were looking for the release of the health report on families. When was that report actually commissioned and done?

Mrs Henry—The health report on spouses was a psychological study that was done by the university. Dr Leonie Coxon a forensic psychologist was in charge of it and the RAAF organised it three or four years ago.

Mr ROBERT—When did they indicate to you that it would be reported upon?

Mrs Henry—Would be reported upon? They have not.

Mr Fraser—Part of the problem facing that is that we could not get a cohort for comparison purposes and the doctor ended up going to the community and using community based information to complete the report. We had not even been aware that the report had been completed. We only found out by accident.

Mr ROBERT—Mr Fraser, on the last page of your evidence, page 4, in the bottom paragraph, you finish off by asking for the awarding of:

... a fair, just and equitable compensation package to our members and the widows of deceased members which reflects and acknowledges the scope of not only the contamination and it's effect ...

What do you believe is a fair, just and equitable compensation package?

Mr Fraser—How do you put a price on somebody losing their husband, losing their life, losing promotion prospects and a career? I suppose if you take historical examples, like Bernie, the—

Mr ROBERT—Bernie Banton?

Mrs Henry—The asbestosis campaigner.

Mr Fraser—Yes. He received \$800,000 prior to his death and I believe there was a similar amount on his death; but it is hard to put a value on the life of a loved one. The statutory

schemes go nowhere near addressing that, never have, and I do not envisage they ever will. What we face here is a unique situation in the way that the damage was done and the way it was carried to the spouses. In operational exposures while guys were overseas—for example, in the case of Agent Orange—they were exposed, but there was a broad separation period between that exposure and being with their spouses again. Unfortunately, we carried these contaminations back with us daily.

Mr BALDWIN—Can I just ask you to expand on that. When you say you carried the contaminants back, are you saying you carried them back on your body?

Mr Fraser—Within your body, sir. What would happen is, particularly when you were doing what was called the water pick phase, which was directly after the chemical deseal; whilst you were operating this water pick, you would hit puddles of SR51 trapped under the sealant. The safety equipment was inadequate and you would get the SR51 all over you. Over a period of time, it would leach back out of your skin and you would have a yellow halo on your bedding from these chemicals leaching back out. So, whilst you were doing this job and you were going home every afternoon, these chemicals went home with you.

Mr BALDWIN—What year were you involved in the deseal-reseal program?

Mr Fraser—I was there in 1981 and 1982. I might note that I am also an aircraft engine fitter by trade and it was unusual for us to be there; the nature of the work dictated that they shared the load around the various trades, and airframe fitters and engine fitters were the primary trades selected to do it.

Mr BALDWIN—What personal protection equipment were they providing you in 1981-82?

Mr Fraser—Depending on the process again, we had half-face respirators, white cotton overalls.

Mr IAN MACFARLANE—When you say respirator, you do not mean fresh air? You mean a cartridge type filter?

Mr Fraser—A cartridge type filter when we were doing hand pick or cleaning or resealing. With the water pick phase, we had a supplied air device, but we still only wore white cotton overalls in there, so as you hit these puddles of toxic chemicals, you would wear them and they would soak into your skin and be stuck on the overalls.

Mr BALDWIN—How long would you be wearing those overalls with the SR51 on?

Mr Fraser—I am just trying to remember how long you would spend in the tank, doing the water pick. It is a long time ago. I cannot rightly recall how long, but it was certainly long enough to be standing in the tank operating the water pick.

Mr BALDWIN—Did you get to change overalls a couple of times of day or a shift?

Mr Fraser—As soon as you came out of the tank, because you smelt so bad, the first place you headed was the shower.

Mr BALDWIN—How long were you spending in the tank?

Mr Fraser—I seem to recall about an hour in the tank doing water pick. It was physically demanding work that this water pick did. I do not know whether they showed you the water pick in operation today, but this thing creates 32,000 psi pressure through a 10 thou' hole and it is like handling a jackhammer in a kitchen cupboard at times.

Mr BALDWIN—You said you were on a 90 per cent pension and you received \$27,000 in compensation. What personal effects did you suffer from being involved in the desal-reseal program?

Mr Fraser—I retired after 20 years and 17 days as a corporal, so my promotion prospects were destroyed. I have suffered lung damage. I tend to be a bit self-destructive in my employment. The effects that I had in the Air Force with insubordination and generally mood issues have continued through into my civilian employment. It is a struggle from day to day dealing with that. With the lung issue, it takes away a lot of the enjoyment of life that I participate in. I am an avid landscape photographer and I enjoy bushwalking to do that, and it limits the scope of what I can do. I still try to do it, but it takes me weeks to recover from a good bushwalk.

My family life is a juggle of indifference, I suppose is the best way to put it. I have an inability to go to public events with my children because there are too many people. I just cannot go anywhere where I am enclosed or in crowds.

Mr BALDWIN—During your period on the program, with the protective equipment that was provided, did you witness people who stepped outside of that and did not wear the protective equipment?

Mr Fraser—There were times when you could not. I was one of those. After you look into the fuel tanks today, you can imagine that if you are working up into one of the tight voids in the fuel tank, if you have this respirator sitting here, you physically cannot see the work you are doing. The direction was just to get on with the job and do it.

Mr BALDWIN—Did your supervisors bring you to attention for not wearing the personal protective equipment?

Mr Fraser—We were directed not to wear it at times just to get the job done.

Mr BALDWIN—I want to be clear on that. You were directed not to wear personal protection equipment at times?

Mr Fraser—When you could not see what you were doing, because you would go, 'I just can't see it,' and you were told to just get in there and do the job.

Mr ROBERT—Mr Fraser, with the air pumped into the face mask itself, we heard from Boeing this morning that in the desal-reseal from the last 18 months they encountered previous problems, whereby chemicals were leaching into the hoses to the point where, speaking to one of the corporals this morning, he could actually snap the hose in half. They were facing an issue

whereby the chemicals were leaching in and therefore the air that was being pumped in was, indeed, toxic or noxious or both. Did you face any of those issues with the pumping of the air into the face mask in the PPE—that is, were there any issues of chemicals leaching into the rubber air hoses or the like?

Mr Fraser—I do not know whether they tested SR51, because obviously it is a compound that does not exist nowadays. I know that in the process of the BOI they did test the spray seal chemicals to check whether they got through the air lines, and that is where that evidence came from. They showed that it did. Our air lines were in coils on the floor in the tanks. I would imagine, if the chemical seeped through the later hoses, it would seep through the hoses that we used in the eighties.

Mr HALE—Mr Fraser, thank you for your evidence. You spoke about the children of victims of this. Does the support group have numbers of children that are possibly affected going forward?

Mr Fraser—If you talk to any families, we all have children that have strange illnesses. My daughter is one of those. Other people have children that have problems. For us, it is anecdotal. We talk to each other and, as a cohort, we all seem to have problem children, which is why, when SHOAMP was being planned, we were very keen for a study into our children.

CHAIR—You mentioned some concerns you have about the SHOAMP report not going to investigate things that it should have or that it had indicated it would and then did not. In terms of what it actually did, are there issues that you have with the findings of the SHOAMP report itself insofar as it looked at certain things? I appreciate you have concerns that it did not look at others that you wanted it to but, of those things it looked at, do you have a view about that?

Mr Fraser—They seemed to take the results from SHOAMP as gospel rather than the whole issue and they only studied a very narrow group of conditions in SHOAMP. As soon as the SHOAMP results were released, that is where they put their narrow focus on acceptance or rejection of the claims. As you are well aware, the members are suffering from thousands of conditions, which I accept would be very difficult to study in any health study, but the department deciding that this is the core acceptance and rejection criteria from the health study I think is very flawed, given the scope of problems that our people face.

CHAIR—In passing, you mentioned the ex gratia payment. I wonder, as one of the people who worked in the program, how do you see the ex gratia payment? What is it for and how do you think your old workmates and colleagues see it?

Mr Fraser—My personal opinion of the ex gratia payment was that it was a distraction by the department, to distract us from the core issues. Certainly there are some very core issues around this program, and the ex gratia payment popped up and suddenly it became the centre of the issues. As far as it goes, the opinion is that it is inadequate. The way that they worked out who was going to get it was that it was based on the conditions that we worked in—not necessarily to the exclusion of people, but certainly a recognition of the conditions—but certainly in monetary terms it was nowhere near being appropriate for the conditions in which we worked and for what we became. We essentially became social pariahs within our own community.

Senator FORSHAW—The other day I asked, and a number of other members asked, questions about what this payment was intended for from the Defence point of view as distinct from how those that received it viewed it. We were told that payments or allowances were made specifically for this work in confined spaces. Can you confirm that?

Mr Fraser—Yes. We were paid a confined spaces allowance. That was something that would appear on our pay records. We had to meet specific criteria to get a day of tank allowance paid, and I cannot rightly remember what that was but it was a minimum amount of time in the tanks per day and they had some sort of roll that was produced that went off to pay section.

Senator FORSHAW—What about for handling chemicals or working with chemicals?

Mr Fraser—No, it was purely a confined spaces allowance that was paid for working inside the fuel tanks.

Senator FORSHAW—When these ex gratia payments were being made, what was your understanding of what it was for? Was it just, as you said, a distraction—'Here's an amount of money. Hopefully this puts an end to the issue'—or something like that?

Mr Fraser—Yes, maybe there was some of that. I saw it as an attempt at an apology to the people who had been forced to work under those conditions. I do not know whether it was ever going to shut us up. Anybody that knows us and that sat with us and had meetings with us knows that we are rarely shut up. I really did not understand why this ex gratia payment came out. Maybe it was an effort to try and do something, but it was certainly underdone.

CHAIR—Both private contractors and RAAF personnel have been involved in this program, and there are different laws relating to both. Indeed, there are different laws relating to the RAAF personnel because of the time frames we are talking about. Do you have any thoughts or advice that you want to give the committee about how those different groups of people should be considered?

Mr Fraser—I think we all need to be considered equally, and that is the problem that we face today. Military people are treated across different acts differently. Civilians are treated differently. What we need is a response that treats everybody with equity. It is simply something that we have asked for every time: we want to be treated as a group, regardless of whether we wore a uniform or did not wear a uniform, and regardless of whatever act we unfortunately ended up under because of the apparent onset of our injury. I would like the committee to seriously consider a holistic encompassing system that sees everybody treated fairly and justly.

Mr IAN MACFARLANE—Could I build on that, Mr Fraser. Are you saying that you would like the committee to consider a proposal whereby the issue of compensating was revisited to the highest common denominator?

Mr Fraser—Certainly, and not only compensation. One of the real issues that we face is health. Many of our members find themselves rejected for claims, so they currently have no access to health care. I am on a white card, but we all suffer from conditions that get no name. We all feel ill. We all suffer daily from things that nobody can diagnose. They have the healthcare scheme but it tends to be a mire to navigate. One of the things that I would propose

that would solve a lot of this multiple slotting of people is the simple issuing of a gold card so that we have direct access to health care and we do not have to dance around various schemes and find ourselves rejected because we put in a claim after September 2005. They know that some of these effects take many years to come into play.

Senator MARK BISHOP—Mr Fraser, following that line of questioning, do you suggest that compensation, whatever the quantum, and the health suggestion be linked to physical or mental disabilities or outcomes, or simply be linked to participation in the program? The reason I ask that question is that we have had evidence that some people who have had no physical or mental harm or disability at all to date have received an ex gratia payment.

Mr Fraser—Yes.

Senator MARK BISHOP—And other people who have participated in the program and have had a range of physical problems have not received any compensation. Would you care to respond?

Mr Fraser—It is curious. When you meet new people who think that they are not ill and do not suffer any conditions, you talk to them and they hear the things that others are going through, and they suddenly realise that they are looking at a mirror of their life. For example, the mood swings: everybody gets older and everybody gets grumpier, but the nature of the issues that many of the desealers are going through—even though they may not realise they are ill—are there and are quite severe, when they actually step back and go, ‘Oh, yeah.’ They do not understand. Some people are lucky. It is the survivor instinct or the survivor factor, I suppose, that they do not get ill. I am quite well off compared to some of my co-workers from deseal; some of them that I worked with are dead. So I suppose in those terms I suffer mild health effects.

It is difficult to judge how you would compensate for dying, to being very ill, to losing 20 years of your life. When you look at when our people are dying, they are dying about 20 years earlier than average. I think that is something that the committee should look at. I would certainly love to have an ex gratia retirement and travel this country but, based on the people that have gone before me, I would expect that I will not survive much past 55, and that is a simple fact of life for a group 1 desealer. How do you compensate for that?

Mr ROBERT—Mr Fraser, has the RAAF formally said, ‘Sorry’?

Mr Fraser—Not that I recall. I have talked to individual members of the RAAF who are certainly very sorry for what has occurred.

Mr ROBERT—Not individuals, sir, but the Royal Australian Air Force as an organisation?

Mr Fraser—I have never really recalled hearing the word ‘sorry’.

Mrs Henry—Angus did.

Mr Fraser—Angus did. Sorry. I do not have memory problems apparently but—

Mrs Henry—Sorry, I will take over from Ian. In a meeting at Amberley, the then Chief of Air Force Angus Houston did say that he was sorry. They have officially admitted blame as well, and that is in the board of inquiry. But, officially, I do not believe that there have been any letters of apology go out and I do not believe that there are any letters acknowledging their negligence.

Mr BALDWIN—I asked you earlier, Mr Fraser, about people and personal protective equipment and then being ordered to complete the job, whether or not they could wear the equipment. Are you aware of anybody who refused to go into the fuel tanks without the protective equipment?

Mr Fraser—You are looking at one.

Mr BALDWIN—What happened to you?

Mr Fraser—Basically threatened, coerced, disciplined.

Mr BALDWIN—By that you mean what?

Mr Fraser—In the end they blatantly had to order me into the tank: make it a direct order or threaten to lock me up in the cells. And it came to that on many occasions, with me being asked to enter the tanks.

Mr BALDWIN—So you lodged a protest about not being able to fit in there and undertake your job with the personal protective equipment. You complained to your senior officer. You were ordered to go into the tank under the threat of being locked up for disobeying an order, so you carried out the order.

Mr Fraser—Yes.

Mr BALDWIN—Did you make much of that to higher ranking officers at the time?

Mr Fraser—They did not care. I had a rather interesting period in the deseal-reseal section from when I arrived there. I came to deseal as an LAC and one who had been reported quite well by my superiors as an engine fitter. I turned up at deseal-reseal and, after a very short time, I became this angry, belligerent, hard to get on with, hard to lead, angry young man who questioned every order, argued order, and basically made a pain in the butt of myself every day that I was in deseal-reseal.

Mr BALDWIN—We have seen photographs of people working in the tanks, wearing nothing more than a T-shirt and a—

CHAIR—Pair of jeans.

Mr BALDWIN—pair of shorts; and hairy legs, in the photo that we saw. Was that common?

Mr Fraser—In the core deseal-reseal program that I was on, the general things that we wore were white cotton overalls which were just very thin white cotton, and you would put those on just so that when you were specifically in the sealant phase you did not get this black goo all

over your skin, because if you got it in your hair it was just a pain to get it out. But generally, yes, white cotton overalls.

Mr BALDWIN—When you were working with the various solvents and compounds, did it have an effect on your eyes while you were actually using it?

Mr Fraser—I would walk out of the tank high from—

Mr BALDWIN—No. Your eyes: did your eyes burn, swell?

Mr Fraser—Watering. You had safety goggles but sometimes the fume levels in the tanks would reach a point where, when you were working in the voids—when you looked at the tanks you could see up in the dark corners and in the voids—some of these were very difficult to work in and you would be spraying chemicals and, although we had air pumping through the tanks, you would have pockets of vaporised chemical trapped in these areas. You could certainly feel the effect of chemicals around you.

Mr BALDWIN—Through the period of the time that you were involved in it, did you have changes in the upper rankings above you that were running the program?

Mr Fraser—We had had a relatively stable NCO, senior NCO, structure in the time that I was there.

Mr BALDWIN—The question I am getting to is that, if there were changes in those superior to you, did they change their attitude towards ordering people into tanks without personal protective equipment?

Mr Fraser—No. I do not ever recall a change in attitude around that. The desire was to get the job done; just do the job.

Senator FORSHAW—You mentioned that a number of colleagues and workers have passed away. Are you able to tell us how many people unfortunately died and their death could be said to be clearly or reliably, I suppose, due to this exposure?

Mr Fraser—I am not a doctor and I cannot place a diagnosis on a death.

Senator FORSHAW—Yes, I appreciate the difficulty. What I am asking is: do you know, from being chairman of this group, of those people where the evidence would suggest that their death has been due—

Mr Fraser—The most recent would have been Kathleen's husband Allan. Prior to that—

Mrs Henry—Fred Stephens died a week before Allan.

Mr Fraser—Fred Stephens and Rob Solomons.

Mrs Henry—Rob Solomons in January.

Mr Fraser—Rob Solomons actually committed suicide.

Mrs Henry—There is another widow just behind me. Her husband died two years ago.

Senator FORSHAW—Has there been any attempt by the Defence Force or DVA or anyone, or has there been any medical evidence from those persons' doctors, to point to a link? I appreciate in a suicide situation it might be not as clear-cut.

Mr Fraser—Rob certainly, in the case of his suicide, had a number of problems. It just goes to the problems from desal-reseal that a lot of mental issues have occurred. I do not know why Rob committed suicide, I just know that he did. We do not have access to people's medical files to get a synopsis of why they died or post-mortem information. We just know that our guys are generally dying of cancer or suicide.

Senator FORSHAW—Earlier you referred to this third health study, which has not been published. Can you expand upon what that health study was. Are there any comments that you would like to make about whether you saw it as a properly based health study? As the chair said, we will all get a chance to ask the departmental officials further about these matters, but I was wondering if you wanted to put something on the record here now. You will recall, as you have read the *Hansard* of last week's hearings, there were some questions being asked about the methodology—sorry to raise statistics again—involved in the SHOAMP study, I think it was, where we were looking at the control group. I do not want to go over all that, but I am trying to give you the opportunity, if there is something you want to say about that third health study, to voice any concerns that you might have.

Mr Fraser—That would be the third cancer incidence and mortality study. Kathleen and I were actually part of SHOAMP when the second cancer incidence and mortality study was released and we knew, from our engagement in the SHOAMP process, that there would be a third study and we were given an approximate timing of two years after the second study. When that second study was released, it was a bit of an eye-opener for somebody that falls into that cohort to read that they are 50 or 60 per cent more likely to contract cancer. Some of the discussion in SHOAMP around that was that, yes, it was statistically significant but the balance and the things that doctors and committees like this talk about—

Senator FORSHAW—Like from one per cent to 1.5 per cent?

Mr Fraser—Yes.

Senator FORSHAW—We heard that the other day.

Mr Fraser—If one more person had died during that study period, then the statistics would have been well and truly bent over. By the time we had actually received the second cancer incidence and mortality study, we had how many more cancer deaths?

Mrs Henry—Twelve more cancer deaths.

Mr Fraser—That was after the second study.

CHAIR—Were they all from cancer?

Mrs Henry—Nine from cancer, three from suicide.

Senator FORSHAW—What is this third study?

Mr Fraser—It is the second cancer incidence and mortality study done on current data.

Senator FORSHAW—You mentioned the wives/spouses study. What was that, so we can distinguish between studies?

Mr Fraser—I will let Kathleen answer the question about the spouses study.

Mrs Henry—The spouses study was commissioned by the RAAF and paid for by the RAAF, and it was done to see what psychological harm had been caused to the wives and partners of the affected personnel. Originally the RAAF was going to find the cohort. They could not get a cohort, so they said to the support group, ‘Right, it’s your responsibility now,’ but we did not have the contacts. We put it in *Defence News*. However, their cohorts did not come up to do the comparison on it, so the University of Western Australia did it, as Ian said before, against the community figures and found very alarming statistics in the wives and partners.

Mr IAN MACFARLANE—That was only psychological; it wasn’t biological?

Mrs Henry—It was only psychological. No other testing has been done on the wives. A survey has not even been done on the children to see if there are any effects. Enlarging on that, every family that I spoke to has at least one child that has had rare genetic diseases that have never been in the family and that have suddenly started, or mental problems, learning difficulties, behavioural difficulties. This is a comparison with other children within the home that have all been raised the same way, and the other children are absolutely acceptable and normal and yet they have one that is totally off the rails and cannot be controlled. Even medication often does not control them.

Mr HALE—Mrs Henry, how old was your husband when he passed away?

Mrs Henry—Forty-nine.

Mr HALE—I am sorry for your loss.

Mrs Henry—Thank you.

Mr HALE—I would not have a clue about what happens at my place in relation to the running of the household—I am never there—but in regard to the comments Mr Fraser made about bringing the chemical home and the effects of the halo on the sheets and that sort of stuff, can you give us some sort of comment supporting the evidence that Mr Fraser gave.

Mrs Henry—Certainly. The guys would come home in their overalls, with their shorts and T-shirts underneath usually. Allan always took his boots off outside, and one of the kids would jump into them and start slopping around in these boots. You know, ‘Daddy’s boots are always

fun to walk around in,' but daddy's boots were soaked with the chemicals. Then he would come in, drop his overalls, go and have another shower and get changed, but before he did that he would always kiss me, kiss the kids, hug the kids, pick them up and swing them around. There was also the sweating. Many of us women also complained of the effects on us during intimacy. We had burning effects on us, which lasted 10 years after our partners were working there—several of us had the same complaint—because it was leaching out through the skin everywhere.

Mr HALE—Did he ever say to you that he could taste the chemicals in his mouth?

Mrs Henry—He never lost the taste, or the smell.

Mr ROBERT—Mr Fraser, in relation to the SHOAMP study, there were comments such as, the 50 per cent increase in cancer from the second cancer study was statistically not significant, I think was the result, which the committee has found a little odd to understand, but I am sure medical parlance surrounds it all. Where I come from, a 50 per cent increase is a whole heap significant. My understanding, sir, is that there are quite a number of desealers-resealers who did not want to be involved in the SHOAMP study. They chose not to be involved and did not want to be contacted, which therefore limited the size of the study. Is that correct?

Mr Fraser—We have this issue right to this day that we have a group of people who are significantly damaged, who were damaged by their work with the Air Force, and want nothing to do with the Air Force or people anywhere near the Air Force. I go through it myself, where some days I just do not want to leave the bed. You think, 'What's the day going to hold for me?' I am okay. I can eventually convince myself to go to work. But we get so many people that just cannot do that. They will not come to us, the support group, to help them and they certainly were not going to go to a study that involved Defence again. There is a real loss of trust after what had been done to them.

Mr ROBERT—How many were within the SHOAMP study?

Mrs Henry—It ended up being approximately 190.

Mr ROBERT—Let's say 190. How many chose not to be involved in the study?

Mrs Henry—We do not know.

Mr Fraser—That would be less the figure that Dr Horsley produced in his report. I think there were about 800 in that figure. So, yes, there were a significant number of people that just could not be bothered.

Mr ROBERT—There were about 600, give or take, that got the \$40,000 ex gratia payment. If we use that as a number, are you suggesting that as many as 400 people chose not to be involved in the SHOAMP study as were involved?

Mr Fraser—Yes.

CHAIR—Thank you both very much for providing us with your written submission and coming before the committee today. We appreciate that you provided us today with some

exhibits that will form part of the information of the committee. You will receive a draft transcript of today's proceedings and, should there be any matters that you think need to be altered, then you will be given the opportunity to make those minor adjustments. Once again, thank you for your evidence before us today, it has been most helpful and appreciated.

Mr Fraser—Can I make a statement in closing?

CHAIR—By all means.

Mr Fraser—To Mr Roberts' questions around the people who did not want to be involved, I would like to point out that mediation, if that becomes a solution for the committee at the end of the day, will be something that will not work for a great number of our members, because they just will not come forward for a mediation process because they have lost faith in the system. I would like the committee to consider that.

Mrs Henry—May I also add, too, that when the questionnaires came out for the health study they specifically asked, 'Did you work on SR51? If you didn't work with SR51 go to section H and we actually exclude you.' So a lot of personnel were excluded because they did not work using SR51.

CHAIR—In terms of defining who worked with it—and your comment then draws it to my attention—there are those people involved in the full-on deseal-reseal, there were people involved in the pick and patch, there were people involved in incinerating waste, there were people involved in clean-up. Do you have a view about where all that sits in relation to these matters?

Mr Fraser—All the chemicals used, regardless of the program, were toxic. SR51 is one of those things that tends to galvanise people and it was used for a short period of time in program 1. Yes, it was a foul chemical. You just cannot imagine the stench of it, and it is something that, for a lot of the people from earlier programs, they latch on to. But it was not just one chemical that caused these problems. It is the psychological effects of becoming an aircraft technician and then being told to go pick goop out of the fuel tank for a fixed period of time. I trained to be an aircraft technician, not an idiot with a dental pick spending endless hours picking goo off rivets. But we used a cocktail, not just single chemicals, and we used a cocktail across all programs.

Might I add that being an aircraft technician outside of the deseal-reseal programs was a toxic adventure in itself as well, and I am sure the committee is well and truly aware of the C130 experience and the noises coming out of that. So, yes, regardless of whether it was deseal, it was a dangerous business.

CHAIR—Thanks for your evidence.

[3.33 pm]

CRAVEN, Mr Gregory Stuart, (Private capacity)

MURRAY, Mr Gerard Anthony, (Private capacity)

CHAIR—Welcome. Do you have any comments to make on the capacity in which you appear?

Mr Murray—Yes. I was a non-destructive technician working on the F111 aircraft during the deseal period.

CHAIR—Although the subcommittee does not require you to give your evidence on oath, I advise you that the hearings are legal proceedings of the parliament and therefore have the same standing as proceedings of respective houses. Are there any opening remarks that you would like to make to the committee?

Mr Murray—Thank you for the opportunity to appear before the committee. First, I would like to explain what my role was, like many other non-destructive technicians, in the deseal-reseal program, and then explain some of the concerns that I have about the inadequacies in the processing of mine and other non-destructive technicians' deseal-reseal claims.

From January 1990 to July 1993 I was employed as a RAAF non-destructive technician. The acronym for non-destructive technician is NDT, which I will use from now on. The main role of NDT techs is to find cracks, corrosion and other manufacturing defects in aircraft before they cause catastrophic failure of a component or aircraft. I was employed at the 3AD—later renamed 501 Wing—base NDT section.

During this period, like all of the other NDT techs based there, I spent my employment carrying out NDT on F111 wings and fuselages for the F111 units and sections, including 1 and 6 Squadron, 481 Squadron and 3AD sections, including deseal-reseal, wing section and hangar 410. A large number of NDI inspections were carried out on F111s within the deseal-reseal section that were undergoing the deseal-reseal program.

Because the main components of the F111's wings and fuselage were manufactured using a steel alloy called D6AC steel, which was extremely prone to cracking, there were a huge number of inspections required to be carried out on it. Most of these tests involved the use of an NDT process called magnetic rubber inspection. There were a number of NDT inspections carried out in the deseal-reseal hangar. However, the most common inspection that was carried out was called 6.6, which involved inspection of the F111 wings, pivots, stiffener run-outs and fuel flow vent holes.

The inspection of one set of wings usually took approximately eight to 10 working days. We usually worked in teams of about three to four NDI techs when carrying out these tasks. This process involves spending the majority of a working day cleaning and preparing the wings for the inspection process. This meant that my face was constantly in very close proximity to the

internal cavities of the F111 wings and fuselages, being exposed to the chemicals that were contained within them.

We were never provided training or made aware of the chemicals involved in the deseal-reseal program and we only ever utilised personal protection equipment for the NDT specific chemicals we used. This was basically just the use of protective goggles. We did at one stage wear surgical gloves. However, this was more to do with stopping the acids on our fingers causing corrosion of the D6AC metal that the wings were made of, as opposed to protecting us from the chemicals we were using.

I will now take the opportunity to highlight the inadequacies in the processing of mine and other NDT techs' deseal-reseal claims. The way the processing has occurred has made me feel that the Department of Veterans' Affairs was treating me as guilty until proven innocent—that is to say, they put the onus on me to prove that, first, yes I was there and, second, for the duration that I stated I was. Veterans' Affairs then went out of their way to find a way to say that I was not.

That is the thing that has hurt me and many others the most—the feeling that I was being treated as a liar by the Department of Veterans' Affairs. Despite knowing that I more than met the criteria to be assessed as a tier 1 participant, I was assessed by the Department of Veterans' Affairs as tier 3. According to the definitions provided by the Department of Veterans' Affairs, this meant that they had agreed with me that, yes, I was there involved in the program, but somehow they had come to the conclusion that I was not there for the amount of time that I said I was.

Considering the amount of evidence I have provided to them to the contrary, I would like to know how they came to this decision. How was it determined I was not there for more than 30 days? Given that the evidence I provided to the contrary was what the decision was based on, I would also like you to note that a lot of the evidence that should have been available at the F111 units has gone missing.

After reading the transcripts of last Monday's hearing, I was surprised to see that the Department of Veterans' Affairs *ex gratia* assessment team had a checklist and the checklist had some dozen items that the four members of a team were required to progress through for each case. Why wasn't that checklist made available to the people putting in claims? It would have made the process of proving our claim a lot easier if we were all working to the same beat of the drum.

Finally, I have seen first-hand how families, friends and work colleagues of mine have been affected, both physically and mentally, due to their exposure to the deseal-reseal program and, as a result of the ongoing issues with regard to *ex gratia* claims and their dealings with the Department of Veterans' Affairs. Given that, I submitted a claim in the honest belief that I had been exposed to these chemicals and met the minimum exposure time for a tier 1 participant. I just hope that this inquiry, once and for all, can provide some sort of fair and equitable closure to me and everyone else involved, so that we can all move on with our lives. Thank you.

CHAIR—We have heard on a couple of occasions the lack of record-keeping that has affected the program—that is, determining what people were actually doing. There do not seem to be

very good records around. From your own experience working in the program, was there some notation that you are aware of? It has obviously been an issue for you personally in your claim. At the time you were working, were there documents kept that you are aware of?

Mr Murray—Yes, there were heaps. Before you do any work on aircraft you first have to sign; show your signature on a form. I think it was called an EE505, which was recorded at the front of every aircraft, the main components, before servicing was carried out on it. So you had your name there. Then whenever you found an unserviceability, you had to write it in and sign your name against it.

During the program there were certain steps that different trades carried out during the process, and you had to sign against each of those steps. When we were there, 3AD then 501, we were trialling a computer program called DECOR. Part of that required us to fill in job sheets every day. We had to write down what the job was and the location of the job. For every inspection that we carried out, whether or not we found defects, we had to raise a report. That went on the unit file, the SLRM Squadron file, and on our own files in our base NDT section. So there should be bucketloads of evidence out there with people's names, even down to how many hours we did each day.

CHAIR—Notwithstanding that, your application for a tier 1 ex gratia claim has fallen short because they said, 'You can't prove it. There's no records.'

Mr Murray—Yes. The letter I received back was ambiguous on why I did not receive it, but if you read what a tier 3 is, it is exactly the same as tier 1 or tier 2, except for the cumulative days. My understanding is that obviously they are saying, 'Yes, you were there, but we feel you weren't there for more than 10 days, more than 30 days cumulatively.' I would like to know how they came to that decision; not just for me, for all the NDI techs.

Mr BALDWIN—Mr Murray, when did you join the Air Force?

Mr Murray—In 1983.

Mr BALDWIN—When did you leave?

Mr Murray—I am still in.

Mr BALDWIN—You are still in the Air Force?

Mr Murray—Yes.

Mr BALDWIN—Where are you based at the moment?

Mr Murray—Amberley.

Mr BALDWIN—What work are you currently undertaking?

Mr Murray—I am the warrant officer in charge of the NDT standards laboratory. We provide the training and the certification of the new NDI techs who come through the system.

Mr BALDWIN—The NDT that you were performing, was that at the same time as the deseal-reseal teams were actually in doing their work?

Mr Murray—Yes. Most of the inspections were on the wings that we carried out. In the fuselage we also carried out some inspections, but they would stop what they were doing; we would go in, do our job, and come back out.

Mr BALDWIN—So you were not inside the confined spaces?

Mr Murray—Yes, we were inside the confined spaces: the wing carry-through boxes. There were probably other areas that I do not remember.

Mr BALDWIN—Let me rephrase that. Were you inside the tanks at all; doing testing inside the tanks?

Mr Murray—Me personally I cannot remember. I do not know if Greg remembers. Were we in the tanks?

Mr Craven—Yes, we were.

Mr Murray—Greg was also an NDI tech.

Mr Craven—I am Greg Craven, ex-RAAF NDT technician. I have been in the Air Force for 21 years. Part of the process would be that, as the deseal guys would be inside the tanks or there may be airframe fitters refitting stuff, they would find something that looked like a crack. Oftentimes there would be blemishes in the materials and we would be called down to go in and check those. They could be in the carry-through box; they could be external; they could be in the tank. I remember occasions when we would see guys on top of the fuselage in their white overalls, with the hand sections taped, with the respirators and the air lines. We were never provided with that. We were never really au fait with what these chemicals were. We knew that it was bad enough when we were sniffing goop, because the kero gets into the goop and it makes it stink as well. It is a consequence of this mix. So we suffered the same stain and stench at home; probably not the capacity that the deseal guys did but we were a by-product of that.

Mr BALDWIN—Mr Murray in the period that you were working on these aircraft—and I think you specified 1990 to 1993—

Mr Murray—Yes, 1989 to 1993.

Mr BALDWIN—was that the time frame when they were using SR51 or 51A?

Mr Murray—I do not know.

Mr BALDWIN—You are not aware which chemicals they were using at the time that may have had an effect on you?

Mr Murray—No. I do not know.

Mr Craven—We knew nothing about SR51.

Mr BALDWIN—Were you there at the same time, sir?

Mr Craven—I was there in 1973 in the pick and patch as well, so I have had two goes at it.

Mr BALDWIN—In relation to personal protective equipment, were you afforded it, told to wear it, or told not to wear it at any time while you were working?

Mr Murray—No, it was only the goggles; and there were the surgical gloves. We could not use any other type of gloves because of the intricacy of the work we were doing. It required the dexterity of our fingers—to be able to build the dams around the run-outs and the stiffeners that we were working on inside the wings. So you had to use your hands; you just could not use it.

Senator MARK BISHOP—Mr Craven, did you say that you were working in the relevant area in 1973?

Mr Craven—I was involved in the 1973 issue, or the era when the sealers started to revert, not long after we got them.

Senator MARK BISHOP—From 1973 until when?

Mr Craven—1975, I think.

Senator MARK BISHOP—For two or three years.

Mr Craven—Yes.

Senator MARK BISHOP—Were you working in the fuel tanks in that period from 1973 to 1975?

Mr Craven—It was anywhere where there was a leak. The aircraft would come back; it would be sitting on the flight line; all of a sudden you would get leaks out of nowhere. In those days I do not think there were any hangars, no carports, so they were under direct sunlight. Things would leach out. They would accept a certain amount of fuel leakage, but eventually it would get too bad. We could see where the leakage was externally, but the problem was that it was leaking from inside: it was coming down, it was going up and around various contacting points with rivets. It was no good just sealing the outside, because the leak might start at the forward end of the tank and come out near the wing. It was useless trying to do a bandaid approach.

They did have a system where they had tiny grubscrews along the airframe. You might have seen them today. You would take them out with an allen key and they had a gun where you would apply sealant and it would supposedly travel up little galleries into, hopefully, the right area. But this sealant was badly reverted. Every time you touched the plane, you walked away with this soggy sealant on your overalls, on your hands; anywhere that you touched it.

Senator MARK BISHOP—When you were doing this work in the two or three years that you were there, did you have to crawl up into the tanks themselves? When you were in the tanks, could you outline to the committee the type of work you were doing there.

Mr Craven—We would try and determine where the leak had come from—we talk about decanting fuel tanks these days, and removing the smell; what they call the lower explosive limit where you basically make the cavity a hole so that there are no fumes in there at all. We were lucky if we were not sitting in the shit. Sorry.

Senator MARK BISHOP—Were you scraping the sealant off the wall of the cavity?

Mr Craven—Yes. You would try and take off areas where you thought the fuel was leaking from, and oftentimes it was a bit of a guess. My memory is pretty crappy.

Senator MARK BISHOP—As you were sitting in there, or lying in there, scraping and removing the sealant from the walls of the cavity, were you physically exposed to the sealant? Was material dropping onto you?

Mr Craven—No. It comes out externally, as I say. Sometimes it was a bit of a gamble, because there might be six feet between where it exited and where it originated inside. So you would try and find areas where you could see reverted sealant and you would get in there with some sort of perspex pick, scrape all that out as best you could, put some solvent on there to clean the area and then you would mix up a small amount of sealant in a two-part mix, I think it was, apply that and try and smooth it all in and then let it set. Then they would shut it up, refill it with fuel and you would see what happened.

Senator MARK BISHOP—At the end of the day, in the weeks after you were doing this work, did you have any physical pain or discomfort or scabs forming on your body, or burn marks or anything?

Mr Craven—No, I did not. The kerosene used to burn. We were most times sitting in there in our shorts and T-shirts. Respirators were useless. Most of the gloves would swell up in contact with kero. So you would get burns from the kerosene. It was not unusual to have to go and rinse it off. If you got it on your buttocks—somewhere that was tender—you would have to get to a shower.

Senator MARK BISHOP—Did you have respiratory problems?

Mr Craven—I do now.

Senator MARK BISHOP—Not then?

Mr Craven—Not apparent then. In 1975, soon after the program, I saw the doctor on several occasions. I had occasions where I would just faint to the ground and hit whatever was on the way down. They gave that pretty short shrift and said that I had low blood pressure, something I had never had in my life. I never ever had asthma, and I have full-blown asthma now. I have attempted suicide. Some people who know me here knew me as a pretty fun-loving sort of guy. I

am now totally the opposite. I sit in the dark at home at night just watching television, just crying. When my wife comes out and asks, 'What's wrong with you?' I say, 'I don't know.'

Mr ROBERT—Sir, cumulatively, how long would you spend pick and patching in the tanks in any given week or month?

Mr Craven—It is difficult to answer that, because it was not a formal program. It was purely an ad hoc thing. When a leak got too bad, it got a bit dicky, so they would say, 'Righto, we'd better try and find this one.' You might do two or three a week. You might be lucky and miss out. It was basically who was in the rectification hangar.

Mr ROBERT—If you did two or three a week, how long would it generally take you?

Mr Craven—It might take you a good two to three hours for each one, depending on where it was. We tried to fix some of the leaks externally. With some of them, we tried to pump the goop in. These things were on turnaround time. It was all: 'Hurry up.' There was no time to muck about.

Mr ROBERT—So cumulatively you could have found yourself in the tanks for weeks in any given year.

Mr Craven—Yes.

Mr ROBERT—Warrant Officer Murray, when you were a young LAC from 1989 to 1993, working as an NDT, when you were confronted with the smells and the chemicals and everything else, what did you do? Who did you speak to? Did you speak to your superiors to say, 'We have a problem'?

Mr Murray—No. It was just the norm, and it was accepted. That was your workplace. Everyone else was doing it. The job had to be done. We just went and did it. We assumed that, if there was some need for other protection or whatever, we would have been told.

Mr ROBERT—For NDTs now, noting that you are the warrant officer in charge of the NDT area, how do you and your charges approach your work now on an F111?

Mr Murray—It is all about risk assessment and OH&S. A lot of things changed in around the mid-nineties when the OH&S legislation came out. The deseal-reseal inquiry also increased the awareness and importance of OH&S. Also, as a result of the Defence Reform Program and a couple of other civilian programs that Defence went through, there were a lot more defence contractors on base, so occupational health and safety became a much higher priority. Now it is all about personnel and safety first.

Mr ROBERT—At the time, as a young digger, you would have chatted with the lads in the mess, the blokes in the white jumpsuits and the gloves. You would have asked them why they looked like Father Christmas. What was the general scuttlebutt amongst the junior ranks at the time?

Mr Murray—We used to make jokes about it, because a lot of the time their knees were out of those white cotton overalls that they were wearing or their bums were hanging out of them. So it was looked at as though the Air Force was seen to be doing the right thing.

Mr Craven—They would not wear them to the mess. They would change once they left the hangar.

Senator TROOD—Mr Murray, how many days of cumulative service do you think you had, or was put forward in your claim?

Mr Murray—I think I put it in months.

Senator TROOD—So it was well beyond the 30 days. Is that what you are saying?

Mr Murray—Absolutely, yes. Our main role was carrying out the 6.6 on the wings. As I was saying before, on my first day there as an NDI trainee, I hopped on the bike, rode up to the deseal hangar, and that was my very first job. There was a period of about 12 months there where we were putting in almost 18-hour days for weeks on end because there were so many wings coming through and stuff like that.

Senator TROOD—What records do you have that you could provide as evidence of your service?

Mr Murray—Not a real lot, because we were not big on record-keeping ourselves. There was no real need for it.

Senator TROOD—So you are essentially relying upon the Air Force's records as evidence of your being exposed. Is that right?

Mr Murray—Yes.

Senator TROOD—When your case was being assessed, did you have an interview as part of that process?

Mr Murray—No.

Senator TROOD—So it was all a matter of providing documents—

Mr Murray—Yes.

Senator TROOD—and receiving advice back as a consequence. Is that right?

Mr Murray—Yes.

Senator TROOD—How long did that take?

Mr Murray—I have the dates now. From memory, I think there were only a couple of months between me submitting it and the response coming back.

Senator TROOD—During the course of this period, did you ever receive any indication as to whether or not your case might be accepted for an ex gratia payment in tier 1?

Mr Murray—No. There was not really any communication. All you did was submit your claim and then you got a letter back saying that unfortunately you were not eligible and there was no scope for appeal.

Senator TROOD—Your evidence is that it was not entirely clear in your mind why it was that you were rejected for tier 1.

Mr Murray—Yes. I still do not know why I have been rejected.

Senator TROOD—In your submission you refer to another technician.

Mr Murray—Yes.

Senator TROOD—Tell us about that person. Was he in a precisely similar set of circumstances?

Mr Murray—I think he was a little bit after me. After I had been posted out, I believe he was posted in. I am trying to remember if we were there at the same time, but I cannot. There are some things I cannot remember. There were 20-odd of us in the section. I cannot remember who was there when, because it chopped and changed. He was in the NDT section doing all the same work. The aircraft have not changed and the inspections have not changed over the years. The only thing that may have been different is that I think he had to keep a log, because competency based training became more prevalent and part of that was keeping a log.

Senator TROOD—That was his personal log, was it?

Mr Murray—Yes.

Senator TROOD—So he was able to provide that as evidence of his exposure?

Mr Murray—From speaking to him and hearsay, yes.

Senator TROOD—And he was assessed as having a tier 1 entitlement—

Mr Murray—Yes.

Senator TROOD—and you were not.

Mr Murray—No.

Mr Craven—We did supply our NDT sheets, or our reports, which we had signed, which showed the dates of the inspections. We were able to get some of those from the section aircraft records. We have copies of the work sheets that were down in the sections, which you had to sign as having done your job. We were actually included in the deseal work sheets, so we were an integral part of it. As a by-product of the deseal program, NDT would have annotations within the work sheets—and we have them here for you to look at—where we showed that the NDT was done on 6.6. It was a given that we all did these jobs. The only thing that was not available was the finite reports on the aircraft logs and the signatures, which they had pitched. It was not us. We were able to scrounge through and find this stuff. We thought we had done well, considering what was around. We could not find any of the aircraft files. They had all mysteriously disappeared.

Senator TROOD—Did you provide that evidence, Mr Murray?

Mr Murray—Yes, I provided all that.

Senator TROOD—Do you know whether or not this other individual who was assessed had his claim assessed by the same person that you did?

Mr Murray—No, I have no idea.

Senator TROOD—Do you know whether or not the process was essentially the same?

Mr Murray—After reading the transcript from last Monday, I now have a clear understanding of how it worked.

Senator TROOD—But you do not know that from having spoken to this other individual?

Mr Murray—No.

CHAIR—You have seen the Ombudsman's evidence, I take it?

Mr Murray—Yes.

Senator FORSHAW—We are very pleased to hear that you have a clear understanding.

Mr HALE—Mr Murray, you have had, what, a 25-year career?

Mr Murray—Yes.

Mr HALE—And the previous witness, Mr Fraser, commented on his career being stifled, he believes, by the experiences that he has had with this chemical in the enclosed environment. Has your 25-year career been stifled at all, Mr Murray? You are a warrant officer currently. Is that where you should be, or should you be higher?

Mr Murray—Warrant officer is where I should be at this time in my career. It has not affected me directly. I do have medical issues. It is surprising what you can hide.

Mr HALE—Mr Craven touched on some of the medical issues that he has had. He looks like a pretty hard bloke. I wouldn't want to cross Mr Craven at all! Was there an attitude of just, 'Toughen up, Princess. Get in there and do the job'?

Mr Murray—Yes.

CHAIR—You can tell he is from the Northern Territory!

Mr HALE—That is how we operate there!

Mr Craven—You have to understand the culture in the Air Force, and it is the same with all the military. Civilians see and read in the papers about the things that happen and do not understand how they could possibly happen, but in this culture there is a 'can do' attitude. Back in the seventies, if we had aircraft to go online for the morning, we would be working night shift. We would work till three and four in the morning to get those aircraft out. It was not, 'Shit, I'm tired'—you would be seeing pink elephants, literally; you were so tired. The bottom line was that we had to have those aircraft online. It was not a case of, 'We've done 12 hours. We're going home, Boss.' The whole history of the military and this 'can do' attitude and this culture is inherent. You do not question: you do it and you finish. You all work together as a team and you suffer equally.

Mr Murray—You do not let your mates down. They were all doing it, so we did it.

CHAIR—Thank you, gentlemen. As I commented earlier, we are over time again, but it is important that we get this information on the record, and I appreciate the evidence that you have both been able to provide to us. A copy of the transcript of your evidence will be provided. If there are minor amendments to be made, you will be given the opportunity to do that. Once again, thank you for your appearance today.

[4.03 pm]

FLANNERY, Mr Peter Donald, F111 Sealant Handlers and Workers

MOON, Mr Phillip Charles, F111 Sealant Handlers and Workers

CHAIR—Welcome. Do you have any comments to make on the capacity in which you appear?

Mr Moon—I was a supplier, which is equivalent to a storeman and supplier, or a box packer. We were called many different names.

Mr Flannery—I was, again, a supplier, a box packer. We are here today not to take anything away from the desealer-resealer people at all. We are basically here to cover our involvement with the SR51, how it got to Australia and so forth.

CHAIR—Before we get into your evidence, I should formally advise that the committee does not require you to give your evidence today on oath. However, these hearings are legal proceedings of the parliament and therefore have the same standing as proceedings of the respective houses. I would now invite you to make any opening comments that you may wish to.

Mr Moon—I would like to thank the committee for inviting us to give our evidence, because over the years all the focus has been on the actual F111s at Amberley. However, I am here to speak and, as you can tell with our height differences, I was the corporal in charge, Peter was working for me, and I did everything he told me to do!

In July 2001, I put two sets of claims in and asked DVA not to get them mixed up. That was the SR51. That was normal military ‘from the workplace’ injuries, yet they purposely put them together and they did that for, as far as I know, everyone. I was told that over the phone by DVA. They just put them all together. Then I knew that it was going to go on just about forever, or until we died. What the people do not understand is where it physically came from at the start, and I am going to start by explaining to everybody where the SR51 came from—through America—and I will hand over to my friend Peter from when it arrived at Amberley.

In reality, I do not even need this paper; I do not have to go off it at all really. For the SR51 that the United States Air Force used on their F111 aircraft, the work was all carried out at the McClellan Air Force Base six miles outside Sacramento. The hangar would hold 14 F111s with their wings spread apart, so you can imagine the size of the hangar. I have been in touch with at least five ex-workers from the US Air Force who are very sick. They have been receiving compensation since 1991.

The SR51 was made by the El Dorado Chemical Co. in Texas, transported through Phoenix and then on to near Sacramento, where it was sent up by rail. There is a branch line just near Sacramento which heads straight towards the McClellan Air Force Base, and there are six railways tracks where there is a holding yard just outside the boundary fence, and on Google Earth you can actually see the railway lines in proximity to that area. When the drums arrived on

the train, they would go onto these holding tracks. The trucks from the United States Air Force would come out of the base, be offloaded by forklifts, taken into a holding area on the base and, over seven years of trying to find the number of the building they were held in, I still have not found it, but I found the American air force documents for their personnel, and I also found some of ours.

When they came onto this base into a special holding area, it was then split into the United States Air Force and then there was a logistics warehouse which held the Royal Australian Air Force, Army and the Navy, and on the other end was the RAF. So there was a split in that area. There were wing commanders, squadron leaders, down to flight sergeants who could only apply for those jobs.

They would decide how it came to Australia. It ended up that the pilots would not, under any circumstances, fly those drums to Australia because the chemical posed such a risk—the stench was so potent that they were afraid that they would collapse and the planes would crash at sea. So they came across by ship.

When it arrived at Sydney there was not only the surface rust outside the drums, but the sealant inside, made up of four major chemicals, ate away at the welding seams from the inside and also rusted the 44 drums from the inside. The transport drivers would pick the items up from the wharf, but unknowingly the material safety data sheets, which is like our Bible for all the equipment personnel, were never on the payloads that were stacked ready to come up by truck to Amberley.

I have been in touch with the Bundaberg fire department—I come from Bundaberg by the way—and when I told them what had happened many years ago, they almost had a heart attack. They said, ‘Did the trucks have any special IATA travelling goods special chemical data “hazardous” labels?’ and I said, ‘No. When they arrived, it was “general goods” only on the actual signs.’ When one of the components of the SR51 had water added to it became hydrochloric acid, and we worked it out with the firemen that if one of those vehicles had rolled over in a town—

CHAIR—Mr Moon, I am reluctant to interrupt you, but your written submission covers a number of the aspects that you have spoken about. I am very mindful of the time, so if you could go to those parts of your concern that relate to the exposure of people here in Australia to potential health hazards and contaminants, that would help us all. You can be assured we have read your submission quite closely.

Mr Flannery—Did it help? When trucks came up from Sydney with no material safety data sheets, Corporal Moon would front the driver and, after being told that he did not have any such paperwork, he went to a man by the name of Flight Sergeant Connolly. Unfortunately, Sergeant Connolly is deceased from throat cancer. He was told that the material safety data sheets were actually locked in a safe for safekeeping at Headquarters Support Command in Melbourne. This was later confirmed by Flight Sergeant Clive Brown who was in charge at the warehouse at Amberley.

Upon arrival at Amberley—this is in the early days—the semi driver and myself would untarp the load, Corporal Moon would check the manifests, and then he would get on top of the load,

walk around through it, count all the drums to make sure that the manifest agreed with the drums. The driver, myself and Corporal Moon would then come down with a forklift to a place called K Group, which is the holding area for the chemicals down the northern end of the base, and we would unload the pallets down there and cover them with tarps. That would be on a Tuesday.

Late Tuesday afternoon we would get orders from deseal-reseal for the delivery of SR51 on the Wednesday. Wednesday morning we would load the truck up at K Group, we would deliver the drums to the deseal-reseal sections. The difficult part was that the drums themselves were A class or accountable. The goop itself was C class. So what we had to do was transfer voucher from store or stock to the aircraft tail number—that is a job number—for the drums, and then we had to have a counterslip from stock to cover the sealant.

When we unloaded the trucks at deseal we had another transfer voucher from an aircraft tail number back to board of survey, which is an area on the base that does sentencing on equipment, to account for those drums. We would pick up the empty drums and we would bring them back to the board of survey area and lock them up in the store.

The sentencing officer would come out early Thursday morning, sentence everything that was in the board of survey section, from medical items, clothing, being the drums. Normally the sentences would either be for resale, scrap or destruction by fire. Between seven and half past of a Friday morning we would load the trucks up and take them up to the northern end of the base opposite 12 Squadron where there was a burn pit and empty everything out into the burn pit. There would be Corporal Moon and myself, the driver would either be one of the barracks general hands or a transport driver, and there would also be a fireman there. The fireman would make sure that the area was safe before the fire was lit. He would light the fire and then he would remain with us until such time as the whole thing was destroyed by fire. During the burn the sentencing officer used to turn up in his car, but the problem was he would not stay with us in the smoke and the fumes and so forth; he would park the car about 100 metres from us with the windows wound up and the—

CHAIR—What exactly was being burned off?

Mr Flannery—We would burn the chemical drums—the SR51 drums.

CHAIR—These are the drums that have been carrying the SR51?

Mr Flannery—Yes.

Mr IAN MACFARLANE—Were they steel or plastic?

Mr Flannery—They were steel.

CHAIR—How did you actually burn them?

Mr Flannery—There would be avtur tipped through them and the chemical that was still remaining in the drums burned very easily. It was highly toxic and highly flammable.

Mr Moon—I have material safety data sheets for each of those chemicals in there, which states that not only are three of them highly flammable, but one was flammable and explosive. Plus in the pit was all medical rubbish, clothing rubbish, because—

CHAIR—So it was an open-air pit.

Mr Flannery—Yes.

Mr Moon—It certainly was.

Mr Flannery—We had to burn it early of a morning to stop the spread of the smoke and that around the base, around the area. That was their idea of the early morning burns. It was very toxic. After the burn and before we knocked off of a Friday afternoon, both of us would present ourselves to medical with burning eyes, nausea, aches, pains, headaches that you could not get rid of, sore throats; and, of course, because we were presenting ourselves to medical every Friday, it got to the point where the senior medical officer in the finish told us that if we continued to go down there he would put us on medical board and have us kicked out of the Air Force for being unfit. So we basically had to live with it. It was either that or a bottle of Mylanta and some headache tablets. That was about it.

CHAIR—How regularly would you have been involved in that activity of burning off the—

Mr Flannery—Every week.

Mr Moon—Every week.

Mr BALDWIN—For what period of time?

Mr Moon—I arrived in January 1982 and it was till late 1984, early 1985, when all the drums were transferred down to the—

Mr Flannery—Deseal-reseal for storage. I was the same. I was at air movements before I was at the store, and I went to Darwin and then I came back. I was in the store then from 1978 to 1983 and, after the stint with the SR51, I was sent to the fuel farm for three years. I ran the fuel farm again with Corporal Moon.

With this SR51, I do not know about the desealers but with us, with our exchange of clothing, we were only allowed to exchange clothing once a year. The problem with it was that we would get the SR51 all over our shoes, our clothing et cetera. It did not matter what you did, you could not wash it off; you could not wash it out of your clothes. The wives would wash it in the washing machine; they used hot water. Some of it would come off the clothes and stick to the inside of the bowl.

CHAIR—Did you have any protective clothing or respirators?

Mr Flannery—We were never ever given any protective clothing. We were actually told that, with this stuff, you could wash your plates in it. It was that safe.

Mr Moon—We were not even given a pair of gloves, so all we wore were T-shirts, shorts and a pair of boots in summer and a pair of overalls and a coat out at Amberley and the boots in winter, and that is all we ever had. In 12 years of being a supplier, handling well over 200 chemicals, I was never issued with even a pair of gloves.

Mr BALDWIN—Did you physically touch the drums?

Mr Moon—Yes, because I had to climb onto the truck and go down and check. So many of the drums had either burst at the seals or were bursting around the outside of the welding, and I would come out with it all over me. I had to pass the tarpaulins down to Peter. He would have to lay them out on the grass and then have—

Mr Flannery—We had a mixture of Gamalin soap, which was made by BP, and the kitchens used it in their washing-up systems. It was a heavy caustic soap. We used to mix it with avtur and scrub the tarps and that, just to get this stuff off. It was not fully successful but it got it off to a point where you could at least put the tarps back on the truck. You never got rid of the smell. We had the smell on our overalls and that, and on our skin. We used the same preparation to get it off our skin and, of course, when you went to medical with burns from the avtur they would come back with, ‘We’re not going to treat you because your injuries are self-inflicted. If we treat you, we’re going to charge you with doing yourself an injury.’

CHAIR—Have the problems that you have had since been compensable or have they been accepted by DVA?

Mr Flannery—Up until about three years ago, I was not in this. I did not go into the first lot of claims for this because at the time I felt that it was caused by older age. Anyway, I had a phone call from Warrant Officer Houghton at Amberley one afternoon. He said to me, ‘I hope you’re the bloke I’m looking for.’ I said, ‘Why is that?’ He said, ‘There’s 250 Peter Flannerys in Australia and they go from Tasmania to the Northern Territory, and you’re the third-last from the bottom.’ I said, ‘Why?’ He said, ‘Do you know anything about SR51?’ My exact words were, ‘Yeah, that shit.’ He said, ‘Oh, you are the feller. You haven’t put in your claim form.’ I said, ‘Well, no, I haven’t put any claim forms in.’ I said, ‘No. 1, I’m not real good at filling forms out, and No. 2, I just thought it was from old age—you know, the cancers on the skin, the headaches, the PDS and anger management and everything. I just thought I was getting too bloody old.’ Anyway, we arranged to have some of his people come out and give me a hand to fill out the paperwork, and somewhere along the line I took a little bit too long to get a statutory declaration from a flight sergeant that I worked with at the time and I got all my paperwork back. So I still have not put a claim in.

Mr Moon—The delay was due to the flight sergeant being sick. He lives in Morayfield. He had been very sick and took a long time to recover. That is why Peter—

Mr Flannery—That was my first involvement in that, and I have been involved with it ever since, with help from Phil.

Mr Moon—Because of the shortness of this period, we are trying to help you out—

CHAIR—Yes, we are about half an hour behind time.

Senator FORSHAW—Mr Moon, I think it was you who said that you were in contact with workers in Sacramento, in America.

Mr Moon—Yes.

Senator FORSHAW—You said they had been receiving compensation since 1991.

Mr Moon—Yes.

Senator FORSHAW—What does that actually involve?

Mr Moon—A deseal.

Senator FORSHAW—Yes.

Mr Moon—What happened was that the Americans were very—

Senator FORSHAW—We have had some evidence on it but I would like to hear what your position is: what you understand.

Mr Moon—I have been told by these personnel that there were only a small number of US Air Force personnel who worked in the hangars with the F111s. The rest of them were local Latinos—Mexicans, illegals et cetera—that they had onto the base. However, when the American air force personnel started getting sick, as usual, they sent their medical documents and whatever off to the Pentagon, except for this one gentleman called Albert Durden.

Senator FORSHAW—You have got his letters in your submission.

Mr Moon—Yes. He sent all his medical reports from the doctors to the White House because he was so fed up. Finally, a colonel came out, got off the plane and, within a few hours, jumped back on the plane and took off. He could not stand the smell from the base. A full study was done on the base, which I have a copy of and passed on to these gentlemen who had not even received a copy of that. Once that was found out and the study was completed, they said, ‘McClellan has got to be closed down immediately because the subterranean water supply is deadly, as well as the soil being removed,’ et cetera. All these people started to suddenly get compensation from the American government from 1991. In those days they hardly got any compensation, but they did get at least some. From my side of things, I have had my forms and claims in and DVA were going to look into it straightaway. That was in 2001 and I still have not received even 5c.

Senator FORSHAW—Did the worker in the US—and I am only asking you from what you understand, what you have been told—receive some lump sum payment?

Mr Moon—Yes.

Senator FORSHAW—Or something over and above; an ongoing pension entitlement or similar payments?

Mr Moon—He received both. He received a pension. He got an increase in pension because he was very sick, but there were another four or five who received lump sums as well, and the lump sums were very small with the American air force.

Senator FORSHAW—I was wondering whether or not there was something in addition to that. Thank you.

CHAIR—Gentlemen, we are going to be pressed for time. Are there any final points that you want to impress upon us?

Mr Flannery—Yes. Other sections that were indirectly involved in the SR51 program, apart from the base squadron service personnel, included the service finishers, which are the aircraft painters; the transport drivers; the general hands in the barrack section; NDI personnel; firemen; photographers; aircraft electricians; all the airframies as well; and the aircraft metalworkers. As I say, we are not here to take anything away from the desealers-resealers themselves. We just wanted to put our case to you from the point of view of the equipos.

As Phil has already stated, in late 1984, early 1985, someone made the decision to take the SR51 straight to deseal-reseal and take it out of our hands. Up until that point, it was normally held by us and we normally did the issuing of it and so on. We had it all over us. We had it on our overalls whether we washed them or not. So indirectly we were living with it every day of the week that we worked with it.

Mr Moon—When I got home, I would have to take my clothes off, completely strip down to my underwear out on the ramp at the back of the house and pass the clothes to my wife. She would handle chemically-loaded clothes and put them in the washing machine ready for the next day, because we were only issued one pair of overalls, or it might have been the shorts and the T-shirt. My wife is suffering severe chronic psoriasis, and the list goes on and on

When this first came out, they told us it would take at least 20 years before all of us would start dying or getting very sick, but after that the wives would start getting sick. Not all couples could have children. My wife was haemorrhaging from 1983 to 1986 while we were trying to have a family. At the age of 24, she was advised to have a hysterectomy or die, it was that bad. For nearly four years I would sit up holding her head in my hands while she screamed in pain. We go through this every day, with my wife suffering chronic depression, seeing children that are not looked after.

I would like to pass on to you all this evidence, including evidence about the SR51 sealant that I just found after seven years. It was in America, and I found the American documents in Australia. I have also broken the SR51 down into the individual chemicals, and you will see how dangerous it is.

CHAIR—The secretary of the committee can take that as an exhibit.

Mr Moon—*The Tomato Effect* is a DVD. Albert Durden was being seen by a doctor for nine years and suddenly the doctor died. The doctor used to do rock climbing. When they found his body, they said it was a long way away from where it should have been.

CHAIR—Thank you both for your written submission and for appearing before us today. There will be a transcript of your evidence provided to you, and you will have the opportunity to make any minor adjustments that are necessary in respect of that. Again, thank you.

[4.35 pm]

GRAY, Mr Barry Colin, (Private capacity)

CHAIR—Welcome. Do you have any comments to make on the capacity in which you appear?

Mr Gray—I am appearing for myself, but also to clarify the 482 work in pick and patch, because I was there from day one.

CHAIR—Although the subcommittee does not require you to give your evidence today on oath, I advise that these hearings are legal proceedings of the parliament and have the same standing as proceedings of the respective houses. If you would like to make any opening comments, please do.

Mr Gray—I forwarded some information on Friday, and I would like to pick out some points from that. I listened on Monday as well, and there are some issues there that I would like to talk about.

I joined the Air Force in 1966. I did 20 years. My last posting was at 1 Squadron as a warrant officer engineer. After I finished my training, I was posted to Amberley in 1967 with 3AD, working on Canberras. Then I finished my training and went to 82 Wing in 1968. At that stage 82 Wing was building up to accept delivery of the aircraft. We were doing courses, plus working on Canberras and whatever other jobs were there. The reason why I mention this is because I was there at the beginning. I started right off with it and I spent five years doing pick and patch, which Greg Craven was talking about before.

I will not go into it in a great deal of detail. As Greg mentioned with the reverted sealant, it was everywhere. It was all over the aircraft, running down the sides. To get that cleaned for a flight was very difficult. We used all sorts of chemicals to get rid of it, similar to the tanks. The leaks were that bad we used to joke that you had to put a raincoat on when you walked around the aircraft to do a pre-flight.

When we did the pick and patch, we would be in that tank up to eight or nine hours a day and that could be for a week until you found the leak. In this time, we would defuel the aircraft, get in there and find the leak, if we could, patch it and let the sealant go off. In those days we had a Hoch-Hansen, which is a ground airconditioning cart, and it had a duct on it, about so big. We would put that on old air so that we could get breathing air into the tank, for what it was worth, and then after we applied the sealant we would turn the Hoch-Hansen onto heat so it would send the sealant off quicker.

As mentioned before, it was paramount to get the aircraft ready to fly, but it all depended on the leak check. So we would refuel the aircraft. If it leaked, we had to defuel and go through the process again. This could go on for days, and we were in and out. Some blokes would be working 24-hour shifts, weekends, to get the aircraft going.

With all respect to the deseal-reseal guys, we spent a hell of a lot of time in those tanks. A lot of other people have said that they had T-shirts. Well, we did not at that stage. It was just a pair of shorts and bare skin. So we would hop in there and get rid of as much fuel as we could, look at the suspect area and clean it out, all the time paddling around in fuel. If we went to the extent of drying the tank out completely, the time would just go on and we would not get there. I can recall one time when another guy and I spent 11 hours in a tank to get an aircraft ready to go to Malaysia next day on an exercise. As Greg said, we could do it, so we did it. There was never any, 'No, don't want to do it.' We wanted to do it at the squadron level.

When you got out of the tank, you could not move. You had to stand still for a while because your head was just spinning. As someone said, it was almost as if you were high from the chemicals. You were not game to move until you could get your balance back. We never had confined space training or fuel entry training, and this was a pain in the butt when we put our applications in, even though it was written for the deseal-reseal guys. We had no confined space training, so therefore we never had any evidence.

When you look at the criteria for the ex gratia payment applied to those in the deseal-reseal hangar, we at 482 far exceeded the requirement of hours, yet were not considered. While I respect the deseal-reseal workers, we were working in wet tanks all the time, with full fume inhalation, handling fuel and chemical sealants in all sorts of weather conditions, without the aid of suitable protection for our health. As was mentioned before, before we got the carports, in the middle of summer at Amberley in a tank was not a good place to be: you were sweating, you had fuel on your skin, and you did get burnt. Since then, I have spent more time doing F111 fuel tank repairs, and in worse conditions than any deseal-reseal tube, and have far exceeded the criteria of the tier 1 requirements. I was doing this work from 1973 until I was posted out in December 1978.

Air Vice Marshal Brown in his statement last week on page 28 makes mention of the differentiation between deseal and reseal. I would just like to ask him where did he get his information from. He made it seem that you just hopped in and hopped out and it was all hunky-dory. I can tell you, it was not. That went on for weeks and weeks.

There are questions that I would like answered and the committee to consider. On Monday, the Ombudsman said that there were, I think, about 107 complaints. Obviously mine is not one of them, because I never got an answer back to a complaint that I sent through to the Secretary of DVA in 2006. I sent through a stat dec. It was not acceptable, and yet that was mentioned the other day. Why were the payments specifically for deseal-reseal troops? We endured the same problem without the SR51, but the chemicals, the whole thing, was still there. Why did they start at 1977? Why didn't they start in 1973? DVA does not recognise any SHOAMP documents for illnesses. I have chronic leukaemia and it is not going to go away; it is incurable. They do not recognise that, yet the SHOAMP document does. I have major depression. They do not even want to know about that. All I want to know is: will 482, the pick and patch guys, ever get any compensation or recognition? I think it is mainly recognition that the guys want so that they can push their claims further.

I stopped seeking compensation because you are just belting your head up against the wall at DVA, and my personal thought is that there will be a lot of ducking and weaving between agencies over this and we will still not receive recognition—but I am hoping. At the beginning

of the whole issue, it would have been an embarrassment to have included us at 482, as the agencies would have been under pressure to compensate us where they failed to ensure our health and safety. I just hope that the agencies can explain to the wives and children of some of our deceased members from 482 why they turned their backs on them. All we want to do is be treated exactly the same as all the others.

CHAIR—Are there records that you would have been aware of when you were doing the work that you would have thought might be available now but apparently do not exist?

Mr Gray—Yes, the aircraft logbook for EE500. As Greg mentioned before, every time you did work on the aircraft or put in an unserviceability, took a panel off, then you had to put your name in the book and sign off at the end of it.

CHAIR—And you have since been told that those records do not exist in relation to the work that you were involved in?

Mr Gray—Yes. So we at 482, apart from knowing each other and what we did, really do not have evidence to prove that we did this work, and there are not too many faces that I can see from 1973, when I was doing it along with Greg and some of these other guys here.

Mr IAN MACFARLANE—Who would the RAAF say would have done it, if it were not you? If they are saying there is no record to show that you have done it, who are they suggesting did that work?

Mr Gray—Good question. No-one. No-one at all.

Mr ROBERT—Mr Gray, it is my understanding that the SHOAMP health study specifically excluded 482 and, indeed, 1 and 6 Squadron maintenance people, and only included the people on the four programs. Is that correct?

Mr Gray—That is correct.

Mr ROBERT—I just note that the SHOAMP documents were ignored by DVA and MCRS with respect to your claim.

Mr Gray—Yes.

Mr ROBERT—I also note that the SOPs—the statements of principle—within DVA actually do not allow for SHOAMP recommendations to be accepted.

Mr Gray—That is right.

Mr ROBERT—Is that your understanding?

Mr Gray—That is correct. I suffer from headaches all the time. I am moody. All sorts of things happen and come and go. As one guy just said, he thought it was old age, and I thought it was too, but it is not. As Ian said, when you talk to people, you think, ‘Well, yeah, that’s me too,’ and it is not people fantasising. It is not that all of a sudden they think, ‘Yeah, I’ve got a pain in

the arm, so it must be from that.’ We are a close community and we talk to each other and we don’t bullshit.

Mr ROBERT—Mr Gray, in the previous hearings we had, I was trying to work out the time line for how we got to the point where the focus was on the four programs. It appears that the interim healthcare agreement was opened up to everyone in September 2001 as a finding of the board of inquiry and then on 8 September 2001 the SHOAMP study began that specifically excluded any pick and patch; it was only the four programs. Somewhere in that week, two decisions were made: the first being the interim healthcare scheme for everyone impacted; the second, of course, being the SHOAMP study, only on a small lot. Can you shed light on why the board of inquiry focused only on the four programs and did not cast its net wider?

Mr Gray—No, I cannot, but I have my own personal opinions on that. Again, some guys are going to whinge at me, but it seemed to be all coming from down the southern end of the base. No-one seemed to want to talk to us at 482. Whether they did or not, I do not know, but I was not one of them, and I said to one of the four people who had spent a hundred years in the Air Force looking at our claims that what they should have done was to go back to the rolls, find out who was there in 1973, and talk to us. We could have given the whole brief. There is information that is lost because people have gone. I am still here and I know what I did.

Mr ROBERT—Cognisant that you spent some quality time in the tanks—tongue in cheek, sir—and in the absence of SR51 of course, have you got any idea cumulative of how much time you would have spent in those tanks?

Mr Gray—At least three days a week over that five-year period. It could be for four hours, for six hours, for 11 hours straight. We had two shifts going up there: one from seven to four and one from four to 12. It was not uncommon to start work at four and the guys that had come in at seven in the morning would say goodnight to you, because we just kept working through the night to get the job done. As I say, we spent more time in those tanks. Again, with respect to the air vice marshal, those tanks were the same size and they had the same smells as the tanks that the deseal-reseal people had. There is no differentiation between the sizes of the tanks. When he said they got in, identified the leaks, removed a certain section of sealant and repaired the sealant, it just made it seem so quick, but the process between the start and the finish was much the same.

Mr IAN MACFARLANE—Tell me what you used to remove the sealant.

Mr Gray—Perspex—

Mr IAN MACFARLANE—Plastic scrapers?

Mr Gray—Yes, and we would try and scrape it out, and use MEK—methyl ethyl ketone—and all that sort of stuff to try and soften it a bit. If it was in an area where you could not get the spatula in, you would use a dental pick, but you had to be careful because of the type of material you were working with, so it was a very time-consuming job. You cannot use metal, because that scratches the material and takes the protective coating off. As one of the guys from NDT said, it was D6AC steel and you had to be careful working around that. You could not do anything with it.

Mr ROBERT—Mr Gray, when you got inside your ‘quality’ tank wearing your pair of shorts, did anyone of a higher rank—superiors—say to you, ‘Son, getting in there with a pair of shorts is not a really good idea’?

Mr Gray—No.

Mr ROBERT—Did anyone ever suggest that you should have worn a mask or protective equipment?

Mr Gray—No. What PPE was available in those days was zip. The box packers tried to get us some gloves.

Mr ROBERT—Let me guess: they were the last pair and somebody else might need them?

Mr Gray—Similar to that, but they were so ill-fitting they were like those women use for dyeing their hair—because I do that to the other half—and those big sloppy gloves, they would just stick to the sealant and pull straight off. In the end we threw them away and used our bare hands. Even smoothing the sealant out, you would spit on your fingers to run it down and smooth it out because that was the only method of doing it. There was no other way.

CHAIR—So, with your background, you are excluded from the ex gratia payment?

Mr Gray—Yes.

CHAIR—In terms of compensation under whichever was the relevant veterans act or compensation act, have you been successful in having your experience acknowledged for those purposes?

Mr Gray—No. I am fortunate or unfortunate to be on a 100 per cent disability for other injuries I have, so I have a gold card. That earlier suggestion from Ian Fraser about a gold card to me is one way to go. I know it is very expensive per gold card per person to the government, but it would solve all the health problems. Then it is a matter of compensation for what illnesses or whatever they see fit.

Mr BALDWIN—Mr Gray, are you TPI as well?

Mr Gray—No.

Mr BALDWIN—Or ED?

Mr Gray—No. I tried for that but my disabilities are not enough for that. But with all the other injuries that I have—headaches and sexual dysfunction and all that—letters come back from DVA saying, ‘You don’t meet the SOP and because you’re not tier 1, we’re not even going to worry about you.’ In one letter I got back from DVA regarding the leukaemia, the person said that, ‘In 1986 when you were discharged, you had a full blood test then and your blood came out fine. But here you are’—and it was then 2005—‘you’ve had another blood test as part of the deseal-reseal and, coincidentally you’ve got leukaemia, so it should have shown up before then.’

It is evidence that has been thrown around before that it is going to take some time for all this to come out. DVA people, the delegates in there, do not understand that; they really do not.

Mr ROBERT—How would you describe your experience interacting with DVA?

Mr Gray—Terrible. I think they are arrogant. One bloke wrote me a letter back saying, ‘We’re not worried about your back pain, even though it’s chronic.’ I had certificates from doctors and all that. He said, ‘Everyone gets chronic back pain.’ That was it. I will not say the words I said to him, but when I was told by the group captain for the 100 hours in the Air Force job that I had not been successful, he advised me first that he was in a room with someone else and I was on the speaker, because he and I had locked horns a few times. He just said, ‘You’re not successful,’ so I gave him a blast and hung up in his ear. A couple of minutes later I got a call back from the Vietnam Veterans Counselling Service saying, ‘We just had a call from someone to say that you may need counselling.’ I said, ‘I’ve been under a psychiatrist for about four years now. What more can you offer me? Thank you.’ They just do not understand the illnesses that we have and the frustration that we have from the way they talk to us and treat us. It does not go well. No wonder we get sicker.

CHAIR—Thank you, Mr Gray. Thank you for your evidence today, we appreciate it.

Mr Gray—Not a problem.

CHAIR—You will get a copy of the transcript of your evidence for any necessary minor corrections that are required. Thank you.

[4.55 pm]

KNILANDS, Mr William John , (Private capacity)

FRASER, Mr Ian Raymond, President, F111 Deseal-Reseal Support Group Inc.

CHAIR—Welcome. Do you have any comments to make on the capacity in which you appear?

Mr Knilands—I appear on behalf of myself, I suppose, and I would like to provide you, as a committee, with some information basically along the lines that Barry has just done, for the period between 1973 and 1978.

CHAIR—Thank you. The subcommittee does not require you to give your evidence on oath. However, I advise that these hearings are legal proceedings of the parliament and therefore have the same standing as proceedings of the respective houses. I invite you to make any opening comments. I make the observation that you are in perhaps a unique role, given your occupational background in OH&S matters and your experience on the program, so we are keen to get your perspective and information.

Mr Knilands—Thank you. I have an opening statement. My experiences with F111 aircraft maintenance, including assisting in pick and patch repairs to F111 fuel tanks, cover the period July 1973 to January 1978. For this period of time, I was employed as an instrument fitter in both the flight line and rectification sections and periodic servicing and maintenance at 482 Squadron. I am not a member of the core group of deseal-reseal personnel as defined by the current deseal-reseal tier definitions and have not received an ex gratia payment.

At age 56, I was forced to give up my well-paid position in the public service because I was suffering from a number of serious medical conditions brought about by my Defence service. Under the legislation I was entitled to and subsequently received, after having to take my case to the VRB, a special rate TPI pension. My medical conditions came as a result of my early time in the RAAF from 1969 to 1983, during which I was almost exclusively working on aircraft maintenance and was exposed not only to the F111 deseal-reseal processes and the related chemicals while working on the F111 aircraft at Amberley but because of these experiences I luckily went on to be involved in fuel tank work on Hercules and Orion aircraft when I was posted to RAAF Base Richmond in 1978. In total, I spent approximately nine years of my 21 years in the RAAF working in and around aircraft fuel tanks.

My medical conditions prevent me from working. However, I still have a large mortgage on my family home which I have to service with my pension. As are others, I am finding it increasingly difficult in this time of increasing mortgage rates and decreasing value of my pension to keep the payments up to date.

My submission reflects on a number of personal issues. However, I would like to point out to the committee two issues that are a major concern to myself and others. Firstly, I wish to highlight that the deseal-reseal tier definition of a sealant rework pick and patch worker as used

by DVA is incorrect, because it requires the pick and patch worker during the period 1973 to 1977 to have been attached to an F111 deseal-reseal section. The deseal-reseal sections were only set up at the start of the first official deseal-reseal program in 1977. This fact should have been identified by the specialist team with in excess of 100 years' experience that DVA used to deal with the ex gratia payments.

Our concern is that, because DVA has been using an incorrect definition to assess both the entitlement to an ex gratia payment and the entitlement to the use of subsection 7(2) of the Safety Rehabilitation and Compensation Act in determination of deseal-reseal claims, some veterans may have been wrongfully excluded and therefore may not have received their legislated entitlements.

My second concern is that of the use by DVA of contracted MLCOA health professionals to assess and ultimately contest claims by affected personnel. Last Monday, in Canberra, Mr Ed Killesteyn, Acting Secretary DVA, stated before this committee:

... that both the SRCA and the VEA are beneficial pieces of legislation. They are weighted in favour of the claimants, particularly in relation to the evidence that is provided.

He then went on to say:

The onus is on us, in a sense, to disprove rather than the individual to prove their claim.

I would suggest that if the entitlements of the claimants to compensation under the acts were favouring the claimant, and therefore by definition should have been easily assessed, DVA should not have needed to spend somewhere around \$3.1 million, as shown in table 9, note 7 of the DVA submission to the inquiry, to obtain further evidence from their contracted MLCOA health professionals in order to, in my opinion, disprove the evidence of the claimants and their doctors.

In my case, all my claimed conditions were subsequently denied on the basis of these reports. In fact, two of my claims were actually denied because the reports provided by MLCOA had not included a correct response to a question specifically asked by DVA. This fact causes me to ask: was I denied my entitlements because a DVA provider failed to complete a report in the correct manner?

Finally, in obtaining five of my six reports from MLCOA, DVA supplied the health professionals with all the previous MLCOA reports, even though they were not relevant to the condition being assessed by that specialist. I have suggested in my submission that this could be why it would be very unlikely for an MLCOA professional to find in favour of the claimant, because not only are DVA paying them a large amount of money, but they would also be very hesitant to rebut a determination of a fellow specialist. Thank you.

Mr ROBERT—Mr Knilands, can I ask you a question I asked Mr Gray previously. Could you explain to the committee how positive or otherwise your experience was in dealing with DVA?

Mr Knilands—To me, DVA tries to negate what you are saying in your claim. I suppose I could put it this way: it seems to me that they are paying compensation out of their own pockets and they want to try and lower the amount that they pay. I have had nothing but hassles with them, I suppose. They send you to MLCOA specialists who speak to you for perhaps half an hour, an hour, and from that they write out a report which is a generic report—all of them look the same—denying that the conditions are related to any type of exposure to chemicals or deseal-reseal, that type of thing, and saying that they are more than likely a result of another thing. For example, they said that the migraine headaches that I have come from stress. They are not caused by any chemical exposure, it is just stress, and therefore it is not applicable.

Mr ROBERT—Without invoking the wrath of the AMA or questioning the credentials of doctors, heaven forbid, as far as you are aware what were the formal qualifications of the doctors that you were sent to see, in understanding ailments that may have been the result of chemical exposure?

Mr Knilands—I do not know. I would suggest, judging by their titles—associate professors and this sort of thing—that they probably knew what they were talking about within their specialty, but with regard to our exposure to the chemicals, I doubt whether at that time they would have had a specific knowledge of what we were exposed to, how long we were exposed to it and what the outcomes could have been.

Mr ROBERT—Did you come away with a degree of confidence that they understood the damage that exposure to chemicals and so on could actually do?

Mr Knilands—No. I really did not, no.

CHAIR—Assuming that the records of people involved in the pick and patch have vanished, been lost, cannot be recovered, what process strikes you as being a reasonable one to identify who might qualify? Let's assume that the limitations, for example on the ex gratia payment, had not been restricted to just the deseal-reseal. Let's assume for a moment that it had extended to the pick and patch. In the absence of documentary evidence—the RAAF records—what in your mind is a way of determining who is in and who is out?

Mr Knilands—I would suggest the framies. Barry Gray, who preceded me, was a framie. That was his job. They worked on the aircraft airframe and all the associated equipment with that. If the fuel tanks needed fixing, the framies had to do it. It was just part of their job. It did not matter what type of fix they had to do. As Barry said, the majority of the time it was fuel leaks and that was it. That was their priority; they had to do it.

CHAIR—When you were there did you see the way in which the residue was cleaned up, burned, disposed of?

Mr Knilands—I did not have anything to do with that, no. At the time I was working on the hangar floor or the flight line doing instrument fitter work. As Greg and Barry have alluded to, at that particular time the aircraft was really a politically sensitive aircraft. We had just got it, we needed to make sure that it was flying through the skies and advertising et cetera. So we worked lots and lots and lots of hours of overtime to keep that aircraft flying.

My involvement with the actual pick and patch was because we were there working as a team—say the four o'clock till midnight shift—and a lot of times no other aircraft trade goes home until all the aircraft that we need for the next day's flying are ready. So we would pitch in. We gave a hand to other trades when we were finished doing our repairs or rectifications to the aircraft. That was my involvement.

Senator TROOD—Mr Knilands, is it likely that anybody with your responsibility was not involved in pick and patch? Did everybody who was a framie, as you call them, do these kinds of duties? Did everybody with your responsibilities do these kinds of activities? Could there have been anybody who was not involved in this kind of cleaning up of the tanks?

Mr Knilands—Probably the non-aircraft technical trades—for example, the locks packers, the equipos.

Senator TROOD—Yes, but is there any question that the people who were involved in the technical aircraft trades would all at some stage have been involved in cleaning the tanks?

Mr Knilands—They may have been. It would have depended on whether they were working in the rectifications area, for a start, and whether they were called upon to give the other trades a hand. In my trade, instrument fitter, it was not part of my duties to go in and work in fuel tanks, but when the aircraft needed to be ready for the next day's flying we had to give the other trades a hand when we could.

Senator TROOD—So there were a range of people whose specific responsibility was not necessarily to do this kind of work but who were drafted into the cast because of the requirement to get the aircraft online?

Mr Knilands—Yes.

Mr ROBERT—When we were speaking to Defence at last Monday's committee hearing I asked why the board of inquiry, and then all subsequent things from there, only focused on the four programs, and I was told quite categorically that the difference between 482 Squadron and those who were working at pick and patch and other areas was completely chalk and cheese from the four deseal-reseal programs. How would you respond to Defence's assertion?

Mr Knilands—Using my knowledge of what the aircraft trades did in the hangar prior to the official deseal-reseal program, I would say that was rubbish.

As I said, the framies, especially, spent a lot of time in the tanks, just to get the aircraft serviceable. The chemicals that they were exposed to, when I got into that sort of field, were still the same, apart from the SR51, of course—the cleaning chemicals, the fuels. The F4 fuel that we were using at that stage was very dangerous. It has some additives that are horrendous in their effects on a human body. I refer to EGME, for example—ethylene glycol monoethyl ether, which is a mouthful. That was used as an additive. I believe it was an anti-icing additive in the early days. We are talking about people sitting in puddles of it for hours and hours on end. Admittedly, there was only a small amount in there—less than one per cent—but, golly gee, we did not know at the time that it was that dangerous to humans. That has been alluded to in a lot

of the Defence submissions. We did not know what we were actually handling in those days, but I feel that somebody must have known.

Mr Fraser—Excuse me, Chair, could I add something, if it is not out of order?

CHAIR—It probably is, but I will let you.

Mr Fraser—The F111 used a unique additive in the fuel called HiTEC. It was used in the aircraft in response to some fuel pumps—the nozzle control pumps—that were failing. This is an additional chemical that was unique to F111s and generally not available in fuels to other aircraft in the fleet.

CHAIR—Thank you.

Senator FORSHAW—This is probably a question I could ask of every witness, but I was just thinking about it. All of the evidence that we have heard about deseal-reseal, pick and patch and all the other methods of dealing with these leaky fuel tanks clearly suggests that there were hardly any health and safety arrangements in place, even conceding that it was 35 or something years ago. Was that unique to this program? What I wonder about is what was happening in all of the other normal tasks that you, as a tradesperson, and others who were handling the transport of the drums and so on were performing. Was this a culture right across the base?

Mr Fraser—I had the benefit of experience on several types of aircraft—Canberra, Iroquois, Chinook, F111, Caribou. I suppose the approach to occupational health and safety and the use of chemicals was probably a bit lax in the Air Force. On the Caribou engines, as an engine fitter you would spend a good deal of time under these aircraft. I would have engine oil running down my arms, down my side and into my socks. There was absolutely nothing you could do to avoid exposure to engine oil. Engine oils are a toxic substance.

I think I made the point when I finished off last time that the nature of aircraft maintenance is hazardous. A lot of toxic chemicals are used in aircraft maintenance. But if you compound that with being crammed into a confined space and using toxic chemicals, then you have a humid environment where your skin becomes more porous and—

Senator FORSHAW—I understand that, and I am not in any way trying to argue with your evidence. You wonder about what was the general sort of situation in what might have been the normal day-to-day maintenance operations and other operations that people would be doing.

Mr Fraser—You did what you had to do to make an aircraft serviceable.

Senator FORSHAW—Here was a sort of unique problem—not unique in the sense that other aircraft do not have leaks, but the F111 had this really serious continual fuel leak that led on to a necessary ongoing, rather ad hoc type of program. ‘Do it the best way you can and the quickest way you can.’ I suppose the question that arises here is: if proper safety measures were taken in other areas of the base in other work where chemicals were being used, where you are handling fuel and all those sorts of things—and I know you cannot answer this—why didn’t someone say, ‘Here’s another situation where you have to try and apply a more safety conscious approach’?

Mr Fraser—I became a supervisor much later in my career than most people would have, and I worked in an area called rework in the engine maintenance section. It was a place where we dealt with a lot of toxic metals and chemicals. I would suspend work because we had run out of a particular cartridge, and I used to cop a lot of heat from my superiors for suspending work. I wish that my superiors at the time, when I was on deseal-reseal, had had the guts to suspend work because we did not have appropriate safety equipment.

Senator FORSHAW—Here you had new aircraft. I am old enough to remember as a kid the introduction of F111s, including some of the problems that they had when they were flying—pilots having to eject. My point is that hundreds and hundreds of millions of dollars worth of aircraft—new aircraft here—presumably put pressures on that may not have been evident in a whole range of other areas.

Mr Knilands—I believe, sir, that being such a politically sensitive aircraft, the onus was on us to get them up regardless. The Air Force at that stage had what has now been termed a ‘platforms-over-people’ policy, and that is exactly what it turned out to be back then. The platform, being the F111, was placed above the requirements of the troops that were servicing it. Safety, as in the way we practise it nowadays within Defence, was unheard of in those days. The board of inquiry was the thing that lifted the people back to their rightful place above platforms, or they are seen to be doing that nowadays, but back then it was, ‘At all costs, we need to get these aircraft out. We’ll work on them. We’ll use these chemicals because they work. We don’t know much about them. We’ll see what happens.’

Mr BALDWIN—First let me congratulate you on your submission. It is an outstanding submission.

Mr Knilands—Thank you.

Mr BALDWIN—Much has been made by many people that have given evidence to the inquiry about the US and their way of dealing with the issue. Think about another well-known plane which has inherent fuel leaks, which is the SR71. Was that similar to the seal program on the F111?

Mr Knilands—I have no knowledge of that, sir.

Mr Fraser—From what I have read online, the SR71 was intended to leak. Once it was in operation and at altitude and the skin reached a specific temperature, the leaks sealed. It was a design feature in the SR71.

Mr HALE—I have a question for Mr Knilands. Thank you for your evidence, which is comprehensive. I wanted to touch on the issues concerning the healthcare scheme. You feel it is wrong that an exposed person cannot make a claim after 20 September 2005, even if they become sick after this date, and recommend that this date should be removed. Further to that, you go on to say:

It should not be the case that if an F111 worker dies before 8 September 2001 their widow cannot claim compensation. This date should also be removed.

Obviously, as a committee, there have to be thresholds of dates and that sort of thing put in place in order to put a ceiling on compensation claims. What would you like to see happen in the future if those two dates were to be adjusted or removed?

Mr Knilands—I would like to see them removed entirely. If DVA is going to handle a series of claims by a group of people, the names are on a database. So why should they be limited by a certain date to get sick or to die, because if they die outside of that particular date they do not receive anything. That is rubbish. If a person has been affected by their service, they should have that entitlement to a health program or a scheme, or help with looking after their health, at any time in the future until that person dies of natural causes, if they do die of natural causes.

Mr IAN MACFARLANE—Mr Fraser, has your support group done any comparisons between the way this issue has been handled and the way asbestos has been handled, particularly as it relates to James Hardie?

Mr Fraser—We certainly had a watch on the asbestos issue and we note how damning the government was on James Hardie whilst they were being harsh with us.

Mr IAN MACFARLANE—But you have not compared compensation arrangements from those that, as you quite rightly say, have been imposed on James Hardie vis-a-vis the compensation rates arrangements that have been put in place for victims of desal-reseal.

Mr Fraser—There is a huge gap when you see what government enforced upon James Hardie to do, yet they could not meet the same example for us. Someone mentioned Hoch-Hansen here earlier. It was found that in the heating elements of the Hoch-Hansens there was asbestos that would actually come through that system in the heating cycle of the aircraft. So I would add to that that many of our people have been exposed to asbestos as well.

Mr BALDWIN—Are you aware of anybody that has taken a direct action against El Dorado Chemical Co. for the effects of the SR51?

Mr Fraser—El Dorado basically shut themselves off from us. They stopped communicating with me some time ago because I had attempted to email them and speak to them. I know of no direct action. If there was any direct action to be taken, it would be against 3M. They were the manufacturer of the product that failed and caused the leak.

Mr BALDWIN—Depending on which product you are claiming has actually caused the effect to you—whether it is the SR51, whether it is the goop, or indeed the MEK—I am just wondering, either here in Australia or in the US where people were involved in the F111 desal-reseal program, whether any individuals or a class action has been taken against the manufacturers of the chemicals for failing to post warnings on those chemicals?

Mr Fraser—The only person I know of is Albert Durden. I believe you have his story. I did, in the very early days, communicate with some lawyers in the US who were interested in what was going on here with the potential for a class action, but much like here in Australia there is very little merit that could be found to launch a class action, and who do you aim it at? Do you aim it at General Dynamics who no longer exist? I believe Boeing own them now. Do you aim it

at 3M who had the product that failed and was the root cause of the problem? So, like we face in Australia, there are complex layers of blame.

CHAIR—Thank you, Mr Knilands. You will be given a copy of a transcript of your evidence for any minor corrections that you may wish to make. Before concluding today's hearings there are two final things I want to mention. Firstly, we appreciate that for a number of people this is not an easy process and we thank those that are involved for coming forward to provide to the committee their human face to the matters that are under our investigation. Secondly, I anticipate some of you may well be here tomorrow. You should be advised that the parliament will be a much more crowded precinct tomorrow. The Governor of Queensland is being sworn in.

Resolved (on motion by **Mr Baldwin**):

That this committee authorises publication of the transcript of the evidence given before it at public hearing this day.

Subcommittee adjourned at 5.27 pm